

LIQ03

Notice of progress report in voluntary winding up



Companies House

WEDNESDAY



A8X7L1U0

A17

22/01/2020

#266

COMPANIES HOUSE

1 Company details

Company number 1 0 3 5 3 9 8 9

Company name in full Jose Sy Ltd

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

2 Liquidator's name

Full forename(s) Paul

Surname Appleton

3 Liquidator's address

Building name/number

Street 26 - 28 Bedford Row

Post town London

County/Region

Postcode W C 1 R 4 H E

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.

LIQ03

Notice of progress report in voluntary winding up

6 Period of progress report

From date	^d 2	^d 6	^m 1	^m 1	^y 2	^y 0	^y 1	^y 8
To date	^d 2	^d 5	^m 1	^m 1	^y 2	^y 0	^y 1	^y 9

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X

X

Signature date

^d 1	^d 0	^m 0	^m 1	^y 2	^y 0	^y 2	^y 0
----------------	----------------	----------------	----------------	----------------	----------------	----------------	----------------

LIQ03

Notice of progress report in voluntary winding up

**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 Robert Cowie

Company name David Rubin & Partners

Address Pearl Assurance House
319 Ballards Lane

Post town London

County/Region

Postcode N 1 2 8 L Y

Country

DX Finchley 1

Telephone 020 8343 5900

**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

Statement of Affairs £		From 26/11/2018 To 25/11/2019 £	From 26/11/2018 To 25/11/2019 £
	ASSET REALISATIONS		
907.00	Cash at Bank	NIL	NIL
	Cash held on Appointment	906.52	906.52
		906.52	906.52
	COST OF REALISATIONS		
	Office Holders Fees	906.52	906.52
		(906.52)	(906.52)
	UNSECURED CREDITORS		
(5,835.69)	H.M. Revenue & Customs (P.A.Y.E.)	NIL	NIL
(16,772.43)	HM Revenue & Customs (VAT)	NIL	NIL
(19,857.00)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
(41,558.12)		NIL	NIL
	REPRESENTED BY		
			NIL

03 January 2020 15:54

IN THE MATTER OF
JOSE SY LTD - IN LIQUIDATION
AND
THE INSOLVENCY ACT 1986

THE LIQUIDATOR'S FIRST ANNUAL PROGRESS REPORT
PURSUANT TO SECTION 104A OF THE INSOLVENCY ACT 1986
AND
PART 18 OF THE INSOLVENCY (ENGLAND AND WALES) RULES 2016
FOR THE YEAR ENDED 25 NOVEMBER 2019

JOSE SY LTD - IN LIQUIDATION
Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986

CONTENTS

- a. Introduction
- b. Statutory Information
- c. Liquidator's name and address
- d. Any Change in the Office Holder
- e. Details of progress during the period and summary account of receipts and payments
- f. Liquidator's Remuneration and Expenses
- g. Creditors and distributions
- h. Details of what remains to be done
- i. Other information of relevance to creditors
- j. Next report

APPENDICES

- A. Receipts and Payments Account from 26 November 2018 to 25 November 2019

JOSE SY LTD - IN LIQUIDATION

Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986

(a) Introduction

The Company was placed into Creditors Voluntary Liquidation by way of the passing of a Special Resolution by the Shareholders on 26 November 2018. This report provides an update on the progress of the Liquidation, pursuant to Section 104A of the Insolvency Act 1986, for the year ended 25 November 2019.

Rule 18.3: Progress Report

(b) Statutory information

Company name: Jose Sy Ltd
Registered office: 26-28 Bedford Row, London, WC1R 4HE
Company number: 10353989
Trading address: Rutherford House (ST157), Warrington Road, Birchwood Park,
Warrington, Cheshire, WA3 6ZH

(c) Liquidator's name and address:

Paul Appleton (Office Holder Number 8883), of David Rubin & Partners, who may be contacted, in writing, at 26 - 28 Bedford Row, London, WC1R 4HE.

(d) Any changes in the Office Holder

Since my appointment as Liquidator of the Company on 26 November 2018, there have been no changes in the Office Holder.

