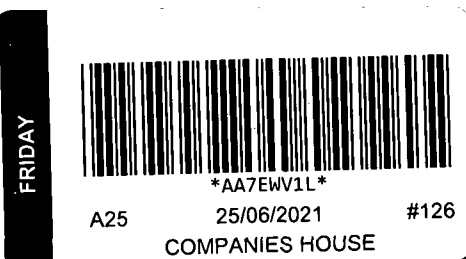


LIQ14

Notice of final account prior to dissolution in CVL



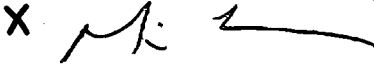
Companies House



1	Company details		→ Filling in this form Please complete in typescript or in bold black capitals.
Company number	0 6 8 5 2 5 9 8		
Company name in full	The Garden Room Restaurant Limited		
2	Liquidator's name		
Full forename(s)	Michael		
Surname	Jenkins		
3	Liquidator's address		
Building name/number	11 Clifton Moor Business Village		
Street	James Nicolson Link		
Post town	Clifton Moor		
County/Region	York		
Postcode	Y O 3 0 4 X G		
Country			
4	Liquidator's name ①		
Full forename(s)	David Adam		
Surname	Broadbent		
	① Other liquidator Use this section to tell us about another liquidator.		
5	Liquidator's address ②		
Building name/number	11 Clifton Moor Business Village		
Street	James Nicolson Link		
Post town	Clifton Moor		
County/Region	York		
Postcode	Y O 3 0 4 X G		
Country			
	② Other liquidator Use this section to tell us about another liquidator.		

LIQ14

Notice of final account prior to dissolution in CVL

6	Liquidator's release	
	<input type="checkbox"/> Tick if one or more creditors objected to liquidator's release.	
7	Final account	
	<input checked="" type="checkbox"/> I attach a copy of the final account.	
8	Sign and date	
Liquidator's signature	Signature 	
Signature date	<div> <div>d2d4</div> <div>m0m6</div> <div>y2y0y2y1</div> </div>	

LIQ14

Notice of final account prior to dissolution in CVL



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 **Jo Hudson**

Company name **Begbies Traynor (Central) LLP**

Address **11 Clifton Moor Business Village**

James Nicolson Link

Post town **Clifton Moor**

County/Region **York**

Postcode **YO30 4XG**

Country

DX **york@btguk.com**

Telephone **01904 479801**



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

The Garden Room Restaurant Limited (In Creditors' Voluntary Liquidation)

Final report and account of the liquidation

Period: 13 May 2020 to 27 April 2021

Important Notice

This report has been produced solely to comply with our statutory duty to report to creditors and members of the Company pursuant to Section 106 of the Insolvency Act 1986. This report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors and members for any purpose other than this report to them, or by any other person for any purpose whatsoever.

Contents

- ☐ Interpretation
- ☐ Company information
- ☐ Details of appointment of liquidators
- ☐ Progress since appointment
- ☐ Outcome for creditors
- ☐ Remuneration and disbursements
- ☐ Liquidators' expenses
- ☐ Unrealisable assets
- ☐ Other relevant information
- ☐ Conclusion
- ☐ Appendices
 - 1. Liquidators' account of receipts and payments
 - 2. Liquidators' time costs and disbursements
 - 3. Statement of Liquidators' expenses

1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	The Garden Room Restaurant Limited (In Creditors' Voluntary Liquidation)
"the liquidation"	The appointment of liquidators on 13 May 2020.
"the liquidators", "we", "our" and "us"	Michael Jenkins and David Adam Broadbent of Begbies Traynor (Central) LLP, 11 Clifton Moor Business Village, James Nicolson Link, Clifton Moor, York, YO30 4XG
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency (England & Wales) Rules 2016
"secured creditor" and "unsecured creditor"	Secured creditor, in relation to a company, means a creditor of the company who holds in respect of his debt a security over property of the company, and "unsecured creditor" is to be read accordingly (Section 248(1)(a) of the Act)
"security"	(i) In relation to England and Wales, any mortgage, charge, lien or other security (Section 248(1)(b)(i) of the Act); and (ii) In relation to Scotland, any security (whether heritable or moveable), any floating charge and any right of lien or preference and any right of retention (other than a right of compensation or set off) (Section 248(1)(b)(ii) of the Act)
"preferential creditor"	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Act

