

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

THURSDAY



A14 *A6FFTHJN* #155
21/09/2017
COMPANIES HOUSE

1 Company details

Company number 07341991

Company name in full Uber Kuchen Limited

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

2 Liquidator's name

Full forename(s) Alan J

Surname Clark

3 Liquidator's address

Building name/number Recovery House

Street 15-17 Roebuck Road

Post town Hainault Business Park

County/Region Ilford, Essex

Postcode IG6 3TU

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 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

d0

d7

m0

m9

y2

y0

y1

y7

Uber Kuchen Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 08/04/2017 To 13/07/2017 £	From 08/04/2015 To 13/07/2017 £
	HIRE PURCHASE		
14,400.00	Rent Deposit - Pinner	NIL	NIL
(30,805.00)	Landlord - Pinner	NIL	NIL
		NIL	NIL
	ASSET REALISATIONS		
10,000.00	Display Units	NIL	15,140.00
NIL	Furniture & Equipment	NIL	NIL
	Utilities refund	NIL	81.38
		NIL	15,221.38
	COST OF REALISATIONS		
	Preparation of S. of A.	NIL	5,000.00
	Office Holders Fees - Time costs	19.79	5,819.79
	Office Holders Expenses	46.80	303.72
	Agents Fees	NIL	4,000.00
	Irrecoverable VAT	13.32	13.32
	Bank Charges	10.00	84.55
		(89.91)	(15,221.38)
	FLOATING CHARGE CREDITORS		
(36,367.90)	Barclays Bank plc (26.10.2013)	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(147,402.24)	Trade & Expense Creditors	NIL	NIL
(14,400.00)	Directors	NIL	NIL
(22,123.82)	Funding Circle Limited	NIL	NIL
(1,800.00)	HMRC - PAYE/NIC	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(2.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(228,500.96)		(89.91)	(0.00)
	REPRESENTED BY		
			NIL

Alan J Clark
Liquidator

Uber Kuchen Limited - In Liquidation

LIQUIDATORS' FINAL ACCOUNT TO CREDITORS AND MEMBERS

STATUTORY INFORMATION

Company name: Uber Kuchen Limited

Company number: 07341991

Trading address: 431 The Broadway, Hatch End, Pinner, HA5 4JR

Registered office: Recovery House,
15-17 Roebuck Road,
Hainault Business Park,
Ilford Essex, IG6 3TU

Former registered office: 520 High Road, Ilford, Essex, IG3 8EG

Principal trading activity: Kitchen Retailers

Liquidator/s name/s A J Clark

Liquidators' address/es Recovery House
15-17 Roebuck Road
Hainault Business Park
Ilford, Essex
IG6 3TU

Date of appointment 8 April 2015

Actions of Liquidator/s Any act required or authorised under any enactment to be done by a liquidator may be done by either or both of the liquidators acting jointly or alone.

LIQUIDATOR'S ACTIONS SINCE LAST PROGRESS REPORT

Since my last report, I have undertaken the statutory formalities of submitting my annual receipts and payments account to the Registrar of Companies, closing my administration, including seeking closure clearance from the Crown and providing creditors with this report.

Since my last report no further investigation work has been undertaken.

There has been no further work undertaken in respect of the secured creditor since my last report.

Since my last progress report, any claims of unsecured creditors have been entered on my case management system although not yet adjudicated. Any queries raised by unsecured creditors have been answered either by telephone or in correspondence.

The work outlined above did not provide a financial benefit to creditors but was required to be undertaken under best practice guidelines and statute.

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 description of the routine work undertaken since my last progress report is contained in Appendix 2.

RECEIPTS AND PAYMENTS ACCOUNT

My receipts and payments account for the period from 8 April 2015 to the date of this report is attached at Appendix 1.

ASSET REALISATIONS

Since my last report there have been no further asset realisations made.

Connected party transactions

Since the commencement of the liquidation there have been no transactions with a connected party.

LIABILITIES

Secured Creditors

An examination of the company's mortgage register held by the Registrar of Companies, showed that the company has granted a floating charge to Barclays Bank plc on 26 October 2013.

