

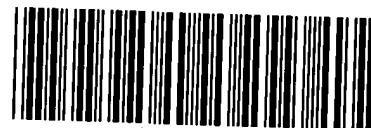
LIQ03

Notice of progress report in voluntary winding up



Companies House

FRIDAY



AAF6ST0Q
A17 15/10/2021 #58
COMPANIES HOUSE

1 Company details

Company number 0 8 4 5 0 2 1 6

Company name in full Windermere Hydro Hotel Limited

→ Filling in this form
Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Philip Edward

Surname Pierce

3 Liquidator's address

Building name/number Minerva

Street 29 East Parade

Post town Leeds

County/Region Yorkshire

Postcode L S 1 5 P S

Country

4 Liquidator's name ①

Full forename(s) Paul

Surname Whitwam

① Other liquidator
Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number Minerva

Street 29 East Parade

Post town Leeds

County/Region Yorkshire

Postcode L S 1 5 P S

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	^d 1	^d 5	^m 0	^m 9	^y 2	^y 0	^y 2	^y 0
To date	^d 1	^d 4	^m 0	^m 9	^y 2	^y 0	^y 2	^y 1

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X  X

Signature date	^d 1	^d 4	^m 1	^m 0	^y 2	^y 0	^y 2	^y 1
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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 Ryan Marsh

Company name FRP Advisory Trading Limited

Address Minerva

29 East Parade

Post town Leeds

County/Region Yorkshire

Postcode L S 1 5 P S

Country

DX cp.leeds@frpadvisory.com

Telephone 0113 831 3555



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.



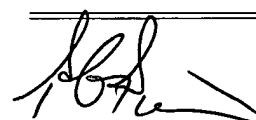
Further information

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

Windermere Hydro Hotel Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £		From 15/09/2020 To 14/09/2021 £	From 15/09/2020 To 14/09/2021 £
	ASSET REALISATIONS		
65.00	Cash at Bank	NIL	NIL
130,000.00	Interco Loan - Hydro Hotel Limited (C	NIL	NIL
NIL	Investments	NIL	NIL
NIL	Other Debtors	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(1.00)	HM Revenue & Customs	NIL	NIL
(1,022,127.00)	Private Investors	NIL	NIL
(4,292,687.00)	SIPP Providers	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(2.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(5,184,752.00)		NIL	NIL
	REPRESENTED BY		
			NIL


Philip Edward Pierce
Joint Liquidator

FRP

Windermere Hydro Hotel Limited (In Liquidation) ("The Company")

The Liquidators' Progress Report for the period 15/09/20 – 14/09/21 pursuant to section 104A of the Insolvency Act 1986.

14 October 2021

Contents and abbreviations



Section	Content
1.	Progress of the liquidation
2.	Estimated outcome for the creditors
3.	Liquidators' remuneration, disbursements and expenses
Appendix	Content
A.	Statutory information about the Company and the liquidation
B.	Liquidators' Receipts & Payments Account for the Period
C.	A schedule of work
D.	Details of the Liquidators' time costs and disbursements for the Period
E.	Statement of expenses incurred in the Period

The following abbreviations may be used in this report:

FRP	FRP Advisory Trading Limited
The Company	Windermere Hydro Hotel Limited (In Liquidation)
The Liquidators	Philip Edward Pierce and Paul Andrew Whitwam of FRP Advisory Trading Limited
The Period	The reporting period 15/09/20 – 14/09/21
CVL	Creditors' Voluntary Liquidation
SIP	Statement of Insolvency Practice
QFCH	Qualifying floating charge holder
HMRC	HM Revenue & Customs

1. Progress of the liquidation

Work undertaken during the Period and work yet to be completed

We attach at **Appendix C**, a schedule of work undertaken during the Period together with a summary of work still to be completed.

Background

The Company was the parent company of Hydro Hotel Limited (also in liquidation) who previously owned and ran the Windermere Hydro Hotel ("the Hotel") in Bowness. The Company was funded from investors who purchased Bonds issued by the Company. Loans were then made by the Company to Hydro Hotel Limited to fund its purchase of the Hotel.

