

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

SATURDAY



A10 \*A83RB3D7\* 20/04/2019 #234  
COMPANIES HOUSE

ase

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### 1 Company details

Company number 0 8 9 0 1 8 9 0

Company name in full PJ FAREHAM LTD T/A PAPA JOHN'S

→ Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Alisdair J

Surname Findlay

### 3 Liquidator's address

Building name/number Saxon House

Street Saxon Way

Post town Cheltenham

County/Region

Postcode G L 5 2 6 Q X

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.

LIQ03

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**6** Period of progress report

From date	<sup>d</sup> 0	<sup>d</sup> 7	<sup>m</sup> 0	<sup>m</sup> 2	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 8
To date	<sup>d</sup> 0	<sup>d</sup> 6	<sup>m</sup> 0	<sup>m</sup> 2	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 9

**7** Progress report

☐ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X



X

Signature date

<sup>d</sup> 0	<sup>d</sup> 4	<sup>m</sup> 0	<sup>m</sup> 4	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 9
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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

Company name

Findlay James

Address

Saxon House

Saxon Way

Post town

Cheltenham

County/Region

Postcode

G L 5 2 6 Q X

Country

DX

Telephone

01242 576555

**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)

**P J FAREHAM LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION**  
**TRADING AS PAPA JOHN'S**  
**(Company Number: 08901890: England & Wales)**

**LIQUIDATOR'S PROGRESS REPORT TO CREDITORS AND MEMBERS**  
**FOR THE PERIOD FROM 7 FEBRUARY 2018 TO 6 FEBRUARY 2019**

**INTRODUCTION**

I write further to my appointment as Liquidator of the Company on 7 February 2018. The purpose of this report is to detail my progress in dealing with the liquidation during the period since that meeting.

The main cause of failure cited by the company director was the prohibitive costs of ongoing franchise fees payable to Papa Johns, rising costs of raw materials and rising employment costs. The combined effect was that the company was unable to cover its overheads.

**STATUTORY INFORMATION**

Company name:	P J Fareham Limited
Company number:	08901890
Date of incorporation:	19 February 2014
Company's principal activity:	Pizza Take-Away
Registered office:	Saxon House, Saxon Way, Cheltenham, Gloucestershire, GL52 6QX
Former registered office:	16 Grosvenor Road, C/O The Accounting Practice Ltd, Aldershot, Hampshire, GU11 1DP
Trading address:	128 West Street, Fareham, Hampshire, PO16 0EP
Company director:	Muhammad Shabbir and Muhammad Amir Bashir
Company secretary:	No Company Secretary
Shareholder:	Muhammad Shabbir and Muhammad Amir Bashir
Liquidator:	Alisdair J Findlay of Findlay James (Insolvency Practitioners) Limited, Saxon House, Saxon Way, Cheltenham, Gloucestershire, GL52 6QX
Date of appointment:	7 February 2019

## **LIQUIDATOR'S ACTIONS SINCE APPOINTMENT**

There is certain work that I am required by the insolvency legislation to undertake in connection with the liquidation that provides no financial benefit for the creditors. A description of the routine work undertaken since my appointment as Liquidator

This is in addition to the case-specific work carried out with regard to asset realisations, creditor claims and investigations, details of which are given below.

## **RECEIPTS AND PAYMENTS ACCOUNT**

My Receipts & Payments Account for the period from 7 February 2018 to 6 February 2019 is attached to this report in Appendix 2.

The balance of funds are held in an interest bearing estate bank account.

## **ASSET REALISATIONS**

### ***Cash at Bank***

The sum of £2,190.18 was received by the Liquidator from NatWest Bank plc on 14 March 2018, representing the closing balance on the Company's bank account at the date of liquidation.

### ***Deposit for Costs***

The sum of £3,500 was received from the company as a contribution to the Liquidator's costs in this matter.

### ***Preference***

A review of the company bank statements has shown that the company repaid £11,000 just prior to liquidation to a company which had loaned it money in 2014. It would appear that the transaction is a preference pursuant to Section 239 of the Insolvency Act 1986. For the period covered by this report recovery proceedings had not yet been instigated however it is my intention to instruct lawyers in due course.

