

# LIQ03

## Notice of progress report in voluntary winding up



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 0 6 8 3 9 9 5 1

Company name in full Choc Chick Raw Chocolates Limited

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Adam Solomon

Surname Nakar

### 3 Liquidator's address

Building name/number Unit 2 Spinnaker Court

Street 1C Becketts Place

Post town Hampton Wick

County/Region Kingston upon Thames

Postcode K T 1 4 E Q

Country

### 4 Liquidator's name ①

Full forename(s)

Surname

#### ① Other liquidator

Use this section to tell us about  
another liquidator.

### 5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

#### ② Other liquidator

Use this section to tell us about  
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

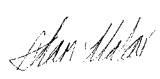
**6** Period of progress report

From date	<sup>d</sup> 2	<sup>d</sup> 0	<sup>m</sup> 0	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 3	
To date	<sup>d</sup> 1	<sup>d</sup> 9	<sup>m</sup> 0	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 4	

**7** Progress report

<input checked="" type="checkbox"/> The progress report is attached	
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**8** Sign and date

Liquidator's signature	Signature <b>X</b> 	<b>X</b>							
Signature date	<sup>d</sup> 1	<sup>d</sup> 3	<sup>m</sup> 0	<sup>m</sup> 3	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 4	

**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 Louise Hodgson

Company name WSM Marks Bloom LLP

Address Unit 2 Spinnaker Court  
1C Becketts Place

Post town Hampton Wick

County/Region Kingston upon Thames

Postcode K T 1 4 E Q

Country

DX

Telephone 020 8939 8240

**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)**

# CHOC CHICK RAW CHOCOLATES LIMITED (IN LIQUIDATION)

## ANNUAL PROGRESS REPORT FOR THE YEAR TO 19 JANUARY 2024

13 MARCH 2024

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- 6 Next Report

### ATTACHMENTS

Receipts and Payments Account from 20 January 2023 to 19 January 2024

Additional Information in relation to the Liquidator's Fees, Expenses & use of Subcontractors

# CHOC CHICK RAW CHOCOLATES LIMITED (IN LIQUIDATION)

## 1 Introduction and Statutory Information

- 1.1 I, Adam Solomon Nakar of WSM Marks Bloom LLP, Unit 2 Spinnaker Court, 1C Becketts Place, Hampton Wick, Kingston upon Thames KT1 4EQ, was appointed as Liquidator of Choc Chic Raw Chocolates Limited ('the Company') on 20 January 2023. I am authorised to act as an insolvency practitioner in the UK by the Institute of Chartered Accountants in England and Wales, and as such am bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment. In the event of case related queries, the Liquidator can be contacted on 020 8939 8240 or by email via [insolvency@wsm.co.uk](mailto:insolvency@wsm.co.uk).
- 1.2 This progress report covers the period from 20 January 2023 to 19 January 2024 ('the Period').
- 1.3 Information about the way that this firm uses and stores personal data on insolvency appointments can be found in the Privacy Notice at <http://wsm.co.uk/insolvency/>. If you are unable to download this, please contact us and a hard copy will be provided to you.
- 1.4 The principal trading address of the Company was 5A First Avenue, Hove, BN3 2FG. The principal trading activity was production and sale of chocolate and raw cacao products. The business traded under the Company's name.
- 1.5 The registered office of the Company is Unit 2 Spinnaker Court, 1C Becketts Place, Hampton Wick, Kingston upon Thames KT1 4EQ. Its registered number is 06839951.

## 2 Progress of the Liquidation

- 2.1 This section of the report provides creditors with an update on the progress made in the liquidation during the Period.
- 2.2 Attached is my receipts and payments account for the Period.

### Administration (including statutory compliance & reporting)

- 2.3 An office holder must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. This work includes administrative tasks associated the appointment, such as agreeing the strategy for the liquidation, filing notices of appointment, statutory advertising, opening and maintaining the estate cash book and bank accounts and reporting periodically to creditors, HMRC and the Registrar of Companies.
- 2.4 This work will not necessarily bring any financial benefit to creditors, but is required on every case by statute.

### Realisation of Assets

#### Cash in hand

- 2.5 The director's statement of affairs showed cash in hand of £6,000. During the Period, £6,000 was received. No further recoveries are expected for the remainder of the liquidation.

