

In accordance with  
Rule 6.28 of the  
Insolvency (England &  
Wales) Rules 2016 and  
Section 106(3) of the  
Insolvency Act 1986.

# LIQ14

## Notice of final account prior to dissolution in CVL



Companies House

TUESDAY



\*A96E1PRN\*

A06

02/06/2020

#151

COMPANIES HOUSE

### 1 Company details

Company number 0 9 5 4 7 3 3 5

Company name in full The Natural Drinks Company (UK) Limited

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

### 2 Liquidator's name

Full forename(s) Kerry

Surname Bailey

### 3 Liquidator's address

Building name/number 3 Hardman Street

Street Spinningfields

Post town Manchester

County/Region

Postcode M 3 3 A T

Country

### 4 Liquidator's name

Full forename(s) Edward

Surname Kerr

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

### 5 Liquidator's address

Building name/number 3 Hardman Street

Street Spinningfields

Post town Manchester

County/Region

Postcode M 3 3 A T

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

☐ 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



X

Signature date

d

0

d

2

m

0

m

6

y

2

y

0

y

2

y

0

## 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 **Kerry Bailey**

Company name **BDO LLP**

Address **3 Hardman Street**

**Spinningfields**

Post town **Manchester**

County/Region

Postcode

**M 3 3 A T**

Country

DX

Telephone

**01512 374 500**



#### 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)

**The Natural Drinks Company (UK) Limited**  
**(In Liquidation)**  
**Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £		From 03/08/2019 To 03/04/2020 £	From 03/08/2018 To 03/04/2020 £
	<b>ASSET REALISATIONS</b>		
NIL	Furniture & Equipment	NIL	NIL
		NIL	NIL
	<b>PREFERENTIAL CREDITORS</b>		
(9,379.00)	Preferential Wages	NIL	NIL
		NIL	NIL
	<b>UNSECURED CREDITORS</b>		
(100,000.00)	Directors' Loans	NIL	NIL
(73,000.00)	HM Revenue & Customs - PAYE	NIL	NIL
(70,000.00)	Shareholders' Loans	NIL	NIL
(872,310.00)	Trade & Expense Creditors	NIL	NIL
(10,411.00)	Unsecured Employees	NIL	NIL
		NIL	NIL
	<b>DISTRIBUTIONS</b>		
(5,669.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
<b>(1,140,769.00)</b>		<b>NIL</b>	<b>NIL</b>
	<b>REPRESENTED BY</b>		
			<b>NIL</b>



Tel: +44 (0)151 237 4500  
Fax: +44 (0)151 237 4545  
[www.bdo.co.uk](http://www.bdo.co.uk)

5 Temple Square  
Temple Street  
Liverpool  
L2 5RH

TO ALL KNOWN CREDITORS AND SHAREHOLDERS

03 April 2020

Our Ref 00284553/C5/KB/TB

Please ask for: Teddy Blankson  
Direct dial: 0151 237 4421  
Email: [BRCMT@bdo.co.uk](mailto:BRCMT@bdo.co.uk)

Dear Madams/Sirs

**The Natural Drinks Company (UK) Limited - In Creditors' Voluntary Liquidation ('the Company')**  
**Registered number: 09547335**

I am now in a position to conclude this Liquidation and below is our final report as required by Section 106(1) of the Insolvency Act 1986 and Rule 18.14 of the Insolvency (England and Wales) Rules 2016 (hereafter 'the Rules'). This report covers the period from 3 August 2019 to 3 April 2020 ('the Final Period') and should be read in conjunction with previous reports circulated to creditors.

The Company's affairs are fully wound up and unless any substantive issues are raised by creditors no further report will be issued and this report will be presented as the final report.

I confirm that a notice of no dividend is attached as required by Rule 14.36 of the Rules.

#### **Statutory Information**

The Joint Liquidators are Kerry Bailey (officeholder No: 8780) and Edward Kerr (officeholder No: 9021) of BDO LLP, 3 Hardman Street, Manchester, M3 3AT. The Joint Liquidators were appointed on 3 August 2018 and carry out their functions jointly and severally meaning any action can be done by one Liquidator or by both of them.

