

## The Insolvency Act 1986

Liquidator's Progress  
ReportPursuant to section 192 of the  
Insolvency Act 1986

To the Registrar of Companies

**S.192**

For official use

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Company Number

04334320

Name of Company

(a) Insert full name of  
company

(a) Brightview Internet Services Limited

(b) Insert full name(s) and  
address(es)

I/We, (b)

Dan Mindel

Ernst &amp; Young LLP

1 More London Place, London, SE1  
2AF

Samantha Jane Keen

Ernst &amp; Young LLP

1 More London Place, London, SE1  
2AFthe liquidators of the company attach a copy of my/our Progress Report under section 192  
of the Insolvency Act 1986

Signed



Date

16.1.17

Presenter's name,  
address and reference  
(if any)Daniel Butcher  
1 More London Place  
London  
SE1 2AF

For Official Use

Liquidation Section

Post Room

THURSDAY



\*A5YWEXPS\*

A29

26/01/2017

#71

COMPANIES HOUSE

TO ALL MEMBERS

16 January 2017

Ref ML5W/DB/SL/DM/LO

Direct line 020 7951 5814  
Direct fax 020 7951 9234  
Daniel Butcher

Email [slawrence@uk.ey.com](mailto:slawrence@uk.ey.com)

Dear Sir or Madam

**Brightview Internet Services Limited  
(In Members' Voluntary Liquidation) (the "Company")**

Kerry Lynne Trigg and Samantha Jane Keen were appointed as Joint Liquidators of the Company on 17 December 2015. I now write to provide you with our report on the progress of the liquidation for the period from 17 December 2015 to 16 December 2016.

Please also note that in accordance with a Court Order dated 1 August 2016, Kerry Lynne Trigg was replaced as Joint Liquidator by Dan Mindel, an Insolvency Practitioner licenced by the Institute of Chartered Accountants in England & Wales.

In accordance with the provisions of the Insolvency Rules 1986 we are required to provide certain information about the Company and the liquidators. The information can be found in Appendix A of this report. A copy of our receipts and payments account for the period from 17 December 2015 to 16 December 2016 is at Appendix B.

**Progress during the period of the report**

There were no receipts or payments during the period 17 December 2015 to 16 December 2016.

**Assets**

The Declaration of Solvency, made by the directors, showed that the Company's only asset at the date of liquidation was a deferred tax asset of £78,564. Following the receipt of tax advice, it was confirmed that the deferred tax asset had a nil value.

**Liabilities**

The Company had no known creditors at the date of liquidation. However, notice was advertised in The London Gazette for creditors of the Company to submit claims by 15 January 2016, in accordance with Rule 4.182A of the Insolvency Rules 1986. No claims have been received to date.

**Joint liquidators' remuneration**

Our remuneration was fixed on a time cost basis by a resolution of the members passed on 17 December 2015. Details of the amount paid, name of the payor and the relationship between the payor and the Company, are available upon written request to me at the above address.



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### **Members' rights to further information about, and challenge, remuneration and expenses**

In certain circumstances, members are entitled to request further information about our remuneration or expenses, or to apply to court if members consider the costs to be excessive. Further information is provided in Appendix C.

### **Other matters**

It is customary in a liquidation to seek confirmation from the relevant tax authorities that they have no claim in respect of corporation tax, VAT, PAYE and National Insurance Contributions. We are currently awaiting final tax clearance from HM Revenue & Customs. Once clearance has been received, and the deed of release in respect of the dilapidation claim has been finalised, the intercompany receivable will be distributed in specie to the sole member and the final meeting held.

Our final return and account will then be filed at Companies House, following which we will obtain our release as Joint Liquidators. Approximately three months thereafter, the Company will be dissolved by the Registrar of Companies.

Should you have any questions, please contact my colleague Daniel Butcher on the above direct line.

Yours faithfully  
for Brightview Internet Services Limited

D Mindel  
Joint Liquidator

Samantha Jane Keen is licensed in the United Kingdom to act as insolvency practitioner by The Insolvency Practitioners Association.

Dan Mindel is licensed in the United Kingdom to act as insolvency practitioner by The Institute of Chartered Accountants in England and Wales.

We may collect, use, transfer, store or otherwise process (collectively, "Process") information that can be linked to specific individuals ("Personal Data"). We may Process Personal Data in various jurisdictions in accordance with applicable law and professional regulations including (without limitation) the Data Protection Act 1998.