The Bonds were stated to be secured on the assets of the Company and its subsidiary however, it appears that security was never put in place. The Liquidators are investigating the circumstances relating to this issue.

Investors

A number of investors have queried why security was not in place to protect their investment, as they had understood would be the case at the time they invested. The Liquidators have and continue to review a significant amount of information contained within the Company's books and records, as well as other documentation provided to them. The Liquidators are liaising with the directors, the Company's advisors and various third parties as a result of queries arising from these investigations.

The Company's books and records have very limited contact details for the individual investors who purchased Bonds. The Liquidators are keen to receive contact details for anyone who invested in the Company.

Dividend from Hydro Hotel Limited ("HHL") – in Liquidation

The Company has a claim against HHL in the sum of approximately £2.8m ("the Claim"). The Liquidators are in the process of finalising the quantum of the Claim based on the Company's financial records that have been provided to them by the Company's accountant and copy bank statements received from the Company's bankers. It is currently anticipated that a distribution of approximately £200,000 may be received from the estate of HHL.

Receipts and payments account

Attached at **Appendix B** is a receipts and payments account detailing transactions for the Period since our appointment as Liquidators. No assets have yet been realised and therefore no payments have been made.

Investigations

Part of our duties include carrying out proportionate investigations into what assets the Company has, including any potential claims that could be brought by the Company or by us in our capacity as Liquidators against any party, which could result in a benefit to the estate. We have reviewed the Company's books and records and accounting information provided to us to date, requested further information from the directors and their advisors, and invited creditors to provide information on any concerns they have concerning the way in which the Company's business has been conducted.

Further details of the conduct of our investigations are set out in the schedule of work attached. We can confirm that our review is currently ongoing.

2. Estimated outcome for the creditors

FRP

Outcome for secured creditors

There are no secured creditors in this matter.

Preferential Creditors

There are no preferential creditors in this matter.

Unsecured creditors

We have, within the reporting Period, received claims totalling £1,745,283 from unsecured creditors in these proceedings. However, we expect to receive significantly more claims and expect total claims could reach in excess of £5m.

Subject to the distribution from HHL and the costs and expenses of the liquidation, it is anticipated a small distribution of ***approximately 1 to 2 pence in the £*** could be made to creditors. This is subject to the final quantum of claims received and assumes no further realisations are made.

The Prescribed Part

In accordance with the Insolvency Act 1986, the prescribed part is an element of net realisations due to the floating charge holder which is made available for unsecured creditors (subject to the floating charge post-dating 15 September 2003).

As there is no floating charge, the prescribed part does not apply in this instance.

3. Liquidators' remuneration, disbursements and expenses

FRP

Liquidators' remuneration

Pre Appointment Fees

On 5 October 2020, the creditors approved that pre appointment costs of £5,000 plus disbursements of £381 and VAT should be paid to FRP Advisory for their assistance in preparing the directors' statement of affairs and dealing with the necessary procedures to convene the creditors' decision on the appointment of liquidators.

In addition, the creditors also approved that costs of £3,500 plus disbursements of £740 and VAT should be paid to Irwin Mitchell, solicitors based in Leeds, who assisted the directors in reinstating the Company to the Register.

Liquidators' Fees

The basis of the Liquidators' fees has not yet been agreed, as the Liquidators were unclear as to the level of work that would be required following their appointment. The Liquidators now intend to seek approval from the creditors by way of a decision procedure by correspondence. Details of this process will be issued to creditors under separate cover.

A breakdown of our firm's time costs incurred during the Period is attached at **Appendix D**.

Liquidators' disbursements and expenses

The Liquidators' disbursements are a recharge of actual costs incurred by them in dealing with this matter. Mileage payments made for expenses relating to the use of private vehicles for business travel, which is directly attributable to the insolvency estate, are paid by FRP Advisory Trading Limited at the HMRC approved mileage rate prevailing at the time the mileage was incurred. Details of disbursements incurred during the Period are set out in **Appendix D**.