#### **Summary Account**

I enclose a copy of the final receipts and payments account to 3 April 2020. I confirm that this account has been reconciled.

There have been no transactions in the Liquidation.

The Joint Liquidators are Data Controllers as defined by the General Data Protection Regulations. BDO LLP will act as Data Processor on the instruction of the Data Controllers. Personal data will be kept secure and processed only for matters relating to the Liquidation of Natural Drinks Company (UK) Limited. Please see the privacy statement at <https://www.bdo.co.uk/en-gb/legal-privacy/privacy-notice>

BDO LLP, a UK limited liability partnership registered in England and Wales under number OC305127, is a member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms. A list of members' names is open to inspection at our registered office, 55 Baker Street, London W1U 7EU. BDO LLP is authorised and regulated by the Financial Conduct Authority to conduct investment business

**Progress of the Liquidation**

As previously reported, the Company was dormant at the date of appointment and had not been trading for several months. The Company also had no assets at the date of the Joint Liquidators' appointment.

The Joint Liquidators have completed their statutory obligations and finalised the tax affairs of the Company; steps are now being taken to move the Company to dissolution.

**Outcome for Creditors**

No distributions have been made to any class of creditor as the Company had no assets.

**Secured Creditors*****National Westminster Bank PLC ('NatWest')***

The Company granted a fixed and floating charge debenture to NatWest created on 16 November 2017. It is understood that NatWest did not have any debt outstanding at the date of appointment.

***Bibby Financial Services LTD ('Bibby')***

The Company granted a fixed and floating charge to Bibby which was created on 3 December 2015. It is understood that Bibby did not have any debt outstanding at the date of appointment.

**Preferential Creditors**

Preferential creditor claims represent monies due to former employees in respect of certain arrears of wages (capped at £800 per employee), any accrued holiday pay and certain pension arrears.

The Joint Liquidators have received total preferential claims of £5,601 to date. No distribution will be made to preferential creditors in this Liquidation.

**Unsecured Creditors**

To date, unsecured creditor claims totalling £331,019 have been received. No distribution will be made to the unsecured creditors in this Liquidation.

**Prescribed Part**

Under Section 176A of the Insolvency Act 1986 where after 15 September 2003 a company has granted a floating charge to a secured creditor, a proportion of the net property of that company must be made available purely for the unsecured creditors.

Although the Company did grant a floating charge after this date, the value of the Company's net property will be nil, therefore there will be no prescribed part.

**Investigations**

The Joint Liquidators have a duty to investigate the affairs of the Company and also the conduct of the directors and in respect of the latter, to submit a confidential statutory report to the Secretary of State. I confirm that a report has been submitted.

I have completed my review of the Company's affairs and assets to establish whether there are any actions that can be investigated for the benefit of the creditors and have concluded there are no causes of action to be pursued.

#### **Joint Liquidators' Statement of Affairs Fee**

As detailed in my previous report, the Joint Liquidators have been paid £7,500 plus VAT in accordance with the resolution passed at a meeting of the Company's board of directors on 25 July 2018, in respect of the work undertaken prior to the Liquidation appointment. This work related to the preparation of the Statement of Affairs and to assist with the preparation of the necessary documents to wind up the Company and appoint Liquidators.

#### **Joint Liquidators' Remuneration**

Pursuant to the Rules, the Joint Liquidators are obliged to fix their remuneration in accordance with Rule 18.16. This permits remuneration to be fixed either:

- (1) As a percentage of the assets realised and distributed; and/or
- (2) By reference to the time the Joint Liquidators and the staff have spent attending to matters in the Liquidation; and/or
- (3) As a set amount; and/or
- (4) As a combination of the above.

I attach two schedules detailing the time costs incurred to date. The first schedule covers the Final Period and records time costs of £3,689 which represents 22 hours spent at an average charge out rate of £168 per hour.

The second schedule covers the whole period of appointment and records time costs of £11,753, which represents 85 hours spent at an average charge out rate of £138 per hour.

The Joint Liquidators' time costs in this matter will be written off.

#### **Detail of Work Undertaken**

The Company was dormant at the date of appointment and had no assets to realise, therefore the majority of the work undertaken by the Joint Liquidators has been in respect of statutory investigations and other statutory duties.

