

LIQ03

Notice of progress report in voluntary winding up



Companies House

WEDNESDAY



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A13

26/01/2022

#278

COMPANIES HOUSE

1 Company details

Company number 0 1 9 9 2 4 7 1

Company name in full Commercial 2016 Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Michael

Surname Solomons

3 Liquidator's address

Building name/number 82 St John Street

Street

Post town London

County/Region

Postcode E C 1 M 4 J N

Country

4 Liquidator's name ①

Full forename(s) Andrew

Surname Pear

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number 82 St John Street

Street

Post town London

County/Region

Postcode E C 1 M 4 J N

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 3	^d 0	^m 1	^m 1	^y 2	^y 0	^y 2	^y 0
To date	^d 2	^d 9	^m 1	^m 1	^y 2	^y 0	^y 2	^y 1

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 2	^d 4	^m 0	^m 1	^y 2	^y 0	^y 2	^y 2
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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 **Sam Constable**

Company name **BM Advisory**

Address **82 St John Street**

Post town **London**

County/Region

Postcode **E C 1 M 4 J N**

Country

DX

Telephone **020 7549 8050**



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

TO ALL MEMBERS AS ADDRESSED

Our ref: SC/COM002MS

24 January 2022

Dear Sirs

Commercial 2016 Limited – In Members' Voluntary Liquidation ("the Company")

As you are aware, Andrew Pear and I were appointed Joint Liquidators of the Company on 30 November 2016. In accordance with section 92A of the Insolvency Act 1986, I have prepared my fifth annual progress report on the Company for the period 30 November 2020 to 29 November 2021 (the reporting period). Statutory information regarding the Company is attached at **Appendix I**.

The Liquidators have acted jointly and severally in all matters relating to the Liquidation and there have been no changes in the office holders since my last report. This report should be read in conjunction with my previous reports, copies of which are available on request. Further information can also be found at www.creditorinsolvencyguide.co.uk which is designed to provide a step-by-step guide to the Liquidation process.

CONDUCT OF LIQUIDATION

Please refer to my previous reports for a background on the Company and the events leading up to my appointment.

During this reporting period I have continued with efforts to resolve the ongoing issue in relation to PAYE returns that were erroneously filed with HM Revenue & Customs ("HMRC") in the Company's name. HMRC are unable to provide clearance until these returns have been transferred to the relevant group entity and authority can only be provided by that entity rather than the Liquidators. This has been notified to the relevant entities on several occasions and I am currently awaiting progress on this matter and whether a move to Creditors' Voluntary Liquidation is now appropriate given this matter has not been addressed.

Furthermore, I have attended to the statutory matters incumbent upon liquidators generally such as reporting to members and completing any required tax returns so that clearance can be obtained in order to close the Liquidation.

Once the above matter with HMRC has been finalised I will be able to request tax clearance and proceed to closure.

RECEIPTS AND PAYMENTS ACCOUNT

A receipts and payments account for the reporting period, and also for the whole period of the Liquidation, is attached at **Appendix II**. No bank account was opened following my appointment as no realisations were anticipated, and no funds have been received.



ASSETS

There were no realisations during this period.

LIABILITIES

Secured creditor

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 charges held by Coutts & Company were satisfied as part of the sale of the wider group and the relevant forms were subsequently filed at Companies House.

Preferential creditors

There are no known preferential creditors.

Unsecured creditors

All creditors were paid in full pre-appointment as part of the sale of the wider group of companies.

Share Capital

No distributions have been made or will be made as the only funds due would be the share capital.

JOINT LIQUIDATORS' REMUNERATION

The Liquidators were authorised to be remunerated for the conduct of the Liquidation on a fixed fee basis of £5,000 plus VAT, by the directors on 30 November 2016 and by the member at a meeting held on 30 November 2016. This fee was settled by the members in full, in accordance with that approval.

The Liquidators were also authorised to be remunerated on the basis of time costs properly incurred in relation to any unforeseen matters, such as an HM Revenue & Customs investigation or complicated tax affairs. As previously reported, whilst unforeseen matters have occurred it is not anticipated that further remuneration authorisation will be requested at this time.

A description of the work undertaken during this reporting period is as follows:

Administration and planning

This is work involved in the routine administrative functions of the case. It does not give direct financial benefit to the members, but has to be undertaken to meet our statutory requirements and obligations under the insolvency legislation and the Statements of Insolvency Practice.

- Case planning and administration.

Statutory compliance and reporting

This is work involved in the statutory functions of the case, together with the necessary control and supervision by senior staff. It does not give direct financial benefit to the members, but has to be undertaken to meet our statutory obligations.

- Dealing with all routine correspondence.
- Maintaining physical case files and electronic case details.
- Case bordereau.
- Preparing reports to members.
- Ensuring statutory lodgements and tax lodgement obligations are met.
- Liaising with HMRC to obtain tax clearance.

A guide to fees can be found at www.bm-advisory.com/resources/ and provides information relating to Liquidators' remuneration. A hard copy is available on request.

Please note that any member with the permission of the Court, or with at least 5% of the total voting rights of all members having the right to vote at general meetings of the Company, may request further details of the Joint Liquidators' remuneration and expenses, within 21 days of receipt of this report.

Furthermore, any member with the permission of the Court, or with at least 10% of the total voting rights of all members having the right to vote at general meetings of the Company, may apply to Court to challenge the amount and/or basis of the Joint Liquidators' fees and the amount of any proposed expenses or expenses already incurred, within eight weeks of receipt of this report.

JOINT LIQUIDATORS' EXPENSES

Category 2 disbursements were agreed by members at the meeting held on 30 November 2016, and are as detailed in BM Advisory's policy on fees, attached at **Appendix III**. Category 1 disbursements do not need approval and can be drawn at the Liquidators' discretion without authority.

