

LIQ03

Notice of progress report in voluntary winding up



Companies House

TUESDAY



AAWXQXXM

A05

01/02/2022

#238

COMPANIES HOUSE

1 Company details

Company number 1 2 1 4 9 6 0 7

Company name in full Smokers Lutterworth Ltd

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

2 Liquidator's name

Full forename(s) Lauren Louise

Surname Auburn

3 Liquidator's address

Building name/number 100 St James Road

Street Northampton

Post town NN5 5LF

County/Region

Postcode

Country

4 Liquidator's name ①

Full forename(s) John William

Surname Rimmer

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

5 Liquidator's address ②

Building name/number 100 St James Road

Street Northampton

Post town NN5 5LF

County/Region

Postcode

Country

② Other liquidator
Use this section to tell us about
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

6 Period of progress report

From date	^d 1	^d 7	^m 0	^m 9	^y 2	^y 0	^y 2	^y 0
To date	^d 1	^d 6	^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 0	^d 3	^m 1	^m 1	^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	Robert McDonald
Company name	BRI Business Recovery and Insolvency
Address	100 St James Road Northampton
Post town	NN5 5LF
County/Region	
Postcode	
Country	
DX	
Telephone	01604 754352

**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

Smokers Lutterworth Ltd
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £		From 17/09/2020 To 16/09/2021 £	From 17/09/2020 To 16/09/2021 £
	ASSET REALISATIONS		
	Bank Interest Gross	0.48	0.48
5,163.00	Cash at Bank	5,140.28	5,140.28
Uncertain	HMRC refund	NIL	NIL
Uncertain	Kitchen equipment	NIL	NIL
		<u>5,140.76</u>	<u>5,140.76</u>
	COST OF REALISATIONS		
	Insolvency Bond	45.00	45.00
	Statutory Advertising	160.00	160.00
		<u>(205.00)</u>	<u>(205.00)</u>
	UNSECURED CREDITORS		
(6,842.00)	HM Revenue & Customs	NIL	NIL
(50,000.00)	Lloyds Bank Plc	NIL	NIL
(20,653.00)	Trade Creditors	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
(1.00)	1 ordinary share of £1 each	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<u>(72,333.00)</u>		<u>4,935.76</u>	<u>4,935.76</u>
	REPRESENTED BY		
	Interest Bearing Current Account		4,903.76
	VAT Receivable		32.00
			<u>4,935.76</u>


 Lauren Louise Auburn
 Joint Liquidator

SMOKERS LUTTERWORTH LTD
(IN CREDITORS' VOLUNTARY LIQUIDATION)
JOINT LIQUIDATORS' ANNUAL REPORT TO MEMBERS AND CREDITORS
FOR THE YEAR ENDING 16 SEPTEMBER 2021

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- 2 Joint liquidator's actions since appointment**
- 3 Investigation into the affairs of the Company**
- 4 Dividend prospects**
- 5 Joint liquidators' remuneration**
- 6 Joint liquidators' expenses**
- 7 Further information**
- 8 Conclusion**

APPENDICES

- 1 Joint liquidators' receipts and payments account**
- 2 Summary of joint liquidators' time costs**
- 3 BRI guide to fees and expenses**

SMOKERS LUTTERWORTH LTD
(IN CREDITORS' VOLUNTARY LIQUIDATION)
JOINT LIQUIDATORS' ANNUAL REPORT TO MEMBERS AND CREDITORS
FOR THE YEAR ENDING 16 SEPTEMBER 2021

1 Statutory and general information

Company number: 12149607

Joint liquidators Lauren Louise Auburn and John William Rimmer of BRI Business Recovery and Insolvency, 100 St James Road, Northampton, NN5 5LF

Date of appointment: 17 September 2020

Change of office-holder On 16 November 2021, following the making of a block transfer order, Peter John Widnatt was removed as office holder and replaced by John William Rimmer.

Creditors wishing to contact the joint liquidators, should contact Bob McDonald on telephone number 01604 754352 in the first instance.

2 Joint liquidators' actions since appointment

2.1 This report should be read in conjunction with my receipts and payments account which is attached as Appendix 1; please note that the figures are shown net of VAT.

2.2 As noted in my receipts and payments account, realisations are broadly in line with the estimated statement of affairs amounts. Greater detail is provided below.

2.3 Kitchen Equipment

The Company owned a small number of glassware, cutlery and kitchen equipment.

Peter Davies of PDS Valuers, an independent firm of chattel agents ("the Agent"), was instructed to value and sell the kitchen equipment.