### ***Bank Interest***

An amount of bank interest was also received on funds deposited.

There are no other assets to be realised by the Liquidator.

## **LIABILITIES**

### ***Secured Creditors***

An examination of the Company's mortgage register held by the Registrar of Companies showed that the Company has granted the following charges:

Papa John's (GB) Limited: legal charge created on 23 May 2014 and registered on 23 May 2014

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.

No claim has been received from the charge holder and it is understood that the chargeholder was paid in full from the sale of the franchise pre liquidation.

#### ***Preferential Creditors***

No preferential creditor claims have been received by the Liquidator for accrued employee holiday pay or arrears of wages.

#### ***Crown Creditors***

The statement of affairs included £30,000 owed to HMRC in respect of VAT. HMRC's final claim of £35,049.87 has been received.

#### ***Non-Preferential Unsecured Creditors***

The statement of affairs included one non-preferential unsecured creditors with an estimated total liability of £30,500. This creditor was in respect of monies owed to the company Director, Muhammed Shabbir. I have received claims from four creditors at a total of £36,055.92. There are no known outstanding creditor claims.

#### **DIVIDEND PROSPECTS**

A dividend will not be declared to any class of creditor / non-preferential unsecured creditors as the funds realised have been used to make payments to meet the expenses of the Liquidation.

The Company gave a floating charge to Papa Johns (GB) Limited on 23 May 2014 and the prescribed part provisions will apply. It is understood however that there are no monies owed to the chargeholder.

#### **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 six months prior to the Company ceasing to trade 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.

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.

#### **LIQUIDATOR'S REMUNERATION**

At the meeting of creditors' held on 7 February 2018, the creditors agreed that my remuneration would be fixed by reference to the time properly spent by myself acting as Liquidator of the

Company and my staff in attending to matters arising in the Liquidation, and that I may withdraw my fees as and when funds were available.

My time costs for the period covered by this report total £xxx, which represents xxx hours at an average hourly rate of £xxx. To date remuneration of £xxx has been drawn against these time costs.

My time costs are further analysed at Appendix 3 by reference to the grade of staff involved with the case and the tasks in which they have been involved. I have drawn £1,935 in respect of Findlay James fees for assisting the directors with the formalities associated with placing the Company into Creditors' Voluntary Liquidation, including the convening of the meetings of members and creditors.

You should have already received details of Findlay James current policy regarding charge out rates and disbursements. Should you require a further copy then please do not hesitate to contact me.

Please go to <http://findlayjames.co.uk/liquidatorsfees.pdf> you require further information relating to Liquidators' remuneration. This guide also gives important information about creditors' rights. Alternatively a copy is available free of charge upon request.

#### **LIQUIDATOR'S EXPENSES**

I have incurred total expenses in the Liquidation of £229.52 all of which have been recovered and can be seen on my summary of receipts and payments.

#### **FURTHER INFORMATION**

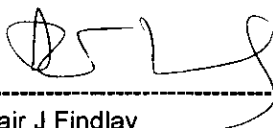
An unsecured creditor may, with the permission of the Court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question) request further details of the Liquidator's remuneration and expenses, within 21 days of receipt of this final account. Any secured creditor 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 and / or basis of the Liquidator's fees and / or the amount of the expenses incurred, within 8 weeks of receipt of this final account. Any secured creditor may make a similar application to Court within the same time limit.

#### **SUMMARY**

The Liquidator is currently pursuing the recovery of a preference transaction as explained earlier in the report. I anticipate that this will take a further 12 months to finalise.

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 my office by email at [info@findlayjames.co.uk](mailto:info@findlayjames.co.uk) or by phone on 01242 576555.