## CHOC CHICK RAW CHOCOLATES LIMITED (IN LIQUIDATION)

### Intellectual Property

- 2.6 The Intellectual Property of the Company consisted of a trademark, its website, contracts with wholesalers and retailers and online accounts.
- 2.7 I instructed Marriott & Co, asset valuers, to assist with the valuation of the Intellectual Property. They provided a valuation of £1,500, considering the strength of the brand and the contracts, and past retail performance.
- 2.8 In accordance with Statement of Insolvency Practice 13, I advise that the Intellectual Property was sold to VA Wholesale And Distribution Limited ('VA'), a controller of the Company, for £1,500 on 28 April 2023.
- 2.9 VA Wholesale And Distribution Ltd offered £1,500, in accordance with the valuation from Marriott & Co. As they already had knowledge of the assets, their offer was likely to be the highest and least costly to pursue. I therefore considered it sensible to accept.
- 2.10 Payment was received in full on 8 June 2023.
- 2.11 Marriott & Co have yet to be paid for their valuation.

### Licensing Agreement

- 2.12 Following my appointment as Liquidator I was sought further information on the licensing agreement between the Company and VA, referred to in paragraph 3.18 of the report to creditors issued prior to my appointment.
- 2.13 Meetings were held with VA and information on orders completed and stock sold was provided. However, it proved challenging to tie up this information with the records of the Company, while VA advised that they were having difficulties obtaining payments.
- 2.14 During the Period Holland & Barrett made a payment of £5,173.12 in April 2023 into the Company's account with Lloyds Bank Commercial Finance Limited, through which it had factored its debts, which included some amounts due under the licensing agreement. It has not been possible to get these funds released.
- 2.15 Dealing with further amounts owed by VA remains ongoing.

### Other assets

- 2.16 Funds are held in an interest-bearing account with Metro Bank plc. During the Period some interest has been accrued.
- 2.17 It is not anticipated that the work the Liquidator has carried out to deal with the Company's assets will provide a financial benefit to creditors, as the realisations are only sufficient to meet some of the costs and expenses of the liquidation.

### Creditors (claims and distributions)

- 2.18 A Liquidator is not only required to deal with correspondence and claims from unsecured creditors (which may include retention of title claims), but also those of any secured and preferential creditors of the Company. This may involve separate reporting

## CHOC CHICK RAW CHOCOLATES LIMITED (IN LIQUIDATION)

to any secured creditor and dealing with distributions from asset realisations caught under their security, most typically a debenture.

- 2.19 Since 1 December 2020, claims from preferential creditors now fall into one of two categories, either ordinary (typically involving employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal, which rank equally among themselves), or secondary (which are claims by HMRC for VAT or other relevant tax deductions such as PAYE and employee NIC deductions, together with student loans and CIS deductions, which also rank equally among themselves). Ordinary preferential claims rank ahead of secondary preferential claims and all preferential creditors must be paid in full before any distribution can be made to the unsecured creditors of a company.
- 2.20 Work undertaken by a Liquidator in dealing with a company's creditors may only therefore bring a financial benefit to certain classes of creditor such as a secured creditor or the preferential creditors, however a Liquidator is required by statute to undertake this work. Similarly, if a distribution is to be paid to any class of creditor, work will be required to agree those claims and process the dividend payments to each relevant class of creditor. The more creditors a company has, the more time and cost will be involved by the Liquidator in dealing with those claims.
- 2.21 The above work will not necessarily bring any financial benefit to creditors generally, however a Liquidator is required by statute to undertake this work. Similarly, if a distribution is to be paid to any class of creditor, work will be required to agree those claims and process the dividend payments to each relevant class of creditor. The more creditors a company has, the more time and cost will be involved by the Liquidator in dealing with those claims.
- 2.22 Further information on the work done in relation to claims and the anticipated outcome for creditors in this case can be found at section 3 of this report.