However, due to the age and condition of the items, the Agent's opinion was that the cost of uplifting and selling the items would outweigh any benefit and therefore the kitchen equipment was not sold.

2.4 Cash at bank

An amount of £5,140 was transferred from the Company's bank account to the client account on 17 September 2020.

2.5 HMRC refund

£2,213 was listed in the statement of affairs as being owed to the Company via a HMRC refund. Letters have been sent to HMRC requesting the refund but no response has been received to date and collection of this remains ongoing.

2.6 Bank interest gross

Bank interest of less than £1 has been received in the first year of liquidation.

2.7 In addition to dealing with the realisation of assets, I have to meet various legislative and best practice requirements and deadlines. These matters include filing of documents with the Registrar of Companies, ensuring that all receipts and payments are dealt with in a timely basis and proper accounting records are maintained, undertaking periodic case progression reviews, advising creditors of the liquidation and recording all claims received, together with other day to day matters that arise.

3 Investigation into the affairs of the Company

- 3.1 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.
- 3.2 There are matters that justify further investigation in the circumstances of this appointment regarding potential misfeasance and preference transactions and these investigations remain ongoing.
- 3.3 Within three months of appointment, any liquidator is required to report to the Secretary of State on any matters which have come to their attention during the course of their 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 have complied with these requirements. However, due to the confidential nature of any return or report, I am unable to make any further comments.

4 Dividend prospects

4.1 Unsecured creditors

Whilst I have received various claims from unsecured creditors I have not incurred the costs of agreeing claims, as regrettably, on current information, there is little likelihood of any funds being available for this class of creditor.

To date claims received from creditors are broadly in line with the amounts detailed on the Company's statement of affairs.

4.2 Floating charge creditor and the prescribed part

The Company has given no floating charges and accordingly the prescribed part provisions do not apply.

5 Joint liquidators' remuneration

- 5.1 Changes to charge out rates during the period of this report are detailed in appendices X and Y with appendix Y being the prevailing rates from 1 April 2021.
- 5.2 My total time costs to 16 September 2021 amount to £18,498, which have been charged at an average charge out rate of £160. I have not been able to draw any remuneration in this matter and further information regarding my remuneration will be sent to all creditors for approval in due course. A schedule of my time costs incurred to date is attached as Appendix 2.

- 5.3 For the benefit of creditors, the Association of Business Recovery Professionals publish 'A Creditors' Guide to Liquidators' Fees'. This document is available by entering the following website address, www.briuk.co.uk then clicking on the 'Creditor information' option on the headings bar. A hard copy of this document can be obtained on request from any of our offices.

6 Joint liquidators' expenses

- 6.1 Details of the expenses that I have paid are shown on the attached receipts and payments account, and are largely self-explanatory. Furthermore, the expenses are in line with the estimate already provided to creditors, and are not likely to exceed this amount.
- 6.2 My choice of professionals was based on my knowledge of their experience and ability to perform the type of work required. I have reviewed the fees charged and as they are in line with original estimates, I am satisfied that they are reasonable in the circumstances of this case.

7 Further information

- 7.1 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 liquidators' remuneration and expenses, within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.
- 7.2 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 and/or basis of the joint liquidators' fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

8 Conclusion

- 8.1 The liquidation is set to continue until the investigations are considered complete and my remuneration has been approved by creditors.
- 8.2 Should you have any queries regarding this matter please contact Bob McDonald on 01604 754352.



p.p Lauren Louise Auburn
Joint Liquidator

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Smokers Lutterworth Ltd
(In Liquidation)
Joint Liquidators' Summary of Receipts and Payments
To 16 September 2021

RECEIPTS	Statement of Affairs (£)	Total (£)
Kitchen equipment	Uncertain	0.00
Cash at Bank	5,163.00	5,140.28
HMRC refund	Uncertain	0.00
Bank Interest Gross		0.48
		<hr/>
		5,140.76

PAYMENTS

Insolvency Bond		45.00
Statutory Advertising		160.00
Trade Creditors	(20,653.00)	0.00
HM Revenue & Customs	(6,842.00)	0.00
Lloyds Bank Plc	(50,000.00)	0.00
1 ordinary share of £1 each	(1.00)	0.00
		<hr/>
		205.00
		<hr/>
Net Receipts/(Payments)		4,935.76

MADE UP AS FOLLOWS

Interest Bearing Current Account	4,903.76
VAT Receivable / (Payable)	32.00
	<hr/>
	4,935.76