Expenses of the liquidation

We attach at **Appendix E**, a statement of expenses that have been incurred during the Period. The Liquidators will include a further copy of this statement and details of the expenses anticipated to be incurred with the decision procedure seeking approval of their fees.

When instructing third parties to provide specialist advice and services, or having the specialist services provided by the firm, the Joint Liquidators is obligated to ensure that such advice or work is warranted, and that the advice or work contracted reflects the best value and service for the work being undertaken. This is reviewed by the Joint Liquidators periodically throughout the duration of the assignment. The specialists chosen may regularly be used by the Joint Liquidators and usually have knowledge specific to the insolvency industry and, where relevant, to matters specific to this insolvency appointment.

Creditors have a right to request further information from the Liquidators and further have a right to challenge the Liquidators' remuneration and other expenses, which are first disclosed in this report, under the Insolvency (England and Wales) Rules. (For ease of reference these are the expenses incurred in the Period as set out in **Appendix E** only). Further details of these rights can be found in the Creditors' Guide to Fees which you can access using the following link <https://creditors.frpadvisory.com/info.aspx> and select the one for liquidation. Alternatively, a hard copy of the relevant guide will be sent to you on request. Please note there is a time limit for requesting information being 21 days following the receipt of this progress report. There is a time limit of 8 weeks following the receipt of this report for a Court application that the remuneration or expenses are excessive.

Appendix A

Statutory information about the Company and the liquidation

FRP

WINDERMERE HYDRO HOTEL LIMITED (IN LIQUIDATION)

COMPANY INFORMATION:

Other trading names:	n/a
Date of incorporation:	19/03/2013
Company number:	08450216
Registered office:	Minerva, 29 East Parade, Leeds, LS1 5PS
Previous registered office:	Unit 2.3, Waulk Mill, 51 Bengal Street, Ancoats, Manchester, Greater Manchester, M4 6LN
Business address:	Helm Road, Bowness-on-Windermere, Windermere, LA23 3BA

LIQUIDATION DETAILS:

Liquidators:	Philip Edward Pierce & Paul Andrew Whitwam
Address of Liquidators:	FRP Advisory Trading Limited Minerva 29 East Parade Leeds Yorkshire LS1 5PS
Contact Details:	cp.leeds@frpadvisory.com
Date of appointment of Liquidators:	15/09/2020

Appendix B

Liquidators' Receipts & Payments Account for the both the Period and cumulatively

FRP

Windermere Hydro Hotel Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £		From 15/09/2020 To 14/09/2021 £	From 15/09/2020 To 14/09/2021 £
	ASSET REALISATIONS		
65.00	Cash at Bank	NIL	NIL
130,000.00	Interco Loan - Hydro Hotel Limited (C	NIL	NIL
NIL	Investments	NIL	NIL
NIL	Other Debtors	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(1.00)	HM Revenue & Customs	NIL	NIL
(1,022,127.00)	Private Investors	NIL	NIL
(4,292,687.00)	SIPP Providers	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(2.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(5,184,752.00)		NIL	NIL
	REPRESENTED BY		
			NIL

Philip Edward Pierce
Joint Liquidator

Windermere Hydro Hotel Limited ("the Company") - IN LIQUIDATION**APPENDIX C****Schedule of Work**

The table on the following pages sets out a detailed summary of the work undertaken by the office holders during the reporting period together with an outline of work still to complete. Where work undertaken results in the realisation of funds (for example: from the sale of assets or recoveries from successful actions taken against third parties), there may be a financial benefit to creditors should there be sufficient funds available to make a distribution to one or more class of creditor. In this case, work undertaken will include the scrutiny and agreement of creditor claims.

