

WU07

Notice of progress report in a winding-up by the court



Companies House

WEDNESDAY



A14 *A8ACORK2* #169
24/07/2019
COMPANIES HOUSE

1 Company details

Company number **09642438**
Company name in full **BHS Commercial Limited**

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

2 Liquidator's name

Full forename(s) **Virgil Harsham**
Surname **Levy**

3 Liquidator's address

Building name/number **1 Beasley's Yard**
Street **126 High Street**
Post town **Uxbridge**
County/Region **Middlesex**
Postcode **UB8 1JT**
Country **England**

4 Liquidator's name

Full forename(s)
Surname

Other liquidator
Use this section to tell us about
another liquidator.

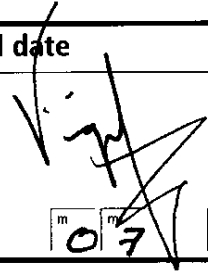
5 Liquidator's address

Building name/number
Street
Post town
County/Region
Postcode
Country

Other liquidator
Use this section to tell us about
another liquidator.

WU07

Notice of progress report in a winding-up by the court

6	Period of progress report			
From date	^d 1 ^d 5	^m 0 ^m 6	^y 2 ^y 0 ^y 1 ^y 8	
To date	^d 1 ^d 4	^m 0 ^m 6	^y 2 ^y 0 ^y 1 ^y 9	
7	Progress report			
	<input checked="" type="checkbox"/> The progress report is attached			
8	Sign and date			
Liquidator's signature	Signature X  X			
Signature date	^d 2 ^d 3	^m 0 ^m 7	^y 2 ^y 0 ^y 1 ^y 9	

BHS Commercial Limited (In Liquidation) ("the Company")
Leeds District Registry No 656 of 2016
Company Number: 09642438

Liquidator's Progress Report for the period from 15th June 2018 to 14th June 2019

Key highlights of this report

A summary of the key information contained within this report is as follows:

- No assets have been realised to date.
- No assets are expected to be realised in this case
- Liquidator's remuneration has not been sought as there are no expected assets
- All expenses that have been incurred so far have been paid by LA Business Recovery Limited.
- There is unlikely to be a dividend to unsecured creditors

Appendices

The following appendices are attached which should be read in conjunction with this report:

Appendix 1	Statutory Information
Appendix 2	Receipts and Payment Account
Appendix 3	LA Business Recovery Limited's Published Charge Out Rates and Expense Policy
Appendix 4	Category 1 and 2 Disbursements

Asset Realisation and Progression

Assets realised

There have been no assets realised in this period.

Other matters

As mentioned in my last report, both the Official Receiver and I have not received any contact from the director.

As there has been no contact from either director there has been a complete failure to co-operate and their misconduct has been reported.

In my previous report I mentioned that I would consider taking legal action against Ms Hunter. I decided not to pursue this as I deemed it uneconomical.

The investigations proved impossible because the directors failed to co-operate and failed to deliver Books and Records. One director was adjudged bankrupt some time after the commencement of this liquidation; as such, I am not aware that the Official Receiver as Trustee has recovered any assets of any value from the bankrupt's estate.

I have sought assistance from creditors and have fully considered the information available to me. I am currently awaiting clearance from HMRC prior to moving the matter to closure.

Dividend prospects

Preferential creditors

There are no known preferential creditors in this case.

Unsecured creditors

There are insufficient assets to pay a dividend to the unsecured creditors.

Liquidator's Remuneration

I have not sought a fee resolution as I do not believe there will be any assets realised to pay my fee.

You may also find it useful to read "A creditors' guide to Liquidators' fees" which can be downloaded from The Insolvency Practitioners Association website at www.insolvency-

practitioners.org.uk/regulation-and-guidance/guides-to-fees. Alternatively, please contact my Uxbridge office and we will arrange for a hard copy to be sent to you.

Disbursements

There have been no disbursements incurred in the period covered by this report.

There are outstanding disbursements from the previous period all of which have been paid for by LA Business Recovery Limited, these are;

Specific bond	£60.00 plus VAT
A Gazette advert	£76.00 plus VAT
The Surveillance Group Limited (tracing services)	£190.00 plus VAT

These are not now recoverable.

Professional Advisors

I have not instructed any professional advisors.

Creditors' further information

As a creditor, you have a right to request further information with regard to any aspect of this report or to challenge my fees and expenses. If you require further information, please do not hesitate to contact me.

If you are not satisfied with my response, you have the right to request further information from me with regard to my remuneration and expenses, with either the permission of the Court or with a collective request from 5% in value of unsecured creditors. This request must be made within 21 days of receipt of this report.