For guidance, I enclose a document that outlines the policy of BDO LLP in respect of fees and disbursements.

#### **Disbursements**

Where disbursements are recovered in respect of precise sums expended to third parties there is no necessity for these costs to be authorised. These are known as category 1 disbursements. Since my last report, no category 1 disbursements have been incurred.

Some Liquidators recharge expenses, for example printing, photocopying and telephone costs, which cannot economically be recorded in respect of each specific case. Such expenses, which are apportioned to cases, require the approval of the creditors before they can be drawn, and these are known as category 2 disbursements. The policy of BDO LLP in respect of this appointment is not to charge any category 2 disbursements with the exception of mileage on the

basis of the mileage scale approved by HMRC, being 45p per mile unless otherwise disclosed to the creditors. No category 2 disbursements have accrued during the Final Period.

Total disbursements of £1,242 have been incurred in this Liquidation as detailed below.

Narrative	Cat. 1 (£)	Cat. 2 (£)	Total (£)
Statutory Bonding	200.00	-	200.00
Statutory Advertisement	237.00	-	237.00
Consultancy	675.00	-	675.00
Travel Expenses	83.16	-	83.16
Parking	17.50	-	17.50
Mileage	-	28.49	28.49
<b>Total</b>	<b>1,212.66</b>	<b>28.49</b>	<b>1,241.15</b>

The disbursements in this matter will be written off.

### Créditor Enquiries

Creditors with the concurrence of at least 5% in value of the unsecured creditors may within 21 days of this report request in writing further information regarding the remuneration and expenses set out in this report. In accordance with Rule 18.9(3) of the Rules within 14 days of a request I will provide further information or explain why further information is not being provided. Creditors may access information setting out creditors' rights in respect of the approval of Liquidator's remuneration at <https://www.bdo.co.uk/en-gb/insights/advisory/business-restructuring/creditors-guides>.

A creditor (who need not be the creditor who asked for the information) may, with the concurrence of at least 5% or more in value of the creditors (including the creditor in question), apply to the court within 21 days of our response or the expiry for the Period of my response and the court may make such order as it thinks fit (Rule 18.9(6) and (7) of the Rules). Creditors with the concurrence of at least 10% of the creditors may apply to the court if they consider that the remuneration of the liquidators, or the basis fixed for the remuneration of the liquidator or expenses charged by the liquidator are excessive (Rule 18.34 of the Rules). Such an application must be made within 8 weeks of receiving this draft report. The text of Rules 18.9 and 18.34 are set out at the end of this report.

### Release of Joint Liquidators

The Joint Liquidators will be released from office under section 173 of the Insolvency Act 1986 at the same time as vacating office, unless any creditor objects. A creditor who wishes to object to the release must deliver a notice in writing to the liquidators within eight weeks of this report or, if creditors raise other matters under Rules 18.9 or 18.34 as mentioned above, when those matters are finally determined by the court.

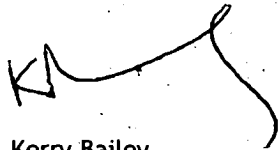
The Insolvency Service has established a central gateway for considering complaints in respect of Insolvency practitioners. In the event that you make a complaint to me but are not satisfied with the response from me then you should visit <https://www.gov.uk/complain-about-insolvency-practitioner> where you will find further information on how you may pursue the complaint.

The Joint Liquidators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to this appointment. A copy of the code is at: <https://www.icaew.com/technical/ethics/icaew-code-of-ethics/icaew-code-of-ethics>



Please contact me or my colleague Teddy Blankson at [BRCMT@bdo.co.uk](mailto:BRCMT@bdo.co.uk) if you require further information.

