

WU07

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



Companies House

SATURDAY



A19 *A7B5QQY1* #414
28/07/2018
COMPANIES HOUSE

1 Company details

Company number 0 9 6 4 2 4 3 8

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 H

Surname Levy

3 Liquidator's address

Building name/number 1

Street Beasley's Yard

126 High Street

Post town Uxbridge

County/Region Middlesex

Postcode U B 8 1 J T

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.

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6	Period of progress report															
From date	d	1	d	5	m	0	m	6	y	2	y	0	y	1	y	7
To date	d	1	d	4	m	0	m	6	y	2	y	0	y	1	y	8
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	6	m	0	m	7	y	2	y	0	y	1	y	8

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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

Company name

LA Business Recovery Limited

Address

1 Beasley's Yard

126 High Street

Post town

Uxbridge

County/Region

Middlesex

Postcode

U B 8 1 J T

Country

DX

Telephone

01895 819460



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

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 2017 to 14th June 2018

Key highlights of this report

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

- No assets realised
- No assets expected to be realised at this stage
- No fee resolution has been sought
- Incurred expenses have been paid by LA Business Recovery Limited
- There is unlikely to be a dividend to unsecured creditors at this stage

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	Fee Estimate
Appendix 4	LA Business Recovery's Time Costs Summary & Charge Out Rates and Expenses Policy

Asset Realisation and Progression

Assets realised

No assets have been realised in this period.

There are no known assets to be realised, however investigations are still in progress.

Other matters

The progression of the Liquidation has been slow due to the difficulty we have had in obtaining contact with the Company's Directors.

Following my appointment on 15th June 2017 I wrote to both the Directors, notifying them of my appointment and requesting they complete a Director's questionnaire. Whilst it would appear Mr Daniel Sketchley received our correspondence, the letter addressed to Ms Habeba Hunter was returned to us. We did not receive a response from Mr Sketchley.

We have written to Mr Sketchley on a number of occasions both via letter and email but to no avail. He has been in contact with the Official Receiver ("OR ") and stated that he is in possession of the Company's books and records. At the date of this report I believe the OR has still not received them.

As Mr Sketchley failed to attend the OR's office for interview, the OR applied to Court for to have him publicly examined. The first hearing took place on n 2nd February 2018; however the bankrupt made representation to the OR shortly before the hearing, claiming that he would be abroad in Kazakhstan; and as such, the hearing was adjourned to 25th May 2018. I was unable to attend but had scheduled some questions for the OR to ask Mr Sketchley on my behalf relating to the Company. I await an update from the OR for the second hearing before I consider my next step.

After trying to trace Ms Hunter but failing to locate any known postal or email address for her, I instructed The Surveillance Group Limited, a tracing agent, who traced her to her last known address. Ms Hunter has failed to respond to my letters. I will consider what merits there may be in pursuing her to appear in Court to answer questions.

The OR's investigations are on-going and as such the liquidation will remain open until it has been established whether or not there are any assets available to enable a distribution to creditors. I will update creditors in my next report.

Dividend prospects

At this stage, no dividends are anticipated to any class of creditor.

Liquidator's Remuneration

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

You may find it useful to read our "Guide to Fees" which can be found on our website at <http://www.labr.co.uk/guide-to-fees>. You can find "A creditors' guide to Liquidators' fees" on The Insolvency Practitioners Association website at www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees. Alternatively, please contact my office and we will arrange for a hard copy to be sent to you.

Disbursements

As stated previously, I employed an agent of The Surveillance Group Limited to trace the location of the director. This came to £95.00 plus VAT.

Other disbursements include the statutory bond, of which cost £60.00 plus VAT and the Gazette advert notifying of my appointment, which cost £76.00 plus VAT.

All disbursements have been paid for by LA Business Recovery Limited.

I am uncertain at this stage as to whether future costs will accrue.

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.

Yours faithfully


Virgil H Levy
Liquidator

26th July 2018

Enclosures: Appendices 1 – 4

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 th December 2016
Contact Details For Case Administrator:	Emily Wise emily@labr.co.uk

Appointment Details

Liquidator:	Virgil Harsham Levy
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 th June 2017
Court Name and Reference:	Leeds District Registry No 656 of 2016
Appointment made by:	Secretary of State
Former Liquidator (if applicable):	N/A

**BHS Commercial Limited
(In Liquidation)**

**Summary of Receipts & Payments
15 June 2017 to 14 June 2018**

RECEIPTS	Total (£)
	<hr/>
	0.00
	<hr/>
PAYMENTS	
Sec of State Fees	9,635.59
	<hr/>
	9,635.59
Balance In Hand	(9,635.59)
	<hr/>
	0.00
	<hr/>

Note - VAT is not recoverable.

Appendix 3**Fee Estimate**

Activity	Estimated Hours	Blended Hourly Rate (£)	Estimated Cost (£)
Administration (Including Cashiering)	7	245.00	1,715.00
Realisation of Assets	0	0.00	0.00
Creditors	5.5	250.00	1,375.00
Investigations	3	270.00	810.00
Case Specific	3	270.00	810.00
Total	18.5	254.60	4,710.00

LA Business Recovery Limited's Published Charge Out Rates and Expenses Policy As at 1 July 2017

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
Senior professionals	150-275
Assistants & support staff	75-90

Allocation of Time

Time is allocated by function and the main categories are set out below:

Administration and Planning

Statutory & Compliance Work
Reporting To Debenture Holder, Creditors' Committee
Statutory Advertising
Bonding
Preparation of CVA / IVA Proposal
Nominee's Report
Correspondence with Other Office Holders
Health & Safety
Books & Records
Closing
Filing & Photocopying
Travel
Case Reviews
Case Management and Monitoring
Strategy

Creditors

Agreement of Creditors' Claims
Preferential Creditors
Secured Creditors
Unsecured Creditors
Employee Matters
Committee Report & Meeting
Statutory Reporting To Creditors
Payment of Dividend

Asset Realisations

Business and Assets
Freehold Property
Leasehold Property
Plant & Machinery / Motor Vehicles
Stock
Other Assets
Books Debts
Refunds
Insurance of Assets
ROT

Investigations

Perusing Antecedent Transactions
CDDA Reports
Review of Pre-Appointment Transactions
Reports on Conduct

Trading

Supervision and Management of Ongoing Trading
Management of Operations
Cashiering For Trading

Pre-Appointment Work

Conflicts Check
Preparation of Pre-Appointment Reports

Tax & VAT

Submission of Tax and VAT Returns
Correspondence with HMRC
Tax & VAT Reviews

Cashiering

Management and Operation of Estate Account
Statutory Receipts and Payments Accounts
Bank Reconciliations

Consultants

From time to time, the firm may engage the services of self-employed or freelance consultants to assist in the administration of a case.

Where such consultants are engaged, their time is charged and recorded on the firm's time recording system at the level commensurate with their experience and at the same grade as equivalently experienced and directly employed staff fulfilling that role.

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.