Further, creditors have the right to apply to Court to challenge the amount of, or the basis of, my remuneration and expenses, with either the permission of the Court or with a collective request from 10% in value of unsecured creditors. This application must be made within 8 weeks of receipt of this report.

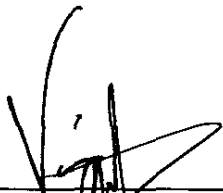
Secured creditors may make the same request or the same application in their own right.

Conclusion

Given there is no likelihood of any realisations to be made, I am looking now to close the case as I am unable to progress it any further as there is simply no cooperation from either director. Meaning I will not be able to realise any assets for the benefit of the creditors.

Should you have any queries, please do not hesitate to contact my Uxbridge office by writing to 1 Beasley's Yard, 126 High Street, Uxbridge, Middlesex UB8 1JT, telephoning 01895 819460 or emailing my colleague, Callum Arnold at callum@labr.co.uk.

Yours faithfully



Virgil Harsham Levy
Liquidator

Date 23 July 2019

BHS Commercial Limited (In Liquidation) ("the Company")
Leeds District Registry No 656 of 2016

Statutory Information

Company's details

Description	BHS Commercial Limited (In Liquidation)
Petition Details:	Petition presented by Monster Worldwide Limited on 25 th July 2016
Winding Up Order Date:	13 December 2016
Contact Details For Case Administrator:	LA Business Recovery Limited 1 Beasley's Yard, 126 High Street, Uxbridge, Middlesex, UB8 1JT 01895 819 460 callum@labr.co.uk

Appointment Details

Liquidator:	Virgil Harsham Levy (IP No. 19090)
Address:	LA Business Recovery Limited 1 Beasley's Yard, 126 High Street, Uxbridge, Middlesex, UB8 1JT
Liquidator's Telephone Number:	01895 819460
Date of Appointment:	15/06/2017
Court Name and Reference:	Leeds District Registry No 656 of 2016
Appointment made by:	Secretary of State

BHS Commercial Limited
(In Liquidation)

Liquidator's Summary of Receipts and Payments

RECEIPTS	Statement of Affairs (£)	From 15/06/2017 To 14/06/2018 (£)	From 15/06/2018 To 14/06/2019 (£)	Total (£)
		0.00	0.00	0.00
PAYMENTS				
Sec of State Fees		9,635.59	88.00	9,723.59
		9,635.59	88.00	9,723.59
Net Receipts/(Payments)		(9,635.59)	(88.00)	(9,723.59)
MADE UP AS FOLLOWS				
ISA IB		(9,635.59)	(88.00)	(9,723.59)
		(9,635.59)	(88.00)	(9,723.59)

Note:


 Virgil Marsham Levy
 Liquidator

LA Business Recovery Limited's Published Charge Out Rates and Expenses Policy

Time

My hourly charge out rates are charged in 6 minute units. In the event that less than 6 minutes are spent, multiples will be rounded up.

The actual rate charged will depend upon the nature of each activity undertaken for the case and / or the person undertaking that activity. The firm's charge out rates, which may increase from time to time during the course of the case, are currently as follows:

Grade / activity	Hourly rate (charged in 6 minute units)
	£
Officeholder / Director	400-560
IP Manager	300-375
Administrators/Senior Administrators	150-275
Assistants & support staff	90

Allocation of Time

Time is allocated by function and the main categories of work will be covered by the following summary headings.

Work will include, consideration of incoming correspondence, composing outgoing correspondence, consideration and interaction with advisers concerning relevant law and practice; general strategy and specific strategic requirements; it is sometimes the case that not all time is allocated to work that directly benefits the creditors but are required by statute; work undertaken hereunder will always require consideration and review time to be allocated; time will be allocated against such headings where case progression reviews and insurance reviews, liaison with agents, third parties, stakeholders, officers or former officers, banks and professionals will be required.

These summary headings and explanations are not exhaustive headings but seek to summarise headings pursuant to which work is foreseen to be undertaken. This schedule has been prepared for all types of insolvency cases for which Virgil H Levy takes office and certain summary headings may only be relevant to Liquidations, Voluntary Arrangements, Bankruptcies or Administrations. It is our aim to report to Creditors any significant changes to the time allocation at each reporting stage.

