

BRITISH & COMMONWEALTH HOLDINGS PLC
Company number 00556729

No.



CR-2022-000852

IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
INSOLVENCY AND COMPANIES LIST (ChD)

INSOLVENCY AND COMPANIES COURT JUDGE JONES

DATED 23RD MARCH 2022

IN THE MATTER OF AN OFFICE HOLDER

AND IN THE MATTER OF THE INSOLVENCY ACT 1986

B E T W E E N:

PATRICK JOSEPH BRAZZILL
CRAIG ANTHONY LEWIS

Applicants

and

DEREK NEIL HYSLOP
ELIZABETH BINGHAM
JOANNE ROBINSON
MATTHEW COOMBER
PHILIP HEDDELL
RICHARD BARKER
SAMANTHA JANE KEEN
SIMON JAMIE EDEL

Respondents

ORDER

UPON THE APPLICATION OF PATRICK JOSEPH BRAZZILL (hereafter referred to as the "Lead Applicant") (whose address for service is Pinsent Masons LLP, 3 Hardman Street, Manchester, M3 3AU), made in his capacity as outgoing liquidator, administrator and provisional liquidator (as applicable) in respect of the matters listed in the Schedules hereto, and CRAIG ANTHONY LEWIS (c/o Ernst & Young LLP, 1 More London Place, London, SE1 2AF) made in his capacity as joint office holder with the Lead Applicant, by notice dated 21 March 2022

AND UPON READING the documents recorded on the Court file as having been read

Brazzill c/o EY



AND UPON READING the statements of each of Joanne Robinson, Matthew Coomber, Philip Heddell and Richard Barker to the effect that they are qualified to act as insolvency practitioners in the relevant cases and that they consent to so act in accordance with the terms of this Order

IT IS ORDERED THAT:-

1. LEAD APPLICANT'S REMOVAL AS OFFICE HOLDER

- 1.1 The Lead Applicant be removed as office holder in the cases set out in the Schedules hereto pursuant to the relevant power set opposite each category below with effect from the date of this Order.-
- 1.1.1 *Members' voluntary liquidation cases - Section 108 of the Insolvency Act 1986 and Rule 12.36(2)(a) of the Insolvency (England and Wales) Rules 2016;*
 - 1.1.2 *Creditors' voluntary liquidation case – Section 108 of the Insolvency Act 1986 and Rule 12.36(2)(a) of the Insolvency (England and Wales) Rules 2016;*
 - 1.1.3 *Provisional liquidation case – Section 172(2) of the Insolvency Act 1986 and Rule 12.36(2)(a) of the Insolvency (England and Wales) Rules 2016; and*
 - 1.1.4 *Administration cases – Section 19 of the Insolvency Act 1986 and Rule 12.36(2)(b) of the Insolvency (England and Wales) Rules 2016.*

2. APPOINTMENT OF REPLACEMENT OFFICE HOLDERS

- 2.1 Joanne Robinson (of Ernst & Young LLP, 1 More London Place, London, SE1 2AF), having filed a statement with the Court that she is qualified to act as an insolvency practitioner in the relevant cases and that she consents to act, be appointed in substitution for the Lead Applicant as joint administrator with the current joint administrator for the matters set out in Schedule 1 from the date of this Order.
- 2.2 Matthew Coomber (of Ernst & Young LLP, 1 More London Place, London, SE1 2AF), having filed a statement with the Court that he is qualified to act as an insolvency practitioner in the relevant cases and that he consents to act, be appointed in substitution for the Lead Applicant as joint liquidator with the current joint liquidator for the matters set out in Schedule 2 from the date of this Order.
- 2.3 Philip Heddell (of Ernst & Young LLP, 1 More London Place, London, SE1 2AF), having filed a statement with the Court that he is qualified to act as an insolvency practitioner in the relevant cases and that he consents to act, be appointed in substitution for the Lead Applicant as joint liquidator with the current joint liquidator for the matters set out in Schedule 3 from the date of this Order.

