

**In the Matter of Yavi Limited  
And in the Matter of the Insolvency Act and Rules 1986**

Company Number: 06849081  
Trading As: Yavi Ltd  
Formerly: No previous names  
Registered Office: C12 Marquis Court, Marquisway, Team Valley, Gateshead, NE11 0RU  
Trading Address: 41 Chesterfield Road, Ashford, Middlessex, TW15 2NE

In accordance with Rule 4.106, I, Eric Walls and Wayne Harrison of KSA Group Limited, C12 Marquis Court, Marquis Way, Team Valley, Gateshead, NE11 0RU, give notice that on 19 November 2010 we were appointed joint liquidators of Yavi Limited by resolutions of members and creditors.

Notice is hereby given that the creditors of the above named company, which is being voluntarily wound up, are required, on or before 31 January 2011 to send in their full forenames and surnames, their addresses and descriptions, full particulars of their debts or claims, and the names and addresses of their Solicitors (if any), to the undersigned E Walls (IP No. 9113) and W Harrison (IP No. 9703) of KSA Group Limited, C12 Marquis Court, Marquis Way, Team Valley, Gateshead, NE11 0RU, Alternative Contact: E Walls, [insolvency@ksagroup.co.uk](mailto:insolvency@ksagroup.co.uk), 0191 482 3343, the liquidators of the said company, and, if so required by notice in writing from the said liquidators, are, personally or by their Solicitors, to come in and prove their debts or claims at such time and place as shall be specified in such notice, or in default thereof they will be excluded from the benefit of any distribution.

Dated: 24 November 2010

E Walls  
Joint Liquidator of Yavi Ltd

**Report To a Meeting Of Creditors Held Pursuant To Section 98 Of The Insolvency Act 1986  
At Tower 42, 26 Old Broad Street, London, EC2N 1HN  
On 19 November 2010 at 10.30 am**

**1. Statutory Information**

- 1.1 Detailed below is information extracted either from the statutory books of the company or from records held by the Registrar of Companies.

Previous Names: Yavi Limited

Company Number: 06840981

Date of Incorporation: 09/03/2009

Registered Office: was 41 Chesterfield Road, Ashford, Middlesex, TW15 2NE and recently changed to C12 Marquis Court, Marquis Way, Team Valley, Gateshead, NE11 0RU

Shareholdings: 200,000 Ordinary Shares of £1 each, all of which have been issued and fully paid.

Shareholders: Vijay Sharma £1 Ordinary Shares  
200,000

Directors: Vijay Sharma

Nature of Business: Retail sale of fruit and vegetables

Trading Address: 27-31 St Marys Road, London, W5 5PR

**2. History of the Company**

- 2.1 The company was incorporated on 9 March 2009 as Yavi Limited and began trading in August 2009. The company traded as a food and drink retail outlet.
- 2.2 The director and his original business partner bought a 25 year lease for premises at the above trading address. An investment of £200,000 was made to fit out the shop and bring it to a state of being fully equipped and ready to trade.
- 2.3 One of company's suppliers carried out a survey prior to the shop opening. This suggested that the company could achieve takings of £20k per week. This was then expected to grow to £35k-40k per week as trading continued. The survey based these predications on the shops close proximity to a university campus and the continued supply of custom it would generate for the shop.
- 2.4 The breakeven income required for the shop was £15k, when the shop opened up in August 2009 initial profits came in well under the predicted amounts, weekly takings were averaging £3,400. As the university had not reopened to students the director believed profits may rise in line with the start of a new academic year. However, the highest takings the shop produced were £7,000 a week, far below the amounts predicted in the survey.
- 2.5 In August the director's partner, who had invested £50,000 into the company, left after seeing the company was not generating profits and operating at a loss. He believed this would not change. The shop continued to trade, however with dwindling sales and monthly rent of £4,000 the business started losing money on a daily basis.

**2.6** With this in mind a meeting was arranged with representatives of KSA Group Ltd. Based on financial information provided by the directors it was evident that the company was insolvent and after consulting further with representatives of KSA Group Ltd the directors felt they had no option but to call the meetings of shareholders and members necessary to place the company into voluntary liquidation.

**2.7** The director considers that the main reasons for the company's failure were as follows:

1. Inaccurate predications given in the initial survey carried out;
2. Lack of custom and high rent lead to constant losses.

### **3. Meetings of Members and Creditors**

**3.1** At a meeting of the board of directors held on 26 October 2010 it was agreed that meetings of members and creditors should be summoned for the purposes of placing the company into Creditors Voluntary Liquidation. Notices were signed summoning the meetings for 19 November 2010. The notices were issued to shareholders and creditors on 29 October 2010.

**3.2** Accordingly, on 19 November 2010 at a meeting of the shareholders, duly convened at Tower 42, 26 Old Broad Street, London, EC2N 1HN resolutions were passed placing the company into Voluntary Liquidation and appointing W Harrison and E Walls, who are licensed to act as an insolvency practitioners by the Insolvency Practitioners Association, joint liquidators.