### Investigations

- 2.23 Some of the work the Liquidator is required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 ('CDDA 1986') and Statement of Insolvency Practice 2 – Investigations by Office Holders in Administration and Insolvent Liquidations and may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that the Liquidator can pursue for the benefit of creditors.
- 2.24 I can confirm that I submitted a report on the conduct of the Directors of the Company to the Department for Business, Energy & Industrial Strategy under the CDDA 1986 during the Period. As this is a confidential report, I am unable to disclose the contents.
- 2.25 Shortly after appointment, I made an initial assessment of whether there could be any matters that might lead to recoveries for the estate and what further investigations may be appropriate. This assessment took into account any information provided by creditors. My investigations have not revealed any issues requiring further report or any further potential recoveries which could be pursued for the benefit of creditors.

## CHOC CHICK RAW CHOCOLATES LIMITED (IN LIQUIDATION)

Matters still to be dealt with

2.26 The following matters remain outstanding on this case:

- Agree and collect further amounts owed by VA under the licensing agreement
- Resolve the distribution of fixed asset receipts
- Agree the basis of post appointment remuneration with creditors

### 3 Creditors

#### Secured Creditors

3.1 Lloyds TSB Bank plc ('Lloyds') holds a fixed and floating charge over the Company's assets. As at the date of liquidation Lloyds was estimated to be owed £52,047.74 under the charge. I received a claim from Lloyds on 24 August 2023 for £52,047.74.

3.2 Lloyds Bank Commercial Finance Limited also holds a fixed and floating charge, behind Lloyds although with a fixed charge over certain book debts of the Company. As at the date of liquidation Lloyds Bank Commercial Finance Limited were estimated to be owed £5,227.15. No formal claim has been received.

3.3 There may be a small distribution to Lloyds in respect of fixed charge realisations.

#### Preferential Creditors

3.4 The directors' statement of affairs estimated preferential claims at £2,650.00.

3.5 No preferential creditor claims have been received to date. I now do not anticipate receiving any preferential claims prior to the liquidation closing.

#### Secondary Preferential Creditors

3.6 The directors' statement of affairs estimated secondary preferential claims at £2,123.43.

3.7 I have received a claim from HMRC for £1,086.41 in respect of VAT, PAYE and CIS, that now form secondary preferential claims.

3.8 It is not anticipated that there will be a distribution to secondary preferential creditors.

#### Unsecured Creditors

3.9 I have received claims totalling £170,039.99 from 3 creditors. I have yet to receive claims from 2 creditors whose debts total £14,227.15 as per the directors' statement of affairs. Note that the above figures exclude employee claims.

3.10 The Company granted fixed and floating charges after 15 September 2003. Accordingly, I would be required to create a 'Prescribed Part' for distribution to unsecured creditors, in the event that there were to be net floating charge realisations.



## CHOC CHICK RAW CHOCOLATES LIMITED (IN LIQUIDATION)

However, it is not anticipated that there will be any net floating charge realisations, and that there is not anticipated to be a return to unsecured creditors in the liquidation.

### 4 Liquidator's Remuneration

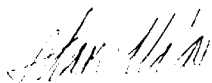
- 4.1 At the end of the Period the basis of the Liquidator's remuneration had not yet been agreed by creditors. New proposals are being issued to creditors with this report.
- 4.2 For reference, my time costs for the Period are £11,729.00 representing 35.30 hours at an average rate of £332.27 per hour.
- 4.3 It was resolved by passing a resolution by correspondence on 20 January 2023 that my pre-appointment fees fixed at £5,000 plus VAT would be drawn from the assets in the liquidation. These fees were drawn in full during the Period.
- 4.4 Attached is additional information in relation to this firm's policy on staffing, the use of subcontractors and expenses, and charge-out rates. Since my appointment, no category 2 expenses have been taken.
- 4.5 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from [bit.ly/3tDDsJS](https://bit.ly/3tDDsJS).

### 5 Creditors' Rights

- 5.1 Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report.
- 5.2 Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for the Liquidator's remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidator, as set out in this progress report, are excessive.

### 6 Next Report

- 6.1 I am required to provide a further report on the progress of the liquidation within two months of the next anniversary of the liquidation, unless I have concluded matters prior to this, in which case I will write to all creditors with my final account.



