

LIQ03

Notice of progress report in voluntary winding up



Companies House

WEDNESDAY



A75468XS

A17

02/05/2018

#361

COMPANIES HOUSE

1 Company details

Company number 0 7 6 5 5 2 0 7

Company name in full Aksa (UK) Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Kikis Kallis FCCA

Surname FABRP

3 Liquidator's address

Building name/number Mountview Court

Street 1148 High Road

Post town Whetstone

County/Region

Postcode L o n d o n , N 2 0 0 B A

Country

4 Liquidator's name ①

Full forename(s)

Surname

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

② Other liquidator

Use this section to tell us about
another liquidator.

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6 Period of progress report

From date	^d 0	^d 1	^m 0	^m 3	^y 2	^y 0	^y 1	^y 7
To date	^d 2	^d 8	^m 0	^m 2	^y 2	^y 0	^y 1	^y 8

7 Progress report

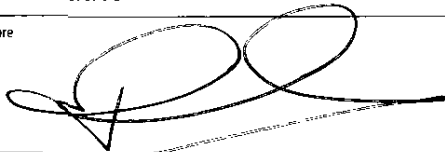
☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d3

^d0

^m0

^m4

^y2

^y0

^y1

^y8

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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	Kikis Kallis FCCA FABRP
Company name	Kallis & Company
Address	Mountview Court 1148 High Road
Post town	Whetstone
County/Region	London
Postcode	N 2 0 0 R A
Country	
DX	
Telephone	020 8446 6699

**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**

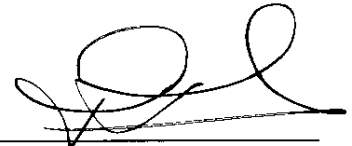
For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

**Aksa (UK) Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments**

Statement of Affairs £		From 01/03/2017 To 28/02/2018 £	From 01/03/2017 To 28/02/2018 £
	ASSET REALISATIONS		
NIL	Goodwill	NIL	NIL
NIL	Plant, Machinery & Equipment	NIL	NIL
70.00	Cash at Bank	NIL	NIL
2,400.00	Third Party Funds	2,400.00	2,400.00
		2,400.00	2,400.00
	COST OF REALISATIONS		
	Preparation of S. of A.	2,400.00	2,400.00
		(2,400.00)	(2,400.00)
	UNSECURED CREDITORS		
(1,297.00)	Trade & Expense Creditors	NIL	NIL
(23,586.00)	Directors	NIL	NIL
(126.00)	HM Revenue & Customs (PAYE)	NIL	NIL
(45,422.00)	HM Revenue & Customs (CT assessm	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(1.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(67,962.00)		NIL	NIL
	REPRESENTED BY		
			NIL

Note:



Kikis Kallis FCCA FABRP
Liquidator

Aksa (UK) Limited – In Creditors' Voluntary Liquidation

LIQUIDATOR'S PROGRESS REPORT TO CREDITORS AND MEMBERS

For the year ending 28 February 2018

1. STATUTORY INFORMATION

Company name:	Aksa (UK) Limited
Registered office:	Mountview Court 1148 High Road Whetstone London N20 0RA
Former registered office:	189 Merton Road London SW19 1EE
Registered number:	07655207
Liquidator's name:	Kikis Kallis FCCA FABRP
Liquidator's address:	Mountview Court 1148 High Road Whetstone London N20 0RA
Liquidator's date of appointment:	1 March 2017

2. INTRODUCTION

The Company traded as a fast food restaurant and takeaway from premises at 189 Merton Road, London, SW19 1EE.

According to the statement of affairs lodged in these proceedings, the assets of the Company had a book value of £16,870.00, which comprised of Cash at Bank, Goodwill and Plant, Machinery & Equipment. These items had an estimated realisable value of £70. It is understood that the goodwill has no realisable value due to the demise of the company. The Plant, Machinery & Equipment comprised of a chips chilling machine, fryers, grill machines, fridges and freezers and were deemed obsolete given their age and conditions and, as such, did not have a realisable value. The balance at bank was estimated to be £70.00 at the time the Company ceased to trade, however the bank account was in fact overdrawn.

During the course of my administration, I have reviewed the Company's affairs to establish whether there were any potential undisclosed asset recoveries or conduct matters that justified further investigation. I carried out an extensive review out of the Company's books and records following an investigation and communication with HM Revenue and Customs, which is detailed in the investigation section below.

3. LIQUIDATOR'S ACTIONS SINCE APPOINTMENT

Following a review of the file and communication with HMRC we noted that assessments were raised following an investigation into the Company's affairs, which concluded that there was income received by the Company that had not been declared. HMRC concluded that the undeclared income would have been drawn by the director and should be applied against his Director's Loan Account ("DLA").

On the basis of HMRC's pre-liquidation investigations, we wrote to the director for his comments and arrangement for repayment of the DLA. Furthermore, we have held a meeting with the director for further explanations. The director has vehemently denied HMRC's allegations that funds were drawn from the Company by him. Following the meeting, the director and his representatives wrote a letter to HMRC arguing the outcome of HMRC's investigations showing an overdrawn DLA. We are awaiting a response from HMRC, prior to taking the next appropriate action.

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 detailed list of the work undertaken since my appointment as Liquidator is contained in Appendix.2.

4. RECEIPTS AND PAYMENTS

My Receipts & Payments Account for the period from 1 March 2017 to 28 February 2018 is attached at Appendix 1.

5. ASSETS

Third party funds

The sum disclosed as being third party funds represents the monies paid by the directors prior to my appointment towards my fee for convening and organising the meeting of creditors and assisting with the preparation of the statement of affairs.