BRI (UK) Limited

SIP 9 Summary of hours and costs
from 17/09/2020 to 16/09/2021

Client 7370N Smokers Lutterworth Ltd

Hours								Total	Time Cost £	Average hourly rate £
Classification of work function	Lead IP	Manager	Assistant manager	Senior administrator	Administrator	Junior Administrator	Assistants and support staff			
Admin & planning	1.10			4.90	0.80	53.70		60.50	£8,707.00	£143.92
Cashiering	0.30			0.75			1.05	2.10	£398.00	£189.52
Creditors	0.10			1.20		0.30		1.60	£308.50	£192.81
Investigations	0.80			24.80		16.10		41.70	£7,164.00	£171.80
Realisation of assets	0.20	0.10		2.70				3.00	£661.00	£220.33
Reporting	1.20					5.80		7.00	£1,259.00	£179.86
Posted time	3.70	0.10	0.00	34.35	0.80	75.90	1.05	115.90	£18,497.50	£159.60

Unposted time

Total time

Total time costs/grade

1,333.00	39.00	6,640.50	140.00	10,207.50	137.50	18,497.50
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31 January 2022

BRI BUSINESS RECOVERY AND INSOLVENCY

CREDITORS' GUIDE TO FEES

Charge-out rates

Grade	Charge-out rate (£ per hour, charged in 6 minute units)
Directors/Insolvency Practitioners	295-410
Managers and Assistant managers	250
Administrators	175-200
Secretaries & Support Staff	140

Rates are subject to a periodic review and are likely to increase each April. A copy of our previous rates can be found on our website at www.briuk.co.uk

Agent costs

These are charged at cost based upon the charge(s) made by the Agent instructed. The term "Agent" includes:

- Solicitors/legal fees.
- Auctioneers/valuers.
- Accountants.
- Quantity surveyors.
- Estate agents.
- Other specialist advisors

Other expenses

These are payments to those providing the service to which the expense relates who are not an associate of the office holder.

Category 1 expenses

Examples of category 1 expenses include agents costs as detailed above as well as items such as insurance, statutory advertising, external meeting room hire, external storage and specific bond.

Category 2 expenses

These are payments to associates or payments which have an element of shared costs.

Associates are defined as an entity with which the firm, office holder or staff member has a business or personal relationships with, perceived or actual.

In this case there are no category 2 expenses

Subcontractors

Subcontractors are considered to undertake work that can be completed by the office holder or their staff. Payments to subcontractors do not require specific approval and are treated as an expense of the estate, however I am required to provide the following information to you.

It is anticipated that the following subcontractors shall be used in order to undertake the work described below. Subcontractors will be used where a matter requires specialist knowledge or where it is more cost effective to the estate for this to be completed by a third party.

Subcontractor	Work to be undertaken	Anticipated cost
Hawsons Accountants	Corporation Tax Return	£60 plus VAT

BRI BUSINESS RECOVERY AND INSOLVENCY

CREDITORS' GUIDE TO FEES

Charge-out rates

Grade	Charge-out rate (£ per hour, charged in 6 minute units)
Directors/Insolvency Practitioners	295-390
Managers and Assistant managers	235
Administrators	165-190
Secretaries & Support Staff	130

Rates are subject to a periodic review and are likely to increase each April. A copy of our previous rates can be found on our website at www.briuk.co.uk

Agent costs

These are charged at cost based upon the charge(s) made by the Agent instructed. The term "Agent" includes:

- Solicitors/legal fees.
- Auctioneers/valuers.
- Accountants.
- Quantity surveyors.
- Estate agents.
- Other specialist advisors

Storage costs

Charged at actual cost incurred for storage (and retrieval, when appropriate) of records.

Other disbursements

Category	Basis of charge
Category 1	
Indemnity Bond	At cost of mandatory cover required in accordance with the Insolvency Act 1986 for each appointment
Insurance of assets	At cost in relation to asset coverage requirements
Company searches	At cost incurred
Travel	At actual cost including train fare and all other public transport
Bank charges	At actual costs charged
Other	At actual cost charged
Category 2	
Mileage	Motor vehicle at 45p per mile from 6 April 2011
Room hire	Held at BRI offices: £50 Any other venue: at actual cost
Stationery	A standard £6.50 charge is made for all initial files with a further £1.17 or 85pence (dependent upon file type) for any additional files required
Photocopying	Specific calculation of 2 pence per sheet x number of creditors
Postage	Standard charge of £15 per case plus a specific calculation of postage cost x number of creditors
Storage	Case records stored in BRI's own facility will be charged at the same rate levied by external storage providers as follows. Box costs at £4.70 per box and storage charge of £7.60 per annum.