2. COMPANY INFORMATION

Trading name:	Garden Room Cafe
Company registered number:	06852598
Company registered office:	11 Clifton Moor Business Village, James Nicolson Link, Clifton Moor, York, YO30 4XG
Former trading address:	High Street, Braithwell, Rotherham, S66 7AL

3. DETAILS OF APPOINTMENT OF LIQUIDATORS

Date winding up commenced:	13 May 2020
Date of liquidators' appointment:	13 May 2020
Changes in liquidator (if any):	None

4. PROGRESS SINCE APPOINTMENT

This is our final report and account of the liquidation.

Receipts and Payments

Attached at Appendix 1 is our abstract of receipts and payments for the period from 13 May 2020 to 27 April 2021.

What work has been done in the period of this report, why was that work necessary and what has been the financial benefit (if any) to creditors?

Details of the types of work that generally fall into the headings mentioned below are available on our firm's website - <http://www.begbies-traynorgroup.com/work-details> Under the following headings we have explained the specific work that has been undertaken on this case. Not every piece of work has been described, but we have sought to give a proportionate overview which provides sufficient detail to allow creditors to understand what has been done, why it was necessary and what financial benefit (if any) the work has provided to creditors.

The costs incurred in relation to each heading are set out in the Time Costs Analysis which is attached at Appendix 2.

General case administration and planning

Includes the initial set-up of the case and the time spent by support staff in dealing with administration duties.

It is necessary to develop and review the strategy in respect of certain key elements, such as asset realisations and investigations, dependent upon the specific circumstances of a case. Periodic reviews are carried out in order to ensure that asset realisations and investigations are progressing satisfactorily and that statutory requirements of the relevant legislation are complied with. Generally, it is necessary to maintain records to demonstrate how the case was administered and to document the reasons for any decisions that materially affect the case.

This has not benefitted creditors financially but was necessary in accordance with insolvency legislation.

Compliance with the Insolvency Act, Rules and best practice

During the period of this report, in accordance with the Insolvency Act and Rules, we have:

- ☐ issued notice of our appointment to the necessary parties;
- ☐ filed all required documents with the Registrar of Companies;
- ☐ advertised the required notices in the London Gazette;
- ☐ ensured that the case is adequately bonded (an insurance to protect the interests of unsecured creditors in the asset realisations on a case);
- ☐ undertaken work in respect of the closure of the liquidation, such as the final file review and calculation/payment of final expenses; and
- ☐ produced this final report and account.

Our support staff have also performed cashiering duties, such as banking funds, maintaining accounting records and invoicing in respect of remuneration and disbursements.

This work has not benefitted creditors financially but was necessary in accordance with insolvency legislation

Investigations

We have complied with our statutory duty to investigate the conduct of the directors in relation to their management of the affairs of the Company and the causes of its failure. We are obliged to submit confidential reports to the Department for Business, Energy and Industrial Strategy.

Realisation of assets

Bank Interest Gross

We have received bank interest totalling £0.46 following the investment of funds.

Cash at Bank

The sum of £143.56 has been received, being the credit balance at the company's bank account after closing charges.

Cash in Hand

Cash in Hand relates to funds held in the Begbies Traynor client account and relate to monies transferred from the Company's business bank account.

Debtor – Mr & Mrs Moore

The Company's motor vehicles and small items of kitchen equipment were sold to the Company's directors, Mr & Mrs Moore, for £5,000 plus VAT, shortly prior to our appointment as Liquidators. The sum of £6,000 has been received in full.

Fixtures and Fittings

The directors' Statement of Affairs estimated that the Company owned fixtures & fittings valued at £5,000. On advice received from Eddisons, these assets were sold by auction and realised £5,633.

Dealing with all creditors' claims (including employees), correspondence and distributions

We have dealt with unsecured creditors generally in the course of the liquidation to date. We have also assisted the employees with submitting claims for redundancy etc from the Redundancy Payments Office.