A S Nakar  
Liquidator  
13 March 2024

**Choc Chick Raw Chocolates Limited**  
**(In Liquidation)**  
**Liquidator's Summary of Receipts & Payments**

Statement of Affairs £		From 20/01/2023 To 19/01/2024 £	From 20/01/2023 To 19/01/2024 £
	<b>SECURED ASSETS</b>		
	Intellectual Property	1,500.00	1,500.00
		1,500.00	1,500.00
	<b>HIRE PURCHASE</b>		
Uncertain	Factored Book Debts	NIL	NIL
(5,227.15)	Lloyds Bank Commercial Finance Ltd	NIL	NIL
		NIL	NIL
	<b>ASSET REALISATIONS</b>		
	Bank Interest Gross	0.32	0.32
6,000.00	Cash in Hand	6,000.00	6,000.00
NIL	Furniture & Equipment	NIL	NIL
		6,000.32	6,000.32
	<b>COST OF REALISATIONS</b>		
	IT Maintenance	49.68	49.68
	Preparation of S. of A.	5,000.00	5,000.00
	Specific Bond	30.00	30.00
	Statutory Advertising	294.00	294.00
		(5,373.68)	(5,373.68)
	<b>PREFERENTIAL CREDITORS</b>		
(2,650.00)	Employee Arrears/Hol Pay	NIL	NIL
(2,123.43)	HM Revenue & Customs PAYE	NIL	NIL
		NIL	NIL
	<b>FLOATING CHARGE CREDITORS</b>		
(52,047.74)	Lloyds Bank plc	NIL	NIL
		NIL	NIL
	<b>UNSECURED CREDITORS</b>		
(126,323.21)	Banks/Institutions	NIL	NIL
(39,577.72)	Directors	NIL	NIL
(9,000.00)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
	<b>DISTRIBUTIONS</b>		
(7.46)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
<b>(230,956.71)</b>		<b>2,126.64</b>	<b>2,126.64</b>
	<b>REPRESENTED BY</b>		
	Current A/c		1,067.84
	Vat Receivable		1,058.80
			<b>2,126.64</b>

## CHOC CHICK RAW CHOCOLATES LIMITED (IN LIQUIDATION)

### ADDITIONAL INFORMATION IN RELATION TO THE LIQUIDATORS' FEES, EXPENSES & USE OF SUBCONTRACTORS

#### Policy

Detailed below is WSM Marks Bloom LLP's policy in relation to staff allocation and the use of subcontractors, professional advisors and expenses.

#### Staff allocation and the use of subcontractors

The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case. The constitution of the case team will usually consist of a Partner, a Manager, and an Administrator or Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment.

We have not utilised the services of any subcontractors in this case.

#### Professional advisors

On this case we have used the professional advisors listed below. We have also indicated alongside, the basis of our fee arrangement with them, which is subject to review on a regular basis.

Name of Professional Advisor	Basis of Fee Arrangement
Marriott & Co Chartered Surveyors (Asset Valuers)	Fixed fee for valuation

#### Liquidator's Expenses

The following expenses have been incurred during the Period, and have been paid from the funds in the liquidation account.

	Paid during the Period £	Anticipated further cost £	Total anticipated cost £
Statutory advertising	294.00	Nil	294.00
Specific bond	30.00	Nil	30.00
Postage	Nil	Nil	30.00
IT Maintenance	49.68	Nil	49.68

Category 1 expenses do not require approval by creditors. The type of expenses that may be charged as a Category 1 expense to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case.

Category 2 expenses do require approval from creditors. These are costs which are directly referable to the appointment in question but are not payments which are made to an independent third party and may include shared or allocated costs that can be allocated to the appointment

## CHOC CHICK RAW CHOCOLATES LIMITED (IN LIQUIDATION)

on a proper and reasonable basis such as internal room hire, or document storage. We would confirm that this firm does not seek to charge any Category 2 expenses.

### Charge-out Rates

A schedule of current charge-out rates (effective from October 2022) is detailed below.

Grade of staff	Charge-out rates per hour	Previous rates (effective at January 2018)
Senior Partner & Licensed Appointment Taker	£500	£440
Partner & Licensed Appointment Taker	£440	£360
Managers	£360	£300
Senior Professional Staff	£260	£220
Junior Professional Staff	£185	N/A
Assistants and Support Staff	£160	£140

The minimum time unit is 6 minutes.