Yours faithfully  
for and on behalf of  
The Natural Drinks Company (UK) Limited



Kerry Bailey  
Joint Liquidator  
Authorised by the Institute of Chartered Accountants in England & Wales in the UK

**Enclosures**

Receipts and Payments Account  
SIP 9 Time Cost Report for the Period  
SIP 9 Time Cost Report for the period of Liquidation  
BDO LLP Policy in Respect of Fees and Disbursements  
Last Notice to Creditors about Dividend  
Statement of Creditors' Rights in respect of Fees and Disbursements  
Notice of Final Account

**The Natural Drinks Company (UK) Limited**  
**(In Liquidation)**  
**Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £		From 03/08/2019 To 03/04/2020 £	From 03/08/2018 To 03/04/2020 £
NIL	ASSET REALISATIONS		
	Furniture & Equipment	NIL	NIL
		NIL	NIL
(9,379.00)	PREFERENTIAL CREDITORS		
	Preferential Wages	NIL	NIL
		NIL	NIL
(100,000.00)	UNSECURED CREDITORS		
(73,000.00)	Directors' Loans	NIL	NIL
(70,000.00)	HM Revenue & Customs - PAYE	NIL	NIL
(872,310.00)	Shareholders' Loans	NIL	NIL
(10,411.00)	Trade & Expense Creditors	NIL	NIL
	Unsecured Employees	NIL	NIL
		NIL	NIL
(5,669.00)	DISTRIBUTIONS		
	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(1,140,769.00)		NIL	NIL
	REPRESENTED BY		
			NIL

Name of Assignment      **The Natural Drinks Co - CVL**      **00285820**  
**Summary of Time Charged and Rates Applicable for the Period From 03/08/2019 to 03/04/2020**

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL		AV R1
	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	£
	1.20	£ 658.80		£		£		£		£		£	1.20	£ 658.80	549.0
B. Steps on Appointment															
D. General Administration	0.05	27.45	0.70	197.80			0.30	30.60	5.60	621.65			6.65	877.50	131.9
I. Reporting	0.50	274.50	2.40	829.80	0.25	32.75	0.55	72.05	6.95	546.25			10.65	1,755.35	164.8
J. Distribution and Closure					1.00	131.00	1.05	137.55	1.20	128.70			3.25	397.25	122.2
	1.75	960.75	3.10	1,027.60	1.25	163.75	1.90	240.20	13.75	1,296.60	0.00	0.00			

Name of Assignment      The Natural Drinks Co - CVL      00285820  
Summary of Time Charged and Rates Applicable for the Period From 03/08/2018 to 03/04/2020

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL		AV R1	
	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	£	
		£		£		£		£		£		£		£		
B. Steps on Appointment	2.20	1,191.80	6.70	1,985.50			0.60	71.40	20.30	1,729.70			29.80	4,978.40	167.0	
D. General Administration	0.30	160.70	1.20	300.30			1.30	152.80	13.40	1,278.30			16.20	1,892.10	116.8	
G. Employee Matters			3.65	749.75					3.35	388.60	1.15	79.35	8.15	1,217.70	149.4	
H. Creditor Claims			0.40	82.00					1.60	173.85			2.00	255.85	127.9	
I. Reporting	0.50	274.50	2.40	829.80	0.25	32.75	0.55	72.05	19.40	1,515.80			23.10	2,724.90	117.9	
J. Distribution and Closure					1.30	170.30	1.05	137.55	3.30	376.65			5.65	684.50	121.1	
	3.00	1,627.00	14.35	3,947.35	1.55	203.05	3.50	433.80	61.35	5,462.90	1.15	79.35				
														Net Total	84.90	11,753.45
														Secretarial Expense		0.00
														Other Disbursements		0.00
														Billed		0.00
														Grand Total		11,753.45



## **The Natural Drinks Company (UK) Limited - In Liquidation**

In accordance with best practice I provide below details of policies of BDO LLP in respect of fees and expenses for work in relation to the above insolvency.

The current charge out rates per hour of staff within my firm who may be involved in working on the insolvency, follows:

<b>GRADE</b>	<b>£</b>
Partner	549
Manager	242-380
Assistant Manager	218
Senior Administrator	206
Administrator	119-185
Other Staff	73-77

This in no way implies that staff at all such grades will work on the case. The rates charged by BDO LLP are reviewed on a regular basis and are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. Units of time can be as small as 3 minutes. BDO LLP records work in respect of insolvency work under the following categories:-

- Pre Appointment
- Steps upon Appointment
- Planning and Strategy
- General Administration
- Asset Realisation/Management
- Trading Related Matters
- Employee Matters
- Creditor Claims
- Reporting
- Distribution and Closure
- Other Issues.