Goodwill

As per the Company's last accounts prepared for the year ended 31 May 2016, the Company's goodwill had a book value of £16,000. It is understood that the goodwill had no realisable value due to the demise of the Company, as such no realisations have been achieved in this regard.

Plant & Machinery

As per the Company's last accounts prepared for the year ended 31 May 2016, the Company's tangible assets comprised of a chips chilling machine, fryers, grill machines, fridges and freezers at a value of £800 and they are deemed obsolete given their age and conditions. As such, they do not have a realisable value.

6. 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

There were no preferential creditors included in the Statement of Affairs and no claims have been received in the liquidation.

Non-preferential unsecured Creditors

The statement of affairs included 4 non-preferential unsecured creditors with an estimated total liability of £70,431.00. I have received claims from 3 creditors at a total of £98,575.35, including HMRC's final claim of £74,139.35. HMRC investigated the Company because they suspected the Company under declaring income. As part of the process for HMRC's investigations, they compared till receipts against VAT returns and concluded that the Company had not declared certain income. Following this assessment of the Company's trading HMRC calculated their outstanding CT and submitted a claim in the liquidation at a total of £74,139.35. I have not received claims from 1 creditor with original estimated claims in the statement of affairs of £447.00.

7. DIVIDEND PROSPECTS

On the basis of current information it is unlikely that there will be sufficient funds to enable the payment of a dividend to any class of creditors. This is however dependent on the outcome of the investigation against the director.

8. 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.

Specifically, I recovered, listed and reviewed the Company's accounting records; obtained and reviewed copy bank statements for the 14 months prior to the Company ceasing to trade from the Company's bankers. A bank statement review showed normal business trading and no unusual transactions were identified. From a review of the Company's accounts for the years 2013 to 2016, it seemed that the business was loss-making throughout and that the Company had not been filing CT returns. It is believed that this was the reason for the assessment being raised.

I took the following action where I considered that further investigation was justified:

Prior to the liquidation, an investigation was conducted by HMRC into the Company's records and it was concluded by HMRC that the Company had failed to declare all of its income. HMRC has provided us with a schedule which shows the adjustments in the accounts incorporating the undeclared income. It therefore follows that this undeclared income was drawn by the director and should be applied against his DLA. Following this adjustment the Director's Loan Account ("DLA") stands at £95,258.97 as at 31 May 2015.

The director has been written to in this respect and a meeting has subsequently been held with him and his representatives. The director disputes the DLA established as a result of HMRC's investigations and has denied taking any funds from the Company. His representatives have issued a letter to HMRC to this effect. A response from HMRC has yet to be received.

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.

9. PRE-APPOINTMENT REMUNERATION

The creditors previously authorised the payment of a fee of £2,000 plus VAT for my assistance with preparing the statement of affairs and arranging the decision procedure for creditors to appoint a liquidator. Of this £250 was to be paid to Messrs S Islam and Co for their assistance with various matters regarding the liquidation of the company including dealing with statement of affairs, PAYE, etc.

The fee for preparing the statement of affairs and arranging the decision procedure for creditors to appoint a liquidator was paid by Sabit Ucar, who is the director of the Company.

10. LIQUIDATOR'S REMUNERATION

My remuneration was approved on a time cost basis based on a fees estimate of £7,113.75. The fees estimate acts as a cap and I cannot draw remuneration in excess of that estimate without first seeking approval from the creditors. My total time costs to date amount to £6,102.75, representing 43.88 of hours work at a blended charge out rate of £139.08 per hour. The actual blended charge out rate incurred compares with the estimated blended charge out rate of £113.59 in my fees estimate.

I have not been able to draw any remuneration in this matter due to a lack of funds.

As at 28 February 2018, I anticipate that the total time costs I will incur in this matter in respect of the categories of work for which I am being remunerated on a time cost basis will exceed the total estimated remuneration I set out in my fees estimate when my remuneration was authorised by the creditors. Currently I do not intend to draw remuneration in excess of the fees estimate and so will not be seeking a decision from the creditors to increase my fees.

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 Kallis & Company's fee policy are available at the link <http://www.kallis.co.uk/creditors>. Please note that there are different versions of the Guidance Notes and in this case you should refer to the October 2015 version.

11. LIQUIDATOR'S EXPENSES

As per my receipts and payments account various expenses have been incurred and paid which are detailed below, together with expenses which have yet to be paid. Unpaid expenses will be written off due to lack of funds.

The disbursements listed are all Category 1 disbursements, with the exception of storage which is a Category 2 disbursement. My firm's disbursements recovery policy is attached as Appendix 3.

	To date	
	Paid £	To be paid £
Disbursement		
Specific Bond		44.00
Statutory Advertising		180.60
Postage		5.30
Storage		15.00

12. 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 Liquidator's remuneration and expenses within 21 days of their receipt of this report. Any secured creditor may request 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 unsecured creditors (including the creditor in question), apply to Court to challenge the amount of remuneration charged by the Liquidator as being excessive, and/or the basis of the Liquidator's remuneration, and/or the amount of the expenses incurred as being excessive, within 8 weeks of their receipt of this report. 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 Kallis & Company can be found in the attached summary sheet at <http://www.kallis.co.uk/legal>.

13. SUMMARY

The Liquidation will remain open until the matter with regard to the disputed DLA has been fully resolved. I estimate that this will take approximately one year and once resolved the Liquidation will be finalised and our files will be closed.

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 Kevin Donnelly on 020 8446 6699, or by email at Kevin@kallis.co.uk.



**Kikis Kallis FCCA FABRP
LIQUIDATOR**