- 2.4 Richard Barker (of Ernst & Young LLP, 1 More London Place, London, SE1 2AF), having filed a statement with the Court that he is qualified to act as an insolvency practitioner in the relevant cases and that he consents to act, be appointed in substitution for the Lead Applicant as joint liquidator or joint provisional liquidator (as applicable) with the current joint office holder for the matters set out in Schedule 4 from the date of this Order.
- 2.5 Any act required or authorised under any enactment to be done by a liquidator or an administrator (as applicable) in the cases set out in the Schedules hereto may be done by all or any one of the respective liquidators or administrators (as applicable) in each relevant matter acting jointly or alone.
- 2.6 In the provisional liquidation case set out in Schedule 4, Richard Barker shall be appointed with all the functions and powers conferred on the Joint Provisional Liquidators by the order of Mr Justice Pumfrey dated 8 May 2003 and any orders supplementing or varying such order.

3. **ADVERTISEMENT, REPORTING TO CREDITORS AND MEMBERS AND RELEASE**

- 3.1 As soon as reasonably practicable, and in any event within 28 days of the date of this Order, the Lead Applicant shall procure that a block advertisement is placed in the Gazette. The advertisement shall contain notification of the removal of the Lead Applicant from the cases identified in the Schedules hereto and the appointment of the relevant Respondent in his place and shall be in substitution for notifying each individual creditor and/or member on each estate, save to the extent provided for at paragraph 3.2 below.
- 3.2 The Applicants (excluding the Lead Applicant) and the Respondents shall at the first convenient opportunity, and in any event when the next routine report is due to the creditors or members (as applicable) of each estate or within twelve months following the making of this Order, whichever is sooner, notify such creditors or members of the making of this Order, such notice to contain the following matters:-
- 3.2.1 an explanation of the effect of this Order; and
- 3.2.2 express reference to the liberty to apply contained in paragraph 4 below.
- 3.3 In relation to the cases listed in the Schedules hereto, insofar as there is any requirement for any appointment or removal of an office holder to be advertised or notified to creditors or members (as applicable), the requirement shall be dispensed with save to the extent provided for in paragraphs 3.1 and 3.2 above.
- 3.4 The Applicants and the Respondents be authorised to dispense with any requirement to file a progress report or a receipts and payments account in any of the cases set out in the Schedules hereto as a consequence of the removal and the replacement of the Lead Applicant as an office holder, and the period to be covered by such reports and the dates

by which such reports are required to be prepared shall not be altered by virtue of the making of this Order.

- 3.5 Without being required to apply to the Secretary of State for a release pursuant to any relevant provision, the Lead Applicant shall be granted his release in respect of each case 28 days after the publication in the Gazette referred to in paragraph 3.1 above.

4. LIBERTY TO APPLY TO THE COURT

- 4.1 There be liberty to each creditor or member (as applicable, where they have a financial interest in the outcome of the relevant proceedings) of each estate set out in the Schedules hereto to apply to vary or discharge this Order within 28 days of receipt of the notices directed to be sent under paragraph 3.2 above.

AND IT IS HEREBY FURTHER ORDERED:-

5. SERVICE

- 5.1 Service of the Application be dispensed with.
- 5.2 Notice of the Order be delivered to the Secretary of State to whom there be express liberty to apply.
- 5.3 The Lead Applicant file any appropriate notices in respect of his removal and replacement and those appointments in accordance with this Order with the Registrar of Companies.

6. COSTS

- 6.1 The costs of this Application be borne by Ernst & Young LLP.

SCHEDULE 1

Case Name	Company No	Type/capacity	Current Office Holders	Incoming IP	Court	Court Case No	Court Year
British & Commonwealth Holdings plc	00556729	ADMIN	Patrick Joseph Brazzill and Craig Anthony Lewis	Joanne Robinson	The High Court of Justice, Business and Property Courts of England and Wales	4497	1990
B & C Group Finance Limited	00672088	ADMIN	Patrick Joseph Brazzill and Craig Anthony Lewis	Joanne Robinson	The High Court of Justice, Business and Property Courts of England and Wales	4495	1990

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