Detailed below are the expenses I expected to incur during the Liquidation and what I have incurred in this period and to date, together with details of what has been paid in this period and what remains unpaid.

		Estimated total cost	Incurred in period	Incurred to date	Paid during period	Remains unpaid
		£	£	£	£	£
Statutory advertising	Category 1	288	-	216	-	-
Bond	Category 1	15	-	15	-	-
TOTAL		303	-	231	-	-

The expenses incurred have not exceeded the estimate previously given to members and I do not anticipate that they will exceed the original estimate. These expenses were settled by the members but as a result of a change in required statutory advertisements it is anticipated that a refund may be due and this will be processed when proceeding to closure.

SUMMARY

I shall report again on the next anniversary of my appointment, or the closure of the Liquidation, whichever is sooner.

Information about our privacy policy, complaints procedure, Professional Indemnity insurance and the Provision of Services Regulations, can be found at www.bm-advisory.com/about/legals-compliance/. If you have any queries on this report, please contact Sam Constable of this office, on 020 7549 2496.

Yours faithfully



Michael Solomons
Joint Liquidator

STATUTORY INFORMATION

Company name:	Commercial 2016 Limited
Registered office:	82 St John Street, London, EC1M 4JN
Former registered office:	Federation House, Vyse Street, Hockley, Birmingham, B18 6LT
Former trading address:	Federation House, Vyse Street, Hockley, Birmingham, B18 6LT
Registered number:	01992471
Joint Liquidators' names:	Michael Solomons and Andrew Pear
Joint Liquidators' address:	82 St John Street, London, EC1M 4JN
Liquidators' date of appointment:	30 November 2016

APPENDIX II

Commercial 2016 Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Declaration of Solvency £		From 30/11/2020 To 29/11/2021 £	From 30/11/2016 To 29/11/2021 £
ASSET REALISATIONS			
1.00	Book Debts	<u>NIL</u>	<u>NIL</u>
		<u>NIL</u>	<u>NIL</u>
DISTRIBUTIONS			
1.00	Ordinary Shareholders	<u>NIL</u>	<u>NIL</u>
		<u>NIL</u>	<u>NIL</u>
<u>2.00</u>		<u>NIL</u>	<u>NIL</u>
	REPRESENTED BY	<u><u> </u></u>	<u><u> </u></u>
			<u><u>NIL</u></u>

APPENDIX III

BM ADVISORY

STATEMENT OF POLICY ON FEES

Introduction

This statement has been prepared in accordance with guidelines set out in Statement of Insolvency Practice 9 issued by the Association of Business Recovery Professionals (R3).

The following information applies to all appointments of partners, directors, consultants or staff of BM Advisory, to act as any of the following:-

Liquidator, Receiver, Administrator or Administrative Receiver of a Limited Company or Limited Liability Partnership
Trustee in Bankruptcy
Supervisor of an Individual, Company or Partnership Voluntary Arrangement
Administrator under the Insolvent Estates Order

When acting as Nominee, the provisions of the Insolvency Act 1986 ("the Act") require that the amount of the fees payable to the Office Holder be specified within the Debtor's proposals. Such fees will nevertheless be fixed to take account of the Office Holder's expected time costs arising as referred to below.

Policy on fees

In accordance with the Act, the Office Holder may seek approval of their remuneration either on a fixed fee basis, on a percentage basis or on a time costs basis. When an Office Holder's fees are charged by reference to time costs, they will be charged at the firm's usual rates applicable at the time the work is carried out. Rates may be varied from time to time, at the sole discretion of BM Advisory, and such changes will be notified in retrospect with each report to Creditors. It is the policy of BM Advisory to use as junior grade of staff as compatible with the efficient conduct of the matter in order to ensure costs are kept to a minimum. Time is recorded in 6 minute units with supporting narrative to explain the work undertaken.

As at 1 March 2020 the hourly rates applicable are:

Grade	£
Partner 1	430
Partner 2	380
Associate Director	360
Senior Manager	340
Manager	310
Assistant Manager	285
Senior Administrator	240
Administrator	185
Junior Administrator	125
Cashier	115
Support staff	85

Rates vary between individuals, reflecting experience and qualification. For certain more complex tasks, BM Advisory may seek to apply a higher rate in respect of work undertaken, but subject to prior authorisation in accordance with the Act.

Further information on the manner in which an Office Holder's fees may be fixed, can be found in the guidance notes on our website: www.bm-advisory.com/resources/.

Disbursements

Disbursements are categorised as either Category 1 or Category 2.

Category 1 expenses are directly referable to an invoice from a third party, which is either in the name of the case or BM Advisory; in the case of the latter, the invoice makes reference to, and therefore can be directly attributed to, the case. These disbursements are recoverable in full from the case without the prior approval of creditors either by a direct payment from the case or, where BM Advisory has made payment on behalf of the case, by a recharge of the amount invoiced by the third party. Examples of category 1 disbursements are statutory advertising, external meeting room hire, external storage and specific bond insurance.

Category 2 expenses are incurred by BM Advisory and recharged to the case; they are not attributed to the case by a third party invoice and/or they may include a profit element. These disbursements are recoverable in full from the case, subject to the basis of the disbursement charge being approved by creditors in advance. Examples of Category 2 disbursements are photocopying, internal room hire and internal storage.

It is proposed that the following Category 2 disbursements are recovered:

Meeting room hire	Up to £200
Postage	£0.51 - £2.25
Mileage (per mile)	At the HMRC approved mileage rate at the time the mileage was incurred
Photocopies (per sheet)	£0.15
Storage (per box per month)	£0.35

The costs recharged are based upon the actual cost of the materials used or the costs which would have been incurred if that service had been sourced externally.