## **Brightview Internet Services Limited (In Members' Voluntary Liquidation)**

### **Information about the company and the liquidators**

Registered office address of the company	1 More London Place, London, SE1 2AF
Registered number	04334320
Full names of the liquidators	Samantha Jane Keen and Dan Mindel
Liquidators' address(es)	Ernst & Young LLP 1 More London Place London SE1 2AF
Date of appointment of the joint liquidators	17 December 2015
Details of any changes of liquidator	Kerry Lynne Trigg was replaced as liquidator by Dan Mindel by Court Order dated 1 August 2016

# Brightview Internet Services Limited (In Members Voluntary Liquidation)

Joint liquidators' receipts and payments account for the period from 17 December 2015 to 16 December 2016

Declaration of Solvency Estimated to Realise Values £		
	17 December 2015 to 16 December 2016	17 December 2015 to 16 December 2016
	£	£
<b>Receipts</b>		
78,564	Deferred tax asset	Nil
		Nil
<b>Payments</b>		
	Other Liabilities	Nil
78,564	Balance	Nil

**Members' rights to request further information about remuneration or expenses or to challenge a liquidator's remuneration – Rules 4.49E and 4.148C of the Insolvency Rules 1986, as amended**

**4 49E Creditors' and members' request for further information**

(1) If—

(a) within the period mentioned in paragraph (2)—

- (i) a secured creditor, or
- (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
- (iii) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company, or

(b) with the permission of the court upon an application made within the period mentioned in paragraph (2)—

- (i) any unsecured creditor, or
- (ii) any member of the company in a members' voluntary winding up,

makes a request in writing to the liquidator for further information about remuneration or expenses set out in a progress report in accordance with Rule 4 49B(1)(e) or (f) (including by virtue of Rule 4 49C(5)) or in a draft report under Rule 4 49D, the liquidator must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of matter in a draft report under Rule 4 49D or a progress report required by Rule 4 108 which (in either case) was previously included in a progress report not required by Rule 4 108

(2) The period referred to in paragraph (1)(a) and (b) is—

- (a) 7 business days of receipt (by the last of them in the case of an application by more than one member) of the progress report where it is required by Rule 4 108, and
- (b) 21 days of receipt (by the last of them in the case of an application by more than one member) of the report or draft report in any other case

(3) The liquidator complies with this paragraph by either—

- (a) providing all of the information asked for, or
- (b) so far as the liquidator considers that—
  - (i) the time or cost of preparation of the information would be excessive, or
  - (ii) disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person, or
  - (iii) the liquidator is subject to an obligation of confidentiality in respect of the information,

giving reasons for not providing all of the information

(4) Any creditor, and any member of the company in a members' voluntary winding up, who need not be the same as the creditors or members who asked for the information, may apply to the court within 21 days of—

- (a) the giving by the liquidator of reasons for not providing all of the information asked for, or
- (b) the expiry of the 14 days provided for in paragraph (1),

and the court may make such order as it thinks just

(5) Without prejudice to the generality of paragraph (4), the order of the court under that paragraph may extend the period of 8 weeks or, as the case may be, 4 weeks provided for in Rule 4 131(1B) or 4 148C(2) by such further period as the court thinks just

(6) This Rule does not apply where the liquidator is the official receiver

#### **4.148C Members' claim that remuneration is excessive**

- (1) Members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or any member with the permission of the court, may apply to the court for one or more of the orders in paragraph (6) on the grounds that—
  - (a) the remuneration charged by the liquidator,
  - (b) the basis fixed for the liquidator's remuneration under Rule 4 148A, or
  - (c) expenses incurred by the liquidator,is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate
- (2) Application must, subject to any order of the court under Rule 4 49E(5), be made no later than 8 weeks (or 4 weeks when the liquidator has resigned in accordance with Rule 4 142) after receipt by the applicant of the report or account which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")
- (3) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application, but it must not do so unless the applicant has had the opportunity to attend the court for a hearing of which the applicant has been given at least 5 business days' notice but which is without notice to any other party
- (4) If the application is not dismissed under paragraph (3), the court must fix a venue for it to be heard and give notice to the applicant accordingly
- (5) The applicant must at least 14 days before the hearing send to the liquidator a notice stating the venue and accompanied by a copy of the application and of any evidence which the applicant intends to adduce in support of it
- (6) If the court considers the application to be well-founded, it must make one or more of the following orders—
  - (a) an order reducing the amount of remuneration which the liquidator was entitled to charge,
  - (b) an order fixing the basis of remuneration at a reduced rate or amount,
  - (c) an order changing the basis of remuneration,
  - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the liquidation,
  - (e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify,and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report
- (7) Unless the court orders otherwise, the costs of the application must be paid by the applicant and are not payable as an expense of the liquidation

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