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 the floating charge was created after 15 September 2003 and therefore the provisions will apply in this case and dividend prospects from the prescribed part are outlined further in this report.

Preferential Creditors

There were no known preferential creditors in the director's statement of affairs, however a claim has been received totalling £1,315.

Crown Creditors

The statement of affairs included £1,800 owed to HMRC. HMRC's final claim of £8,495 has been received.

Non-Preferential Unsecured Creditors

The unsecured creditors were estimated at £202,131 in the director's statement of affairs. To date 11 claims have been received, totalling £116,439. A further 16 creditors with anticipated claims totalling £157,164 have yet to submit claims. The increase in claims relates to the larger claims submitted by the Crown and some trade creditors. As no dividend will be declared to any class of creditor I will not be formally adjudicating those claims received. Please accept this as formal notice of the same.

DIVIDENDS

A dividend will not be declared to non-preferential unsecured creditors as the funds realised have been used to meet the expenses of the liquidation.

As previously advised, the company gave a floating charge to Barclays Bank plc on 26 October 2013 and the prescribed part provisions applied.

After taking into account the costs of the liquidation the company's net property was £nil, such that there was no prescribed part available to distribute to unsecured creditors.

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 months prior to the company ceasing to trade from the company's bankers; and compared the information in the company's last set of accounts with that contained in the statement of affairs lodged in the liquidation and made enquiries about the reasons for the changes.

Following my enquiries, it was alleged that there could be a possible Section 214 Wrongful Trading allegation against the director. With their being limited funds available in the liquidation, I sought advice of experienced insolvency solicitors Clarke Mairs LLP to review the allegations and see if there was potential to bring a claim against the former director and whether they would act on a "Conditional Fee" basis.

After reviews of the company records they came to the opinion that a claim for Wrongful Trading should not be brought as there was simply not enough evidence to prove such a claim in Court.

Within six 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.

PRE-APPOINTMENT REMUNERATION

The creditors previously authorised the payment of a fee of £5,000 for my assistance with preparing the statement of affairs and convening and holding the meeting of creditors at a meeting held on 8 April 2015.

The fee for preparing the statement of affairs and convening and holding the meeting of creditors was paid from first realisations on appointment and is shown in the enclosed receipts and payments account.

LIQUIDATOR'S REMUNERATION

My remuneration was previously authorised on a time cost. My total time costs to the date of this report amount to £16,297.50, representing 74.3 hours work at an average charge out rate of £219.35 per hour, of which £884, representing 5.2 hours work, was charged in the period since my last report, at an average charge out rate of £170 per hour.

I have drawn £5,819 to date of which £19 was drawn in the period since my last report.

A schedule of my time costs incurred to date and in the period since my last report is attached as Appendix 3.

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 Carter Clark's fee policy are available at the link www.carterclark.co.uk. Please note that there are different versions of the Guidance Notes and in this case you should refer to the November 2011 version.

LIQUIDATOR'S EXPENSES

Category 1 Disbursements	Cost	Basis	Incurred since last anniversary	Drawn
	£		£	£
Company searches	2.00	actual	-	2.00
Advertising	265.72	actual	-	265.72
Bordereau insurance	36.00	actual	-	36.00
	<u>303.72</u>		<u>-</u>	<u>303.72</u>

I have incurred total expenses of £303.72 since my appointment as liquidator of which £0 was incurred in the period since my last report.

I have drawn £256.92 to date of which £0 was drawn in the period since my last report.

I have used the following agents or professional advisors in the reporting period/liquidation:

Professional Advisor	Nature of Work	Basis of Fees
Clarke Mairs LLP	Solicitors	Conditional Fee
Langley King Limited	Agents	Fixed Fee

The choice of professionals used was based on my perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of my fee arrangement with them. I have reviewed the fees charged and am satisfied that they are reasonable in the circumstances of this case.

As detailed earlier, I instructed Clarke Mairs LLP to review the possibility of bringing a successful Wrongful Trading claim against the former director which proved to have no grounds of being successful.

The agents instructed by me, Langley King, have incurred fees of £4,000 to date which has been paid in full. My agents have attended the company's premises upon instruction, safeguarded the

assets and organised their disposal and sale. My reason for instructing them in this matter was due to their experience in similar insolvency matters.

