

LIQ14

Notice of final account prior to dissolution in CVL



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1	Company details	
Company number	0 8 2 6 5 5 3 2	→ Filling in this form Please complete in typescript or in bold black capitals.
Company name in full	Sushi Bar Atari-Ya Limited	
2	Liquidator's name	
Full forename(s)	Martin Henry	
Surname	Linton FCA FABRP MIPA	
3	Liquidator's address	
Building name/number	Maple House	
Street	High Street	
Post town	Potters Bar	
County/Region	Herts	
Postcode	E N 6 5 B S	
Country		
4	Liquidator's name ①	
Full forename(s)	Paul Adam	① Other liquidator Use this section to tell us about another liquidator.
Surname	Weber ACA FCCA FABRP	
5	Liquidator's address ①	
Building name/number	Maple House	① Other liquidator Use this section to tell us about another liquidator.
Street	High Street	
Post town	Potters Bar	
County/Region	Herts	
Postcode	E N 6 5 B S	
Country		

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6 Liquidator's release

☐ Tick if one or more creditors objected to liquidator's release.

:

7 Final account

☒ I attach a copy of the final account.

8 Sign and date

Liquidator's signature

Signature

X

M. H. Linton

X

Signature date

d

3

d

0

m

1

m

1

y

2

y

0

y

2

y

1

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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 **Martin Henry Linton FCA FABRP F**

Company name **Leigh Adams Limited**

Address **Maple House**

High Street

Post town **Potters Bar**

County/Region **Herts**

Postcode **E N 6 5 B S**

Country

DX

Telephone **020-8446-2433**



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

Sushi Bar Atari-Ya Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments
From 4 December 2020 To 30 September 2021

Statement of Affairs £		£	£
	PREFERENTIAL CREDITORS		
(36,163.07)	Employees Holiday Pay	NIL	NIL
	UNSECURED CREDITORS		
(158,682.74)	Trade & Expense Creditors	NIL	
(63,775.12)	Employees-Redundancy Pay and Notic	NIL	
(63,680.00)	H M Revenue & Customs - PAYE/NI	NIL	
(35,461.90)	H M Revenue & Customs - VAT	NIL	
(850,772.20)	Holding company-Atariya Foods Limite	NIL	NIL
	DISTRIBUTIONS		
(601,000.00)	Ordinary Shareholders	NIL	NIL
(1,809,535.03)			NIL
	REPRESENTED BY		
			NIL


 Martin Linton FCA FABRP MIPA
 Joint Liquidator



PRIVATE AND CONFIDENTIAL

TO ALL KNOWN MEMBERS AND CREDITORS

Our Ref: MHL/ZD/S2184/S

Date: 30th September 2021

Dear Sir/Madam

SUSHI BAR ATARI-YA LIMITED ("THE COMPANY") – IN CREDITORS' VOLUNTARY LIQUIDATION

I am now in a position to conclude the winding up of the affairs of the Company and I enclose my final account and notice to creditors and members, together with receipts and payments account for the whole of the period I was in office.

Also enclosed is a formal notice setting out the final dividend position in respect of the liquidation, although the information in that notice is summarised below.

A dividend will not be declared to unsecured creditors as no assets were realised.

Creditors and members should note that provided no objections to my release are received, Paul Weber ACA FCCA FABRP and I shall obtain our release as Joint Liquidators following the delivery of the final notice to the Registrar of Companies, following which our case files will be placed in storage.

If creditors or members have any queries regarding the conduct of the Liquidation, or they want hard copies of any of documents made available on-line, they should contact Zuzana Drengubiakova by email at zuzana@leighadams.co.uk before my release.