Administration and Planning

Statutory & Compliance Work, including MLR and File Setup
Reporting To Debenture Holder/secured creditors
Creditors' Committee considerations, planning and preparation
Statutory Advertising
Bonding – consideration, evaluating and estimating
Preparation of CVA / IVA Proposal – Drafting and amending
Nominee's Report – Statutory reporting and considerations
Correspondence with third parties, agents and other office holders
Health & Safety considerations
Books & Records – Collection, verification and analyses
Closing formalities to a case, final reporting to stakeholders
Filing & Photocopying
Travel
Case Reviews
Case Management and Monitoring – Senior oversight

Seeking and considering advice in relation to any Strategy-related matters

Creditors

Agreement of Creditors' Claims

Preferential Creditors

Secured Creditors

Unsecured Creditors

Employee Matters

Committee Report & Meeting

Statutory Reporting To Creditors

Payment of Dividend

Statutory Compliance in respect of Reporting

Giving information and agreeing and paying out against claims

Seeking and considering advice in relation to any creditor matter

Realisation of Assets

Business and Assets – value as going concern

Freehold Property

Leasehold Property

Plant & Machinery / Motor Vehicles.

Stock – Consider nature of assets, valuations and sales procedure

Other Assets – scheduling and pursuing

Books Debts – scheduling and pursuing

Obtaining Tax Refunds & associated work where complex

Insurance of Assets – completion of insurance documents

ROT – considerations of applicable law and moving swiftly with communications concerning ROT assets

Interaction with legal advisers concerning nature of assets subject to potential realisations

Consideration of assignments

Consideration of Sales and Purchase Agreements

Drafting/Amending legal documents

Consideration of legal advice regarding asset realisations

All work concerning the active sales processes and pre-sales preparatory work

Liaison with chargeholders

Liaison with sales agents, instructions and oversight

Investigations

Considering and checklist considerations regarding Antecedent Transactions

CDDA Reports – collation and online reporting to the Insolvency Service

Review of Pre-Appointment Transactions

Reports on Conduct – detailed exchanges of information with the Insolvency Service concerning misconduct

Analysis of all papers, books and records – scheduling, spread sheet and accounting reviews

Consider whether detailed investigation is required

Interviewing personnel, relevant persons or officers/former officers

Pursuing parties for information subject to investigation

Meetings, interviews or court interrogatory

Applications to Court where appropriate

Trading

Supervision and Management of Ongoing Trading

General and Specific Management of Operations

Cashiering For Trading

Strategy

Forecasting

Liaison with agents, experts and trading staff

Pre-Appointment Work

Conflicts Check
Preparation of Pre-Appointment Reports
General guidance & options/advice to the Board/Company/Individual
Ethical considerations

Cashiering / Tax & VAT

Submission of Tax and VAT Returns
Correspondence with HMRC
Tax & VAT Reviews
Management and Operation of Estate Account
Statutory Receipts and Payments Accounts
Bank Reconciliations

Expenses

Expenses incurred directly in connection with the administration of all cases are charged at the following rates:

Expense	Charge Policy
Business mileage	HMRC Non-Profit Rate (Presently 45p Per Mile)
Postage	At Cost
Photocopies / Printing	If Undertaken By Third Party; At Cost
Faxes Sent / Received	If Undertaken By Third Party; At Cost
Room Hire Where Required For Statutory Meetings (Whether Meetings Are Attended Or Not)	At Cost
UK Company, Individual And Company Searches	At Cost
Credit Searches (Individual And Company)	At Cost
Travel & Accommodation Costs As Required	At Cost (Hotels, Air Travel, Rail, Taxis, Public Transport, Parking, Subsistence etc.).
Other Third Party Expenses Incurred Directly In Connection With The Case	At Cost

Please note that the above charges and policies are subject to review.

Category 1 disbursements (Direct Expenses)

Category 1 disbursements as defined by SIP 9, which can be specifically identified as relating to the administration of the case will be charged to the estate at cost, with no uplift. These include but are not limited to such items as case advertising, bonding and other insurance premiums and properly reimbursed expenses incurred by personnel in connection with the case.

Category 2 disbursements (Other Expenses)

Category 2 disbursements as defined by SIP9, are costs that are directly referable to the appointment in question but not a payment to an independent third party. These disbursements may include shared or allocated costs that can be allocated to the appointment on a proper reasonable basis. These may include (but are not limited to) room hire, copying, business millage, case management software, allocated communication costs provided by the practitioner or his firm and whose calculation is reasonable.

Where Category 2 disbursements are sought LA Business Recovery Ltd shall seek the recovery of its cost for operating Turnkey IPS software (its case management system). The annual charge is £4,500, which shall be divided by the number of live appointments portionally split per current appointment. The figure will be confirmed in creditor correspondence where remuneration and disbursements are sought.

WU07

Notice of progress report in a winding-up by the court



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

Callum Arnold

Company name

LA Business Recovery Limited

Address

1 Beasley's Yard
126 High Street

Post town

Uxbridge

County/Region

Middlesex

Postcode

UB8 1JT

Country

England

DX

Telephone

01895 819 460



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