We issued a dividend to the preferential creditors in accordance with legislation. We have also agreed the claims of the unsecured creditors and declared a dividend which will be paid shortly (as detailed further below).

Other matters which includes seeking decisions from creditors (via Deemed Consent Procedure and/or Decision Procedures), tax, litigation, pensions and travel

Matters included in this category include time spent travelling to meetings, holding other meetings and the preparation and submission of tax returns.

We have also sought approval from creditors on the basis of our remuneration, as required by insolvency legislation.

5. OUTCOME FOR CREDITORS

Details of the sums owed to each class of the Company's creditors were provided in the directors' statement of affairs.

On the basis of realisations, the outcome for each class of the Company's creditors is as follows:

Secured creditor

There are no known secured creditors.

Preferential creditors

A dividend of 100 pence in the £ has been paid to the preferential creditors.

Prescribed Part for unsecured creditors pursuant to Section 176A of the Act

Section 176A of the Act provides that, where the company has created a floating charge on or after 15 September 2003, the liquidator must make a prescribed part of the Company's net property available for the unsecured creditors and not distribute it to the floating charge holder except in so far as it exceeds the amount required for the satisfaction of unsecured debts. Net property means the amount which would, were it not for this provision, be available to floating charge holders out of floating charge assets (i.e. after accounting for preferential debts and the costs of realising the floating charge assets). The prescribed part of the Company's net property is calculated by reference to a sliding scale as follows:

- ☐ 50% of the first £10,000 of net property;
- ☐ 20% of net property thereafter;
- ☐ Up to a maximum amount to be made available of £600,000

A liquidator will not be required to set aside the prescribed part of net property if:

- ☐ the net property is less than £10,000 and the liquidator thinks that the cost of distributing the prescribed part would be disproportionate to the benefit; (Section 176A(3)) or
- ☐ the liquidator applies to the court for an order on the grounds that the cost of distributing the prescribed part would be disproportionate to the benefit and the court orders that the provision shall not apply (Section 176A(5)).

To the best of our knowledge and belief, there are no unsatisfied floating charges created or registered on or after 15 September 2003 and, consequently, there is no net property as defined in Section 176A(6) of the Act and, therefore, no prescribed part of net property is available for distribution to the unsecured creditors.

Unsecured creditors

An unsecured dividend has been declared and will be paid following the receipt of a VAT refund (which is anticipated shortly). The distribution will be 13.32p in the £.

6. REMUNERATION & DISBURSEMENTS

Remuneration

Our remuneration has been fixed by reference to the time properly given by us (as liquidators) and the various grades of our staff calculated at the prevailing hourly charge out rates of Begbies Traynor (Central) LLP in attending to matters arising in the winding up as set out in the fees estimate dated 18 May 2020 in the sum of £11,458.50 and we are authorised to draw disbursements for services provided by our firm and/or entities within the Begbies Traynor group, in accordance with our firm's policy and which is attached at Appendix 2 of this report.

Our time costs for the period from 13 May 2020 to 27 April 2021 amounts to £11,793.50 which represents 44.7 hours at an average rate of £263.84 per hour.

The following further information in relation to our time costs and disbursements is set out at Appendix 2:

- ☐ Time Costs Analysis for the period 13 May 2020 to 27 April 2021
- ☐ Begbies Traynor (Central) LLP's charging policy

Work undertaken prior to appointment

In addition to the post appointment time costs detailed in the Time Costs Analysis, the costs relating to work undertaken prior to our appointment in assisting with the preparation of the statement of affairs and seeking the decisions of creditors on the nomination of liquidators were paid prior to the liquidation from funds held in the Company's bank account.

To 27 April 2021, we have drawn the total sum of £11,458 on account of our remuneration, against total time costs of £11,793.50 incurred since the date of our appointment, plus anticipated time which will be incurred in concluding the case. Any unbilled time costs will be written off as irrecoverable.