Yours faithfully

MARTIN LINTON FCA FABRP MIPA
Joint Liquidator

Enc



**SUSHI BAR ATARI-YA LIMITED – IN CREDITORS' VOLUNTARY LIQUIDATION
JOINT LIQUIDATORS' FINAL ACCOUNT TO CREDITORS AND MEMBERS**

STATUTORY INFORMATION

Company name:	Sushi Bar Atari-Ya Limited
Company number:	08265532
Trading addresses:	1C Station Parade, Ealing Common, London W5 3DL 20 James Street, London W1U 1EH 626 Finchley Road, London NW11 7RR 75 Fairfax Road, London NW6 4EE
Registered office:	Maple House, High Street, Potters Bar, Hertfordshire EN6 5BS
Former registered office:	Handel House, 95 High Street, Edgware, Middlesex HA8 7DB
Principal trading activity:	Licensed Restaurant
Joint Liquidators' names:	Martin Linton FCA FABRP MIPA Paul Weber ACA FCCA FABRP
Joint Liquidators' address:	Maple House, High Street, Potters Bar, Hertfordshire EN6 5BS
Liquidators' date of appointment:	4 th December 2020
Actions of Joint Liquidator	Any act required or authorised under any enactment to be done by a Liquidator may be done by either or both of the Liquidators acting jointly or alone.

JOINT LIQUIDATORS' ACTIONS SINCE APPOINTMENT

The only aspect of the liquidation was carrying out my statutory duties. It should be noted that a considerable amount of time was spent with various issues relating to the former employees' claims.

There is certain work that I am required by the insolvency legislation to undertake work in connection with the liquidation that provides no financial benefit for the creditors. A description of the routine work undertaken since my appointment as Joint Liquidator is contained in Appendix no. 1.

RECEIPTS AND PAYMENTS ACCOUNT

My Receipts & Payments Account for the period from 4th December 2020 to 30th September 2021 is attached.

ASSET REALISATIONS

The company had no assets.

LIABILITIES

Secured Creditors

An examination of the Company's mortgage register held by the Registrar of Companies, showed that the Company has no current charges over its assets.

The legislation requires that if the Company has created a floating charge after 15 September 2003, a prescribed part of the Company's net property (i.e. the money that would otherwise be available to the charge holder) should be ring-fenced for distribution to unsecured creditors. In this case there were no creditors secured by a floating charge such that the prescribed part provisions do not apply.

Preferential Creditors

The Statement of Affairs included £36,163.07 owed to the preferential creditors in respect of ex-employees' claims. A preferential claim of £19,553.99 was received from the Redundancy Payments Office ("RPO") representing payments made under the Employment Rights 1996.

Crown Creditors

The Statement of Affairs included £99,141.90 owed to HMRC in respect of VAT and PAYE/NI liabilities. HMRC's interim claim of £62,807.13 was received on 31st March 2021 which only related to PAYE/NI liabilities.

Non-Crown unsecured Creditors

The Statement of Affairs included 16 trade & expense unsecured creditor with an estimated total liability of £158,682.74. I have received claims from 3 creditors at a total of £11,544.12. I have not received claims from 13 creditors with original estimated claims in the Statement of Affairs of £126,801.67.

The Statement of Affairs included £850,772.20 owed to the holding company Atariya Foods Limited. A claim for £850,772.20 has been received.

The Statement of Affairs included £63,775.12 owed to the unsecured creditors in respect of ex-employees' claims. I received a claim of £26,088.21 from the Redundancy Payments Office ("RPO") in respect of the Employment Right Act 1996.

DIVIDENDS

A dividend will not be declared to unsecured creditors as no assets were realised.

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.

There were no matters that justified further investigation in the circumstances of this appointment.

Within three 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 them unfit to be concerned with the management of the Company. I would confirm that my report has been submitted.

JOINT LIQUIDATORS' PRE-APPOINTMENT REMUNERATION

The Board previously authorised the payment of a fee of £14,500 plus VAT, plus disbursements for my assistance with preparing the Statement of Affairs, arranging the decision procedure for creditors to appoint a liquidator and convening the meeting by deemed consent procedure on 16th July 2020.

£14,500 plus VAT and disbursements has been paid by Atariya Foods Limited for preparing the statement of affairs and arranging the deemed consent procedure for creditors to appoint a liquidator was paid by the director on 27th October 2020.