A proportion of the work undertaken by an Insolvency Practitioner is required by statute, including ensuring the appointment is valid, notifications of the appointment to third parties, regular reporting on the progress, notifying statutory bodies where required in relation to the conduct of the directors and the affairs of the company, complying with relevant legislation and regulatory matters. This may not have a direct financial benefit to creditors, but is substantially there to protect creditors and other stakeholders whilst ensuring they are kept informed of developments.

Windermere Hydro Hotel Limited ("the Company") - IN LIQUIDATION

APPENDIX C

Schedule of Work

Note	Category	
1	ADMINISTRATION AND PLANNING Work undertaken during the reporting period	ADMINISTRATION AND PLANNING Future work to be undertaken
	General Case Management and Regulatory Requirements Formulating, monitoring and reviewing the strategy for progressing the case Regular case management and review of progress including regular meeting, ongoing file reviews, updates and other communications Setting up estate bank accounts and regular bank account reconciliations Locating relevant books and records and arranging for delivery or collection and storage as appropriate Approval of pre appointment costs and disbursements	Continued file monitoring and reviews, including checklists to ensure all statutory requirements are completed, together with maintenance of physical and electronic files Regular bank reconciliations to ensure integrity of the banking records In due course, once the administration of the case is complete: <ul style="list-style-type: none"> • Preparation and submission of the final account to all shareholders and creditors • Submission of the final account to Companies House and seeking release of the liquidators • Releasing the insurance bond • Arranging for the future destruction of the Company's books and records
	Ethical Requirements Prior to the Joint Liquidator's appointment, a review of ethical issues was undertaken and no ethical threats were identified. Further ethical reviews have been carried out periodically and no threats have been identified in respect of the management of the insolvency appointment over the period of this report.	Continued periodical ethical reviews

Windermere Hydro Hotel Limited ("the Company") - IN LIQUIDATION
APPENDIX C
Schedule of Work

2	ASSET REALISATION Work undertaken during the reporting period	ASSET REALISATION Future work to be undertaken
	No assets have been recovered in the period of this report	<p>It is anticipated that the Company will receive a dividend distribution from Hydro Hotel Limited (in Liquidation). The quantum of this dividend is currently anticipated to be approximately £200,000.</p> <p>The Liquidators continue to review the Company's books and records to determine if any other recoveries are likely</p>
3	CREDITORS Work undertaken during the reporting period	CREDITORS Future work to be undertaken
	<p>Notification of appointment and advertising for claims in the London Gazette</p> <p>Receipt and review of unsecured creditor claims and completed questionnaires</p> <p>Receipt and review of investor claims and completed questionnaires, including responding to various queries raised in respect of their investment and no security being in place</p> <p>Recording creditor and investor claims on IPS</p>	<p>Continued receipt of creditor/investor claims</p> <p>Dealing with queries raised by creditors/investors</p> <p>Confirm the identity of the individual creditors/investors and their contact details</p> <p>Establish the quantum of the FSCS subrogated claim arising from compensation payments made to investors</p> <p>Subject to asset realisations, agreement of creditor/investor claims and distribution of funds</p>

Windermere Hydro Hotel Limited ("the Company") - IN LIQUIDATION

APPENDIX C

Schedule of Work

4	INVESTIGATIONS Work undertaken during the reporting period	INVESTIGATIONS Future work to be undertaken
	<p>Review of a significant amount of information received from the Company's directors, solicitors, accountants and third parties in respect of the Company's financial books and records. Documents reviewed to date, but not limited to, include:</p> <ul style="list-style-type: none"> • NatWest bank statements • Handelsbanken bank statements • Santander bank statements • Filed accounts for Y/E 31 March 14, 15, 16 & 17 • Excel cash books for F/Y 15, 16 & 17 • Excel working papers • Commission and marketing invoices submitted to the Company • Investor summary schedules • Extensive electronic legal documents and emails relating to a number of issues involving the Company and its subsidiary, including: <ul style="list-style-type: none"> ◦ the Bond issue; ◦ the purchase of the Hotel including deeds of variation; ◦ third party funding; ◦ the sale and leaseback of the Hotel • Correspondence relating to additional third party funding • Creditor and investor completed questionnaires <p>Reporting findings as required to the Department of Business, Innovation and Skills and/or the Insolvency Service</p>	<p>Ongoing review of documents and investigations into the affairs of the Company</p> <p>Liaising with legal advisors in respect of the information reviewed and seeking advice on potential claims for the benefit of the creditors</p> <p>Responding to various correspondence received from the Insolvency Service and provision of further information as requested</p>