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 liquidators' 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/s 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 Carter Clark Financial Recovery can be found at www.carterclark.co.uk.

SUMMARY

The winding up of the company is now for all practical purposes complete and I am seeking my release as liquidator of the company. Creditors and members should note that provided no objections to my release are received I shall obtain my release as liquidator following the delivery of the final notice to the Registrar of Companies, following which our case files will be placed in storage.

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 Ryan Sinclair by email at ryan.sinclair@carterclark.co.uk, or by phone on 020 8559 5092.

Yours faithfully
For and on behalf of
Uber Kuchen Limited


A J Clark
Liquidator

Appendix 1

1. Administration and Planning

- Dealing with all routine correspondence and emails relating to the case.
- Opening, maintaining and managing the office holder's estate bank account.
- Creating, maintaining and managing the office holder's cashbook.
- Undertaking regular bank reconciliations of the bank account containing estate funds.
- Reviewing the adequacy of the specific penalty bond on a quarterly basis.
- Undertaking periodic reviews of the progress of the case.
- Overseeing and controlling the work done on the case by case administrators.
- Preparing, reviewing and issuing annual progress reports to creditors and members.
- Filing returns at Companies House.
- Preparing and filing VAT returns.
- Preparing and filing Corporation Tax returns.
- Seeking closure clearance from HMRC and other relevant parties.
- Preparing, reviewing and issuing a final report to creditors and members.
- Preparation of final account.
- Filing final returns at Companies House.

2. Creditors

- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.

Uber Kuchen Limited
(In Liquidation)
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	Preparation of S. of A.	NIL	5,000.00
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(22,123.82)	Funding Circle Limited	NIL	NIL
(1,800.00)	HMRC - PAYE/NIC	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(2.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(228,500.96)		(89.91)	(0.00)
	REPRESENTED BY		
			NIL

Alan J Clark
Liquidator

Time Entry - SIP9 Time & Cost Summary

UKL2015 - Uber Kuchen Limited
Project Code: POST
From: 08/04/2015 To: 13/07/2017

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	0.00	1.00	14.30	0.00	15.30	2,728.00	178.30
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	1.00	3.60	12.60	0.80	18.00	3,697.00	205.39
Investigations	10.80	7.50	19.50	0.00	37.80	8,982.00	237.62
Realisation of Assets	1.50	0.00	1.70	0.00	3.20	890.50	278.28
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	13.30	12.10	48.10	0.80	74.30	16,297.50	219.35
Total Fees Claimed						5,819.79	
Total Disbursements Claimed						0.00	

Time Entry - SIP9 Time & Cost Summary

UKL2015 - Uber Kuchen Limited
Project Code: POST
From: 08/04/2017 To: 13/07/2017

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	0.00	0.00	5.20	0.00	5.20	884.00	170.00
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tracing	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	0.00	0.00	5.20	0.00	5.20	884.00	170.00
Total Fees Claimed						5,819.79	
Total Disbursements Claimed						0.00	

Notice about final dividend position

Uber Kuchen Limited ("the Company") – In Creditors' Voluntary Liquidation

Company registered number: 07341991

Notice is given under rule 14.36 of The Insolvency (England and Wales) Rules 2016, by Alan J Clark, the Liquidator, to the creditors of Uber Kuchen Limited, that no dividend will be declared to unsecured creditors

A dividend will not be declared to unsecured creditors as the funds realised have been used to make payments to meet the expenses of the Liquidation.

Creditors requiring further information regarding the above, should contact Ryan Sinclair by email at ryan.sinclair@carterclark.co.uk, or by phone on 020 8559 5092.

A handwritten signature in black ink, appearing to read 'Alan J Clark', with a horizontal line extending from the end of the signature.

Signed

Alan J Clark Liquidator

Dated 13 July 2017

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	Ryan Sinclair
Company name	Carter Clark
Address	Recovery House
	15-17 Roebuck Road
Post town	Hainault Business Park
County/Region	Ilford, Essex
Postcode	I G 6 3 T U
Country	
DX	
Telephone	020 8524 1447



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