JOINT LIQUIDATORS' REMUNERATION

I have not drawn any remuneration in this case as no assets have been realised.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. A copy of 'A Creditors Guide to Liquidators' Fees' also published by R3, together with an explanatory note which shows Leigh Adams Limited's fee policy are available at the link www.leighadams.co.uk/Resources/Usefullinks . Please note that there are different versions of the Guidance Notes and in this case you should refer to the April 2017 version.

JOINT LIQUIDATORS' EXPENSES

Expenses are any payments from the estate which are neither an office holder's remuneration nor a distribution to a creditor or a member. Expenses also includes disbursements. Disbursements are payments which are first met by the office holder and then reimbursed to the office holder from the estate. Expenses are split into: -

- category 1 expenses, which are payments to persons providing the service to which the expense relates who are not an associate of the office holder; and
- category 2 expenses, which are payments to associates or which have an element of shared costs. Before being paid category 2 expenses require approval in the same manner as an office holder's remuneration.

I have incurred the following expenses in the period since my appointment which has been paid by Leigh Adams Limited:-

<u>Type of Expense</u>	<u>Amount incurred/Accrued to date (£)</u>
Statutory advertising	190.04
Bordereau	64.00
Postage	<u>63.42</u>
Total	<u>317.46</u>

The firm does not charge Category 2 expenses.

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 Joint Liquidator's remuneration and expenses within 21 days of receipt of this final account. Any secured creditor may request the same details in 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 of remuneration charged by the Joint Liquidators' as being excessive, and/or the basis of the Joint Liquidators' remuneration, and/or the amount of the expenses incurred as being excessive, within 8 weeks of receipt of this final account. Any secured creditor may make a similar application to court within the same time limit.


To comply with the Provision of Services Regulations, some general information about Leigh Adams Limited can be found at <https://www.leighadams.co.uk/provision-of-services>.

SUMMARY

The winding up of the Company is now for all practical purposes complete and I am seeking the release of myself and Paul Weber ACA FCCA FABRP as Joint Liquidators of the Company. Creditors and members should note that provided no objections to our release are received we shall obtain our release as Joint Liquidators following the delivery of the final notice to the Registrar of Companies, following which our case files will be placed in storage.

If creditors have any queries regarding the conduct of the Liquidation, or if they want hard copies of any of the documents made available on-line, they should contact Zuzana Drengubiakova by email at zuzana@leighadams.co.uk before our release.

Yours faithfully

A handwritten signature in black ink, appearing to read 'M. Linton'.

Martin Linton FCA FABRP MIPA
Joint Liquidator

Appendix no.1

1. Administration

This represents the work involved in the routine administrative functions of the case by the office holder and their staff, together with the control and supervision of the work done on the case by the office holder and their managers. It does not give direct financial benefit to the creditors, but has to be undertaken by the office holder to meet their requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that office holders must follow.

- Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
- Setting up the case on the practice's electronic case management system and entering data.
- Issuing the statutory notifications to creditors and other required on appointment as office holder, including gazetting the office holder's appointment.
- Obtaining a specific penalty bond.
- Convening and holding general meetings of creditors and members.
- Dealing with all routine correspondence and emails relating to the case.
- Reviewing the adequacy of the specific penalty bond on a quarterly basis.
- Undertaking periodic reviews of the progress of the case.
- Overseeing and controlling the work done on the case by case administrators.
- Filing returns at Companies House.
- Preparing and filing VAT returns.
- Preparing and filing Corporation Tax returns.
- Seeking closure clearance from HMRC and other relevant parties.
- Preparing, reviewing and issuing a final report to creditors and members.
- Preparation of final account.
- Filing final returns at Companies House.

2. Creditors

Employees - The office holder needed to deal with the ex-employees in order to ensure that their claims were processed appropriately by the Redundancy Payments Office (RPO). The office holder was required to undertake this work as part of their statutory functions.

