

LIQ03

Notice of progress report in voluntary winding up



Companies House

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

1 Company details

Company number 00893081

Company name in full Sherwin-Williams Protective & Marine Coatings

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Richard

Surname Barker

3 Liquidator's address

Building name/number 1

Street More London Place

Post town London

County/Region

Postcode SE12AF

Country United Kingdom

4 Liquidator's name ①

Full forename(s) Trevor

Surname Oates

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number 1 Bridgewater Place

Street Water Lane

Post town Leeds

County/Region West Yorkshire

Postcode LS115QR


Country United Kingdom

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	0	d	7	m	1	m	2	y	2	y	0	y	2	y	2
To date	d	0	d	6	m	1	m	2	y	2	y	0	y	2	y	3
7	Progress report															
<input checked="" type="checkbox"/> The progress report is attached																
8	Sign and date															
Liquidator's signature	<div>Signature</div> <div>  </div>															
Signature date	d	0	d	2	m	0	m	2	y	2	y	0	y	2	y	4

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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 Mark Chapman

Company name Ernst & Young LLP

Address 1 Bridgewater Place

Water Lane

Post town Leeds

County/Region West Yorkshire

Postcode L S 1 1 5 Q R

Country United Kingdom

DX

Telephone 011 3298 2602



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

TO ALL MEMBERS

2 February 2024

Ref: SWPMC001
Contact: Mark Chapman
Direct line: +44 11 3298 2602
Email: mark.chapman@parthenon.ey.com

Dear Sir or Madam

**Sherwin-Williams Protective & Marine Coatings
(In Members' Voluntary Liquidation) ("the Company")**

Trevor Oates and I were appointed as Joint Liquidators of the Company on 7 December 2022. I now write to provide you with our report on the progress of the liquidation for the period from 7 December 2022 to 6 December 2023.

In accordance with the provisions of the Insolvency (England and Wales) Rules 2016 ("the Rules") we are required to provide certain information about the Company and the Liquidators. The information can be found in Appendix A of this report. A copy of our receipts and payments account for the period from 7 December 2022 to 6 December 2023 is at Appendix B.

Progress during the period of the report

Assets

The Company's only asset at the date of liquidation consisted of an intercompany receivable balance in the sum of £0.05 due from the Company's sole shareholder, Sherwin-Williams UK Limited ("the Shareholder").

During the period covered by this report HM Revenue & Customs ("HMRC") notified the Company that the sum of £55,992 was repayable in relation to historic PAYE overpayments made by the Company to HMRC. The Joint Liquidators, in accordance with the instructions of the Company's management, have requested that HMRC pay the refund directly to the Shareholder, thereby increasing the existing intercompany receivable balance, which will be distributed to the Shareholder at the conclusion of the liquidation. At the time of this report, confirmation of the timing of the HMRC repayment is awaited.

Liabilities

The Company had no known external creditors at the date of liquidation. In accordance with Rule 14.38 of the Rules, an advert was placed in the London Gazette requesting creditors of the Company to prove their claims by 18 January 2023.

A claim in the sum of £2,777 was received from a creditor which has been settled, together with statutory interest, by the Shareholder without recourse to the Company.

No further creditor claims have been received.

Outstanding matters

Upon the resolution of the PAYE refund matter, the Joint Liquidators will notify HMRC of their intention to conclude the liquidation and, subject to no objection from HMRC, the Joint Liquidators will proceed to make a specie distribution of the Company's assets to the Shareholder and conclude the liquidation.

Joint Liquidators' remuneration

Our remuneration was fixed on a time-cost basis by a resolution of the members on 7 December 2022.

A contractual arrangement exists with a third party in respect of the Joint Liquidators' remuneration and as such there is no recourse to the estate.

Details of amounts paid, name of the payor and the relationship between the payor and the Company, are available upon request to the Joint Liquidators at 1 Bridgewater Place, Water Lane, Leeds, LS11 5QR.

Joint Liquidators' statement of expenses incurred

During the period covered by this report we have incurred expenses relating to statutory advertising, statutory bonding and attestation costs totalling £403 plus VAT.

A contractual arrangement also exists with a third party in respect of the Joint Liquidators' expenses and as such there is no recourse to the estate.


Members' rights to further information about, and challenge, remuneration and expenses

In certain circumstances, members are entitled to request further information about our remuneration or expenses, or to apply to court if members consider the costs to be excessive. Further information is provided in Appendix C.

Other matters

Should you wish to discuss any matters arising from this report, please do not hesitate to contact Mark Chapman on the direct line telephone number shown above.

Yours faithfully
for the Company



Richard Barker
Joint Liquidator

Richard Barker and Trevor Oates are licenced in the United Kingdom to act as Insolvency Practitioners by the Insolvency Practitioners Association.

The Joint Liquidators may act as data controllers of personal data as defined by the UK General Data Protection Regulation (as incorporated in the Data Protection Act 2018), depending upon the specific processing activities undertaken. Ernst & Young LLP and/or the Company may act as a data processor on the instructions of the Joint Liquidators. Personal data will be kept secure and processed only for matters relating to the Joint Liquidators' appointment. The Office Holder Data Privacy Notice can be found at www.ey.com/uk/officeholderprivacy.

**Sherwin-Williams Protective & Marine Coatings
(In Members' Voluntary Liquidation) ("the Company")****Information about the Company and the Liquidators**

Registered office address of the Company:	1 Bridgewater Place, Water Lane, Leeds, LS11 5QR	
Registered number:	00893081	
Full names of the Joint Liquidators:	Richard Barker and Trevor Oates	
Liquidators' address:	Richard Barker Ernst & Young LLP 1 More London Place London SE1 2AF	Trevor Oates Ernst & Young LLP 1 Bridgewater Place Water Lane Leeds LS11 5QR
Telephone number through which the Joint Liquidators can be contacted:	+44 113 298 2602	
Date of appointment of the Joint Liquidators:	7 December 2022	
Details of any changes of Liquidator:	None	

**Sherwin-Williams Protective & Marine Coatings
(In Members' Voluntary Liquidation) ("the Company")**

Joint Liquidators' receipts and payments account for the period from 7 December 2022 to 6 December 2023

Declaration of Solvency Estimated to Realise Amount £		In this report period £	Cumulative total £
	Receipts		
0.05	Intercompany receivable balance due from Sherwin-Williams UK Limited	Nil	Nil
<u>0.05</u>		<u>Nil</u>	<u>Nil</u>
	Payments		
Nil		Nil	Nil
<u>Nil</u>		<u>Nil</u>	<u>Nil</u>
<u>0.05</u>	Balance	<u>Nil</u>	<u>Nil</u>

Notes

1. Receipts and payments are stated net of VAT.
2. The Joint Liquidators' remuneration was fixed on a time-cost basis by the Members.
3. The intercompany receivable amount will be distributed in specie to the Shareholder at the conclusion of the liquidation.

Members' rights to request further information about remuneration or expenses or to challenge a liquidator's remuneration – Rules 18.9 and 18.34 of the Insolvency (England and Wales) Rules 2016 (as amended)

18.9 Creditors' and members' request for further information

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 or account 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 or account 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)

18.34 Members' claim that remuneration is 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").

Rules 18.9 and 18.34 are reproduced from the Insolvency (England and Wales) Rules 2016, as amended by the Insolvency (England and Wales) (Amendment) Rules 2017, under the terms of Crown Copyright Guidance issued by HMSO.