Under each of the above categories the work is recorded in greater detail in sub categories. Please note that the 11 categories provide greater detail than the six categories recommended by the Recognised Professional Bodies who are responsible for licensing and monitoring insolvency practitioners.

Where an officeholder's remuneration is approved on a time cost basis the time invoiced to the case will be subject to VAT at the prevailing rate.

Where remuneration has been approved on a time costs basis a periodic report will be provided to any committee appointed by the creditors or in the absence of a committee to the creditors. The report will provide a breakdown of the remuneration drawn and will enable the recipients to see the average rates of such costs.

### **Other Costs**

Where expenses are incurred in respect of the insolvent estate they will be recharged. Such expenses can be divided into two categories.



**1) Category 1**

This heading covers expenses where BDO LLP has met a specific cost in respect of the insolvent estate where payment has been made to a third party. Such expenses may include items such as advertising, couriers, travel (by public transport), land registry searches, fees in respect of swearing legal documents etc. In each case the recharge will be reimbursement of a specific expense incurred.

**2) Category 2**

We propose to recover from the estate the cost of travel where staff use either their own vehicles or company cars in travelling connected with the insolvency. In these cases a charge of 45p per mile is raised which is in line with the HM Revenue & Customs Approved Mileage Rates (median - less than 10,000 miles per annum) which is the amount the firm pays to staff. Where costs are incurred in respect of mileage, approval will be sought in accordance with the Insolvency (England and Wales) Rules 2016 to recover this disbursement.

Where applicable, all disbursements will be subject to VAT at the prevailing rate.

BDO LLP  
03 April 2020



**Last Notice to Creditors about Dividend (Rule 14.36) of the Insolvency (England and Wales) Rules 2016)**

**The Natural Drinks Company (UK) Limited - In Creditors' Voluntary Liquidation**  
**Registered Number: 09547335**

**In the Matter of the Insolvency Act 1986**

There were no realisations in the Liquidation.

As such, there are insufficient funds to declare any dividend to the Company's creditors.

The Joint Liquidators are Kerry Bailey (officeholder No: 8780) and Edward Kerr (officeholder No: 9021) both of BDO LLP, 3 Hardman Street, Manchester, M3 3AT. The Joint Liquidators were appointed on 3 August 2018 and carry out their functions jointly and severally meaning any action can be done by one Liquidator or by both of them.

A handwritten signature in black ink, appearing to be 'KB' followed by a stylized flourish.

.....  
Kerry Bailey  
Joint Liquidator

Authorised by the Institute of Chartered Accountants in England & Wales in the UK

The Joint Liquidators Kerry Bailey (officeholder No: 8780) and Edward Kerr (officeholder No: 9021) both of BDO LLP, 3 Hardman Street, Manchester, M3 3AT. The Joint Liquidators may also be contacted via Teddy Blankson at [BRCMT@bdo.co.uk](mailto:BRCMT@bdo.co.uk).



## Statement from the Insolvency (England and Wales) Rules 2016 regarding the rights of creditors in respect of the Joint Liquidators' fees and expenses:

### Creditors' and members' requests for further information in administration, winding up and bankruptcy

18.9.—(1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—

- (a) a secured creditor;
  - (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
  - (c) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;
  - (d) any unsecured creditor with the permission of the court; or
  - (e) any member of the company in a members' voluntary winding up with the permission of the court.
- (2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.
- (3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—
- (a) providing all of the information requested;
  - (b) providing some of the information requested; or
  - (c) declining to provide the information requested.
- (4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—
- (a) the time or cost of preparation of the information would be excessive; or
  - (b) disclosure of the information would be prejudicial to the conduct of the proceedings;
  - (c) disclosure of the information might reasonably be expected to lead to violence against any person; or
  - (d) the office-holder is subject to an obligation of confidentiality in relation to the information.
- (5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.
- (6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—
- (a) the office-holder giving reasons for not providing all of the information requested; or
  - (b) the expiry of the 14 days within which an office-holder must respond to a request.
- (7) The court may make such order as it thinks just on an application under paragraph (6).

### Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive

18.34.—(1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—

- (a) the remuneration charged by the office-holder is in all the circumstances excessive;
  - (b) the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
  - (c) the expenses incurred by the office-holder are in all the circumstances excessive.
- (2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable—
- (a) a secured creditor,
  - (b) an unsecured creditor with either—
    - (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
    - (ii) the permission of the court, or
  - (c) in a members' voluntary winding up—
    - (i) members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or
    - (ii) a member of the company with the permission of the court.
- (3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").



**Applications under rules 18.34 and 18.35 where the court has given permission for the application**

**18.36.**—(1) This rule applies to applications made with permission under rules 18.34 and 18.35.

- (2) Where the court has given permission, it must fix a venue for the application to be heard.
- (3) The applicant must, at least 14 days before the hearing, deliver to the office-holder a notice stating the venue and accompanied by a copy of the application and of any evidence on which the applicant intends to rely.
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
  - (a) an order reducing the amount of remuneration which the office-holder is entitled to charge;
  - (b) an order reducing any fixed rate or amount;
  - (c) an order changing the basis of remuneration;
  - (d) an order that some or all of the remuneration or expenses in question is not to be treated as expenses of the administration, winding up or bankruptcy;
  - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
    - (i) the administrator or liquidator or the administrator's or liquidator's personal representative to the company, or
    - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
  - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration, winding up or bankruptcy.

**Applications under rule 18.34 where the court's permission is not required for the application**

**18.37.**—(1) On receipt of an application under rule 18.34 for which the court's permission is not required, the court may, if it is satisfied that no sufficient cause is shown for the application, dismiss it without giving notice to any party other than the applicant.

- (2) Unless the application is dismissed, the court must fix a venue for it to be heard.
- (3) The applicant must, at least 14 days before any hearing, deliver to the office-holder a notice stating the venue with a copy of the application and of any evidence on which the applicant intends to rely.
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
  - (a) an order reducing the amount of remuneration which the office-holder is entitled to charge;
  - (b) an order reducing any fixed rate or amount;
  - (c) an order changing the basis of remuneration;
  - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the administration or winding up or bankruptcy;
  - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
    - (i) the administrator or liquidator or the administrator's or liquidator's personal representative to the company, or
    - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
  - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration or as winding up or bankruptcy.



**NOTICE OF FINAL ACCOUNT UNDER SECTION 106 OF THE INSOLVENCY ACT 1986 & RULE 6.28 OF THE INSOLVENCY (ENGLAND AND WALES) RULES 2016 ('the Rules')**

**The Natural Drinks Company (UK) Limited - In Creditors' Voluntary Liquidation ('the Company')**

**Registered number: 09547335**

**NOTICE THAT:**

The Company's affairs are fully wound up.

Creditors, with the concurrence of at least 5% in value of the unsecured creditors, may within 21 days of this notice request in writing further information regarding the remuneration and expenses set out in the attached report (Rule 18.9).

Creditors may apply to the court under Rule 18.34 if they consider that the remuneration of the Joint Liquidators, or the basis fixed for the remuneration of the Joint Liquidators or expenses charged by the Joint Liquidators are excessive.

A creditor may object to the release of the Joint Liquidators within eight weeks of this notice or, if creditors raise other matters under Rules 18.9 or 18.34, such time as those matters are finally determined by the court.

The Joint Liquidators will vacate office under section 171 of the Insolvency Act 1986 when they deliver the attached account and report to the registrar of companies, stating whether any creditor has objected to release.

The Joint Liquidators will be released under section 173 of the Insolvency Act 1986 at the same time as vacating office, unless any of the Company's creditors objected to the Joint Liquidators' release.

The Joint Liquidators are Kerry Bailey (officeholder No: 8780) and Edward Kerr (officeholder No: 9021) of BDO LLP, 3 Hardman Street, Manchester, M3 3AT. The Joint Liquidators were appointed on 3 August 2018. The Joint Liquidators may also be contacted via Teddy Blankson at [BRCMT@bdo.co.uk](mailto:BRCMT@bdo.co.uk).

Dated: 03 April 2020

A handwritten signature in black ink, appearing to be 'KB' followed by a long, sweeping horizontal line that curves upwards at the end.

Kerry Bailey  
Joint Liquidator  
of BDO LLP, 3 Hardman Street, Manchester, M3 3AT