Windermere Hydro Hotel Limited ("the Company") - IN LIQUIDATION

APPENDIX C

Schedule of Work

5	STATUTORY COMPLIANCE AND REPORTING Work undertaken during the reporting period	STATUTORY COMPLIANCE AND REPORTING Future work to be undertaken
	<p>Dealing with all appointment formalities, including notification to relevant parties, filings with the Registrar of Companies and statutory advertising</p> <p>Arranging for a insolvency bond to protect the assets available, or which become available for unsecured creditors</p> <p>Dealing with Tax and VAT matters arising following appointment</p> <p>Statutory reporting to all relevant parties and filling of those reports in accordance with legislation</p> <p>Establishing whether or not any pension schemes were in operation</p> <p>Adherence to anti-money laundering policies and procedures</p>	<p>Reporting to members and creditors as required by legislation to update them on the progress of the matter during the reporting period</p> <p>Preparation of Receipts and Payments Accounts</p> <p>Seeking approval of Liquidators costs and anticipated expenses via a decision process by correspondence</p> <p>Uploading documents to the creditors' portal</p> <p>Ongoing case accounting matters</p>
6	LEGAL AND LITIGATION Work undertaken during the reporting period	LEGAL AND LITIGATION Future work to be undertaken
	<p>Consultation with legal advisors in respect of the Liquidators' investigation findings</p>	<p>Future legal work is uncertain and subject to the outcome of the findings of the Liquidators' ongoing review of the Company's records</p>

Appendix D

Details of the Liquidators' time costs and disbursements for both the Period and cumulatively

FRP

FRP

Windermere Hydro Hotel Limited (In Liquidation)

Time charged for the period 15 September 2020 to 14 September 2021

	Appointment Takers / Partners	Managers / Directors	Other Professional	Junior Professional & Support	Total Hours	Total Cost £	Average Hrly Rate £
Administration and Planning	1.70	7.70	3.40	0.35	13.15	4,297.50	326.81
Creditors	4.00	10.00	3.70		17.70	6,457.00	364.80
Investigation	43.70	119.25	3.45		166.40	66,456.00	399.38
Statutory Compliance	0.50	8.75	1.20		10.45	3,737.00	357.61
Total Hours	49.90	145.70	11.75	0.35	207.70	80,947.50	389.73

Disbursements for the period

15 September 2020 to 14 September 2021

	Value £
Category 1	
Advertising	155.97
Bonding	225.00
Courier	16.66
Grand Total	397.63

Mileage is charged at the HMRC rate

prevailing at the time the cost was incurred

FRP Charge out rates

Grade	From 1st May 2019
Appointment taker / Partner	370-495
Managers / Directors	280-370
Other Professional	165-230
Junior Professional & Support	80-110

Appendix E

Statement of expenses incurred in the Period

FRP

Appendix E

Statement of expenses incurred in the Period

FRP

Windermere Hydro Hotel Limited - in Liquidation	
Statement of expenses for the period ended	
14/09/2021	
	Period to
	14/09/2021
Expenses	£
Office Holders' remuneration (Time costs)	80,948
Office Holders' disbursements	398
FRP Pre Appointment Fees	5,000
Irwin Mitchel Pre Appointment Fees	3,500
Irwin Mitchell Pre Appointment Disbursement:	740
Counsel Fees	2,000
Irwin Mitchell Post Appointment Fees	15,242
Total	107,827