Claims of creditors - the office holder needed to maintain up to date records of the names and addresses of creditors, together with the amounts of their claims as part of the management of the case, and to ensure that notices and reports could be issued to the creditors. The office holder also needed to deal with correspondence and queries received from creditors regarding their claims and dividend prospects as they were received. The office holder was required to undertake this work as part of his statutory functions.

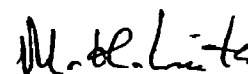
- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.
- Requesting additional information from creditors in support of their proofs of debt in order to adjudicate on their claims.
- Obtaining information from the case records about employee claims.
- Completing documentation for submission to the Redundancy Payments Office.
- Corresponding with employees regarding their claims.
- Liaising with the Redundancy Payments Office regarding employee claims.

3. Investigations

- Preparing a report or return on the conduct of the directors as required by the Company Directors Disqualification Act.

Sushi Bar Atari-Ya Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £		From 04/12/2020 To 30/09/2021 £	From 04/12/2020 To 30/09/2021 £
	PREFERENTIAL CREDITORS		
(36,163.07)	Employees Holiday Pay	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(63,775.12)	Employees-Redundancy Pay and Notic	NIL	NIL
(63,680.00)	H M Revenue & Customs - PAYE/NI	NIL	NIL
(35,461.90)	H M Revenue & Customs - VAT	NIL	NIL
(850,772.20)	Holding company-Atariya Foods Limite	NIL	NIL
(158,682.74)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(601,000.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(1,809,535.03)		NIL	NIL
	REPRESENTED BY		
			NIL



Martin Henry Linton FCA FABRP MIPA
Joint Liquidator

**Notice of Final Account of
Sushi Bar Atari-Ya Limited ("the Company") – In Creditors' Voluntary Liquidation**

Company registered number: 08265532

NOTICE IS GIVEN by the Joint Liquidators, Paul Weber ACA FCCA FABRP and Martin Henry Linton FCA FABRP MIPA, under rule 6.28 of The Insolvency (England and Wales) Rules 2016 and section 106 of The Insolvency Act 1986, that the company's affairs have been fully wound up.

1. Creditors have the right under rule 18.9 of The Insolvency (England and Wales) Rules 2016 to request further details of the Liquidators' remuneration and expenses. That request must be made to the Joint Liquidators within 21 days of receipt of the final account, and with either the permission of the Court, or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question). Secured creditors may also request further details.
2. Creditors have the right under rule 18.34 of The Insolvency (England and Wales) Rules 2016 to apply to Court to challenge the amount and/or basis of the Liquidators' fees, and/or the amount of any expenses incurred. That application must be made within 8 weeks of receipt of the final account, and with either the permission of the Court, or with the concurrence of 10% in value of the creditors (including the creditor in question). Secured creditors may also make an application.
3. Creditors may object to the release of the Joint Liquidators by giving notice in writing to the Liquidators at the address given below before the end of the prescribed period. The prescribed period will end at the later of: 8 weeks after delivery of this notice; or, if any request for information regarding the Liquidators' remuneration and/or expenses is made under rule 18.9, or if any application is made to Court to challenge the Liquidators' fees and/or expenses under rules 18.34 or 18.35, when that request or application is finally determined.
4. The Joint Liquidators will vacate office under section 171 of the Insolvency Act 1986 when, upon expiry of the prescribed period that creditors have to object to their release, they deliver to the Registrar of Companies the final account and a notice saying whether any creditor has objected to their release.
5. The Joint Liquidators will be released under section 173 of the Insolvency Act 1986 at the same time as vacating office, unless any creditors objected to their release.

Creditors requiring further information regarding the above, should either contact me at Maple House, High Street, Potters Bar, Herts, EN6 5BS, or contact Zuzana Drengubiakova by email at Zuzana@leighadams.co.uk.

Dated this 30th day of September 2021



**Martin Linton FCA FABRP MIPA
Joint Liquidator**