Disbursements

To 27 April 2021, we have also drawn disbursements in the sum of £66.57

Category 2 Disbursements

In accordance with the resolution obtained in relation to disbursements, the following Category 2 disbursements and disbursements which should be treated as Category 2 disbursements have been charged to the case since the date of our appointment:

Disbursements treated as Category 2 disbursements

Other amounts paid or payable to any party in which the office holder or his firm or any associate has an interest	
Type and purpose	Amount £
Eddisons, which is a member of the Begbies Traynor group, has provided agency services. The purpose of obtaining such services was to dispose of the Company's assets.	1,263.30

A copy of 'A Creditors' Guide to Liquidators Fees (E&W) 2017' which provides guidance on creditors' rights on how to approve and monitor a Liquidator's remuneration and on how the remuneration is set can be obtained online at www.begbies-traynor.com/creditorsguides. Alternatively, if you require a hard copy of the Guide, please contact our office and we will arrange to send you a copy.

7. LIQUIDATORS' EXPENSES

A statement of the expenses incurred since our appointment is attached at Appendix 3.

8. UNREALISABLE ASSETS

The book debts of £335 ultimately proved uncollectable and were written off as it was not commercial viable to pursue.

9. OTHER RELEVANT INFORMATION

Investigations and reporting on directors conduct

You may be aware that a liquidator has a duty to enquire into the affairs of an insolvent company to determine its property and liabilities and to identify any actions which could lead to the recovery of funds. In addition, a liquidator is also required to consider the conduct of the Company's directors and to make an appropriate submission to the Department for Business, Energy and Industrial Strategy. We can confirm that we have discharged our duties in these respects.

Investigations completed

We have been investigating the manner in which the business was conducted prior to the liquidation of the Company and potential recoveries for the estate in this respect.

Connected party transactions

In accordance with Statement of Insolvency Practice 13, we are obliged to inform creditors of any sale of the Company's business or assets which involves a party connected to the Company. We confirm that the following assets were sold:

Date of sale	Asset sold and nature of transaction	Consideration paid and date	Name of Purchaser	Relationship with the Company
4 May 2020	Motor Vehicles & Equipment	£5,000 plus VAT (paid 9 June 2020)	Stuart & Gina Moore	Directors

Use of personal information

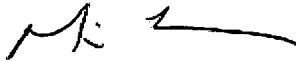
Please note that although it is our intention to conclude the liquidation, in the course of us continuing to discharge our statutory duties as liquidators, we may need to access and use personal data, being information from which a living person can be identified. Where this is necessary, we are required to comply with data protection legislation. If you are an individual and you would like further information about your rights in relation to our use of your personal data, you can access the same at <https://www.begbies-traynorgroup.com/privacy-notice>. If you require a hard copy of the information, please do not hesitate to contact us.

10. CONCLUSION

This report and account of receipts and payments is our final account of the winding-up, showing how the liquidation has been conducted and details of how the Company's property has been disposed of.

Unless creditors object, by giving notice in writing within 8 weeks of the delivery of the notice of our final account, we will have our release from liability at the same time as vacating office. We will vacate office upon our delivering to the Registrar of Companies our final account.

Should you require further explanation of any matters contained within this report, you should contact our office and speak to the case manager, Jo Hudson in the first instance, who will be pleased to assist.



Michael Jenkins
Joint Liquidator

Dated: 27 April 2021

ACCOUNT OF RECEIPTS AND PAYMENTS

Period: 13 May 2020 to 27 April 2021

The Garden Room Restaurant Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments
To 27/04/2021

S of A £		£	£
	ASSET REALISATIONS		
5,000.00	Fixtures & Fittings	5,633.00	
6,000.00	Debtor - Mr & Mrs Moore	6,000.00	
335.00	Book Debts	NIL	
352.00	Cash at Bank	143.56	
4,200.00	Cash in Hand	5,200.00	
	Bank Interest Gross	0.46	
			16,977.02
	COST OF REALISATIONS		
	Liquidators' Fees	11,458.00	
	Liquidators' Expenses	66.57	
	Agents/Valuers Fees	1,263.30	
	Statutory Advertising	288.45	
			(13,076.32)
	PREFERENTIAL CREDITORS		
(5,818.56)	Employees re Holiday Pay	106.85	
			(106.85)
	UNSECURED CREDITORS		
(550.00)	Trade Creditors	NIL	
(14,844.59)	Employees re Redundancy & Notice P	NIL	
(7,000.00)	Directors	NIL	
(13,150.00)	HMRC (Corp Tax, VAT & PAYE)	NIL	
			NIL
	DISTRIBUTIONS		
(2.00)	Ordinary Shareholders	NIL	
			NIL
(25,478.15)			3,793.85
	REPRESENTED BY		
	Bank 1 Current		1,300.79
	Vat Control Account		2,493.06
			3,793.85