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Alisdair J Findlay  
Liquidator

4 April 2019

## Appendix 1

### 1. Administration

- Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
- Setting up physical and electronic case files.
- Setting up the case on the practice's electronic case management system and entering data.
- Issuing the statutory notifications to creditors and others required on appointment as office holder, including gazetting the office holder's appointment.
- Obtaining a specific penalty bond.
- Seeking a decision from creditors on the basis of the office holder's remuneration.
- 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.
- 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

- Obtaining information from the case records about employee claims.
- Completing documentation for submission to the Redundancy Payments Office.
- Corresponding with employees regarding their claims.
- Liaising with the Redundancy Payments Office regarding employee claims.
- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.
- Issuing a notice of intended dividend and placing an appropriate gazette notice.
- Reviewing proofs of debt received from creditors, adjudicating on them and formally admitting them for the payment of a dividend.
- Requesting additional information from creditors in support of their proofs of debt in order to adjudicate on their claims.
- Calculating and paying a dividend to creditors, and issuing the notice of declaration of dividend.
- Paying tax deducted from the dividends paid to employees.

### 3. Investigations

- Submitting an online return on the conduct of the directors as required by the Company Directors Disqualification Act.



## Appendix 2

### FINDLAY JAMES (INSOLVENCY PRACTITIONERS) LIMITED

#### 1. CHARGE OUT RATES

Current Rates from 6 April 2017

Director – Appointment Taker	£360	per hour
Senior Manager	£300	per hour
Other Senior Professional	£300	per hour
Manager	£240	per hour
Case Administrator	£210	per hour

Where it has been agreed by general resolution of the secured creditors, a creditors' committee or creditors generally, that the office holder's remuneration will be calculated by reference to the time properly given by the office holder and his staff in attending to matters arising in the appointment, then such remuneration will be calculated in units of 5 minutes.

Rates prior to April 2017

Principal	£300	per hour
Senior Manager	£210-240	per hour
Manager	£180	per hour
Assistant Manager	£150	per hour
Administrator	£120	per hour
Clerical	£90	per hour

#### 2. DISBURSEMENTS RECOVERY POLICY

Bordereau/Insurance	Charged at cost
Case Advertising	Charged at cost
Courier	Charged at cost
DTI IVA Registration fee	Charged at cost
Subsistence	Charged at cost
Land Registry Searches	Charged at cost
Room Hire	Charged at cost
Postage	Charged at cost
Post re-direction	Charged at cost
Travel	Charged at cost
for public transport and taxis	

**PJ FAREHAM LTD T/A PAPA JOHN'S**  
**(In Liquidation)**  
**Liquidator's Summary of Receipts & Payments**  
**To 04/04/2019**

<b>S of A £</b>		<b>£</b>	<b>£</b>
	<b>ASSET REALISATIONS</b>		
2,262.40	Cash at Bank	2,190.18	
	Bank Interest Gross	1.45	
	Deposit for Costs	3,500.00	
			5,691.63
	<b>COST OF REALISATIONS</b>		
	Specific Bond	44.00	
	Preparation of S. of A.	3,500.00	
	Liquidator's Fees	1,935.60	
	Statutory Advertising	185.52	
			(5,665.12)
	<b>UNSECURED CREDITORS</b>		
(30,500.00)	Director	NIL	
(30,000.00)	HMRC - VAT	NIL	
			NIL
	<b>DISTRIBUTIONS</b>		
(100.00)	Ordinary Shareholders	NIL	
			NIL
<b>(58,337.60)</b>			<b>26.51</b>
	<b>REPRESENTED BY</b>		
	Floating Charge Account		26.51
			<b>26.51</b>

**PJFAR01 PJ FAREHAM LTD T/A PAPA JOHN'S**

**SIP 9 - Time & Cost Summary**

Period: 07/02/18..06/02/19

Time Summary

Classification of work function	Hours					Time Cost (£)	Average hourly rate (£)
	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & planning	1.83	1.17	0.58	2.33	5.92	1,614.94	272.96
Investigations	0.00	2.00	0.00	0.00	2.00	479.98	240.00
Realisations of assets	0.00	0.25	0.00	0.00	0.25	60.00	240.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	0.00	1.17	1.17	244.99	210.00
Case specific matters	0.00	0.00	6.50	1.17	7.67	2,194.91	286.30
Pre Jan 2003 Time	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Previous Office Holder	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	1.83	3.42	7.08	4.67	17.00	4,594.82	270.29
Total Fees Claimed						1,935.60	