**3.3** Prior to being asked to advise the directors on the affairs of the company the partners and staff of KSA Group Limited had had no material professional relationship with the company, its director or shareholders.

### **4. Transactions with Associated Companies or Trading Organisations**

**4.1** There are no known associated companies or trading organisations.

### **5. Extracts from Accounts and other Financial Information**

**5.1** As the company has only been trading for a relatively short period of time no accounts have been prepared.

### **6. Statement of Affairs**

**6.1** The statement of affairs of the company as at 19 November 2010 has been prepared by the director and is included with this report. The original affidavit accompanying the statement of affairs was sworn by Vijay Sharma, on 19 November 2010. A summary of the statement of affairs is attached to this report, along with accompanying notes, and an estimated deficiency account in respect of the final period of trading.

**6.2** As a result of The Enterprise Act 2002 the preferential creditor status of HM Revenue and Customs in respect of PAYE, NIC and VAT, was abolished. This change in legislation also introduced provisions for the liquidator to set aside a certain proportion of the company's net property to deal with the claims of unsecured creditors in advance of the claims of the holder of a floating charge. This is known as the Prescribed Part. **These provisions only apply if a floating charge was created after implementation of The Enterprise Act on 15 September 2003.**

**6.3** The statement of affairs takes no account of the cost and expenses of the liquidation or of realising the company's assets.



## 7. Business conducted at the meeting

- 7.1 One creditor representative attended the meeting and one proxy had been received in favour of the chairman.
- 7.2 The chairman opened the meeting and W Harrison of KSA Group Ltd, who had been appointed joint liquidator of the company by the shareholders of Yavi Limited, presented a brief report to the meeting and reviewed the statement of affairs of the company which had been drawn up to the date of liquidation on his behalf.

The creditor representative raised several questions regarding the company's affairs, its trading activities and, in particular, the sale and disposal of stock provided by the creditor in question. The director sought to answer these questions as best he could and the liquidator confirmed that he would be reviewing the books and records of the company once collected.

- 7.3 There being no further issues raised by the creditors the chairman moved to the formal business of the meeting. Accordingly, creditors approved the following resolutions:

- the appointment of W Harrison and E Walls of KSA Group Ltd, C12 Marquis Court, Marquis Way, Team Valley, Gateshead, NE11 0RU, was confirmed.
- a creditors' committee was not established.

In the absence of a creditors committee:

- That the agreed fee of £4,000 plus VAT plus disbursements be paid to KSA Group Limited in respect of the costs of assisting the director in preparing the statement of affairs and summoning and holding the meetings of members and creditors. The meeting was also informed that KSA Group Ltd had received funds of £2,675 to date towards these costs from third party funds.
- it was agreed that liquidator's remuneration would be calculated by reference to time costs incurred by the liquidator and his staff and authorisation was given for the liquidator to draw remuneration on account of those time costs when he felt it was appropriate.
- The liquidator informed the meeting that the current charge out rates for staff likely to deal with matters pertaining to this liquidation were as follows:

	£ per hour
Administrators	40 – 100
Managers	100 – 175
Partners	175 – 300

- It was agreed that all disbursements incurred by the liquidator's firm should be reimbursed at direct cost save in the case of postage, stationery and telephone for which a charge of £7.50 per creditor would be levied, and motor travel where a charge of 40p per mile would be made.
- it was agreed that the level of the liquidator's specific performance bond should be set at £10,000

## Yavi Limited

## Estimated Statement Of Affairs as at 19 November 2010

	Book Value £	Estimated to Realise £	£
<b>ASSETS</b>			
Improvements to Leasehold Premises	200,000.00		
Fixtures and Fittings	57,800.00		
			NIL
<b>LIABILITIES</b>			
<b>PREFERENTIAL CREDITORS:-</b>			
			NIL
			NIL
<b>DEBTS SECURED BY FLOATING CHARGE PRE 15 SEPTEMBER 2003</b>			
<b>OTHER PRE 15 SEPTEMBER 2003 FLOATING CHARGE CREDITORS</b>			
			NIL
			NIL
Estimated prescribed part of net property where applicable (to carry forward)			NIL
			NIL
<b>DEBTS SECURED BY FLOATING CHARGE POST 15 SEPTEMBER 2003</b>			
			NIL
			NIL
Estimated prescribed part of net property where applicable (brought down)			NIL
			NIL
<b>Unsecured non-preferential claims (excluding any shortfall to floating charge holders)</b>			
Trade & Expense Creditors		140,551.15	
Directors Loan		7,174.00	
Natwest Bank		2,520.68	
Barclays Bank		13,000.00	
			163,245.83
Estimated deficiency/surplus as regards non-preferential creditors (excluding any shortfall in respect of F.C's post 14 September 2003)			(163,245.83)
			(163,245.83)
<b>Issued and called up capital</b>			
Ordinary Shareholders		200,000.00	
			200,000.00
<b>TOTAL SURPLUS/(DEFICIENCY)</b>			<b>(363,245.83)</b>

## Yavi Limited – In Liquidation

### Notes to the Estimated Statement of Affairs

#### 1. Chattel Assets and Motor Vehicles

- 1.1 Book values attributed to those assets in the statement of affairs have been taken from the books and records of the company.