TIME COSTS AND DISBURSEMENTS

- a. Begbies Traynor (Central) LLP's charging policy; and
- b. Time Costs Analysis for the period from 13 May 2020 to 27 April 2021.

BEGBIES TRAYNOR CHARGING POLICY

INTRODUCTION

This note applies where a licensed insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to draw remuneration on the basis of the time properly spent in dealing with the case. It also applies where further information is to be provided to creditors regarding the office holder's fees following the passing of a resolution for the office holder to be remunerated on a time cost basis. Best practice guidance¹ requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm. Best practice guidance² indicates that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated.

OFFICE HOLDER'S FEES IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

The office holder has overall responsibility for the administration of the estate. He/she will delegate tasks to members of staff. Such delegation assists the office holder as it allows him/her to deal with the more complex aspects of the case and ensures that work is being carried out at the appropriate level. There are various levels of staff that are employed by the office holder and these appear below.

The firm operates a time recording system which allows staff working on the case along with the office holder to allocate their time to the case. The time is recorded at the individual's hourly rate in force at that time which is detailed below.

EXPENSES INCURRED BY OFFICE HOLDERS IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

Best practice guidance classifies expenses into two broad categories:

- ☐ *Category 1 disbursements (approval not required)* - specific expenditure that is directly related to the case and referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- ☐ *Category 2 disbursements (approval required)* - items of expenditure that are directly related to the case which include an element of shared or allocated cost and are based on a reasonable method of calculation, but which are not payable to an independent third party.

(A) The following items of expenditure are charged to the case (subject to approval):

- Internal meeting room usage for the purpose of physical meetings of creditors is charged at the rate of £100 (London £150) per meeting;
- Car mileage is charged at the rate of 45 pence per mile;
- Storage of books and records (when not chargeable as a *Category 1 disbursement*) is charged on the basis that the number of standard archive boxes held in storage for a particular case bears to the total of all archive boxes for all cases in respect of the period for which the storage charge relates;

(B) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 disbursement*.

- Telephone and facsimile

¹ Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales

² Ibid 1

- Printing and photocopying
- Stationery

BEGBIES TRAYNOR CHARGE-OUT RATES

Begbies Traynor is a national firm. The rates charged by the various grades of staff that may work on a case are set nationally, but vary to suit local market conditions. The rates applying to the York office as at the date of this report are as follows:

Grade of staff	Charge-out rate (£ per hour) 1 December 2018 – until further notice
Partner	495
Director	445
Senior Manager	395
Manager	345
Assistant Manager	250
Senior Administrator	225
Administrator	175
Junior Administrator	140
Support	140

Time spent by support staff such as secretarial, administrative and cashiering staff is charged directly to cases. It is not carried as an overhead.

Time is recorded in 6 minute units.

SIP9 The Garden Room Restaurant Limited - Creditors Voluntary Liquidation - 831H879.CVL : Time Costs Analysis From 13/05/2020 To 27/04/2021

[illegible]

STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £	Amount discharged £	Balance (to be discharged) £
Expenses incurred with entities not within the Begbies Traynor Group				
Statutory Advertising	Courts Advertising	288.45	288.45	Nil
Postage	Postworks <i>Category 1 Disbursements</i>	41.32	36.57	4.75
Bond	Marsh Ltd <i>Category 1 Disbursements</i>	30.00	30.00	Nil
Expenses incurred with entities within the Begbies Traynor Group (<i>for further details see Begbies Traynor Charging Policy</i>)				
Agent's fees paid to Eddisons	Eddisons	1,263.30	1,263.30	Nil