#### 2. Prescribed Part of Net Property

- 2.1 As a result of the Enterprise Act 2002 the preferential creditor status of HM Revenue and Customs, in respect of PAYE, NIC deductions and VAT, was abolished. This change in legalisation also introduced provisions for the liquidator to set aside a certain proportion of the company's net property to deal with the claims of unsecured creditors in advance of the claims of the holder of a floating charge. **These provisions only apply if the floating charge was created on or after 15 September 2003.**

#### 3. Trade and Expense Creditors

- 3.1 Details of amounts due to creditors have been taken from the books and records of the company. Inclusion in the statement of affairs of the company does not constitute agreement that these amounts are, or were at any time, owed by the company and does not entitle a creditor to participate in any future distribution.

#### 4. Costs and Expenses of Liquidation and Asset Realisation

- 4.1 The statement of affairs takes no account of the costs and expenses of the liquidation or realising the assets of the company.

**KSA Group Ltd**  
**Yavi Limited**  
**B - Company Creditors**



**Unsecured Creditors**

<b>Name</b>	<b>Address</b>	<b>£</b>
1&1 Internet Limited	Aquasulis House, 10-14 Bath Road, SLough, SL1 3SA	133.81
Artic Foods	Unit 44, Stadium Business Centre, Wembley, Middlesex, HA9 0AT	870.34
ADT	SECURITY HOUSE, THE SUMMIT, HANWORTH ROAD, SUNBURY ON THAMES, MIDDLESEX, TW16 5DB	1,424.88
Arkle Finance	52-60 Sanders road, wellingborough, Northants, NN8 4BX	40,000.00
British Telecom	81 Newgate Street, London, EC1A 7AJ	189.93
Barclays Bank	Portman Square Branch, Portman Square 9, London, W1A 3AL, United Kingdom	13,000.00
Bestway	International Ind Estate, 1-2 Trident Way, Southall, Middlesex, UB25 LG	77.04
Broadies		10,000.00
CDS Solutions	DOCKLAND HOUSE, ANCHORAGE BUSINESS PARK, CHAIN CAUL WAY, ASHTON ON RIBBLE, PRESTON, PR2 2YL	3,258.02
Ealing Collection Service	PO Box 1344, Town Hall Annexe, Ealing, W5 2BY	295.00
HM Revenue and Customs	BP5102, BENTON PARK VIEW, LONGBENTON, NEWCASTLE UPON TYNE, ne98 1zz	2,735.00
Hm Revenue and Customs	NORTHEAST METROPOLITAN AREA, 119 GRANGE ROAD, MIDDLESBROUGH TS1 2X	400.00
L.B of Ealing - Ealing Council	PERCEVAL HOUSE, PO BOX 1344, LONDON, W5 2BY	20,826.37
Note Machine	Credit Sevenoaks, Russell House, Elvicta Business Park, Crickhowell, Powys, NP8 1DF	17,097.59
Natwest	CREDIT MANAGEMENT SERVICES, KENDAL COURT, IRONMASTERS WAY, TF3 4DT	2,094.75
Nijjar Dairies T/A Freshways	16 Eastman Road, Acton, Acton, London, W3 7YG	2,728.83
Nisa-Today Ltd	Nisa-Today's (Holdings) Ltd, Waldo Way, Normanby Enterprise Park, Scunthorpe, DN15 9C	23,770.05
Regard Recruitment	Kingsbury House, 468 Church Lane, London, NW9 8UA	3,000.00
Standard Distributions	Periodicals Limited, Standard House, Challenge Road, Ashford, Middlesex, TW15 1AX	144.86
Sage Limited	SAGE LIMITED, NORTH PARK, NEWCASTLE UPON TYNE, NE13 9AA	1,463.13
Southern Electric	P O BOX 7507, PERTH, PH1 3NT	7,732.96
Smith Partnership Solicitors	CELTIC HOUSE, HERITAGE GATE, FRIARY STREET, DERBY, DE11LS	290.83
Vodafone	PO BOX 549, BANBURY, OX173ZL	4,538.44
Vijay Sharma	41 Chesterfield Road, Ashford, Middlesex, TW15 2NE	7,174.00

**Total** **163,245.83**

signature \_\_\_\_\_

Date \_\_\_\_\_



**Yavi Limited**

**Estimated Deficiency Account  
For the period from 9 March 2009 to 19 November 2010.**

	£	£
Reserves Balance at 09-Mar-09		200,000
Amounts written off for the purposes of the statement		
Property improvements	200,000	
Fixtures and fittings	57,800	
		(257,800)
		(57,800)
Extraordinary Items		(57,800)
ASSUMED TRADING PROFIT/(LOSS) FOR THE PERIOD		(105,446)
CREDITORS DEFICIENCY PER STATEMENT OF AFFAIRS		(163,246)