(e) Details of progress during the period and summary account of Receipts and Payments under review and cumulatively:

Following my appointment, I sought to ascertain whether the Company had any assets other than those disclosed within the Director's Estimated Statement of Affairs ("ESOA"). In this regard, creditors will be aware that, at the date of my appointment, an associated company, Link PSC Limited ("LPSC"), was listed as a debtor but that debt was considered irrecoverable due to LPSC's own insolvency. LPSC was placed into liquidation on 19 November 2018, and I was duly appointed its Liquidator. No realisations have been made in that Liquidation. Accordingly, no recovery is expected from this source.

Unfortunately, despite numerous attempts to locate them, my efforts to secure the Company's books and records have proved unsuccessful. As a result, it has been impossible to identify specific financial transactions conducted by the Company, or to identify any potential undisclosed assets. Notwithstanding this, it is my understanding that the Company's banking operations were managed by a Company called Moreland Solutions Limited ("MSL"), which is also in Liquidation, and for which I am also the Liquidator. MSL operated a bank account into which the Company's income and expenditure flowed, in addition to the income and expenditure of several thousand small companies. It is my belief that the Company may be a creditor of MSL, as MSL ought to have been holding funds belonging to the Company at the time it was placed into Liquidation. My enquiries into this aspect of the Company trading activities are ongoing.

JOSE SY LTD - IN LIQUIDATION

Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986

(e) **Details of progress during the period and summary account of Receipts and Payments under review and cumulatively (continued):**

Whilst the Liquidation of MSL remains live, I have made the decision to keep this case open in the belief that, should funds be realised into the estate of MSL, then the Company may be entitled to a distribution therefrom, as a creditor of MSL.

A Receipts and Payments Account is attached at Appendix A, which is further explained below.

1. Receipts

1.1 Cash held on appointment

An amount totalling £906.52 was held on my firm's client account, which represented the balance held to the Company's order. This has subsequently been realised and paid into the estate bank account.

2. Payments

2.1 Liquidator's Remuneration

Remuneration drawn during the year amounted to £906.52.

(f) **Liquidator's Remuneration and Expenses**

1. *Basis of Remuneration*

Creditors will recall that, by way of a Decision Procedure by Correspondence dated 3 May 2019, I sought to agree the basis of my remuneration as Liquidator. Approval was subsequently obtained from creditors, on 22 May 2019, that my fee be fixed in the amount of £6,000 plus VAT, but limited to funds available. Fees drawn, to date, are set out in 2.1 above.

In accordance with the provisions of Statement of Insolvency Practice 9 ("SIP 9"), a schedule of my firm's charge-out rates is disclosed below. These rates were set on 1 November 2018. Our current hourly chargeout rates exclusive of VAT, which are charged in units of 6 minutes, are as follows:-

	Current
	£
Senior / Managing Partners	550
Partners/Office holders	495
Managers / Senior Managers	350 - 395
Senior Administrators	220 - 295
Administrators	160 -- 200
Cashiers and Assistants	150 - 295
Supports	120 - 150

JOSE SY LTD - IN LIQUIDATION
Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986

(f) Liquidator's Remuneration and Expenses (continued)

Chargeout rates are normally reviewed annually and are adjusted to reflect such matters as inflation, increases in direct wage costs, and changes to indirect costs such as Professional Indemnity Insurance.

2. Staff allocation and the use of Subcontractors

My general approach to resourcing my assignments is to allocate staff with the skills and experience to meet the specific requirements of the case. The constitution of the case team will usually consist of a Partner, Manager, Senior Administrator and two Administrators. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment, and additional staff may be allocated to meet the demands of the case.

I have not utilised the services of any subcontractors in this case.

3. Liquidator's Remuneration

As my remuneration in this matter has been agreed on a fixed fee basis, I have not attached an analysis of this time expended in this matter. Notwithstanding this, I can confirm that the time that has been incurred is significantly higher than the remuneration drawn. The fixed fee basis was agreed on the basis that no further investigations were necessary. However, as reported at section (e) above, I am following a tentative line of enquiry which may result in realisations. If and when it appears that my enquiries would prove successful, I will approach creditors to reconsider the basis of my remuneration.

In order to provide some of idea of the work undertaken, thus far, I schedule below a summary of the same:

- i) Dealing with creditors' enquiries, both by correspondence and by telephone, and noting their claims.
- ii) Applying for the Liquidator's Bond, as required by the Insolvency Practitioners Regulations 2005.
- iii) Carrying out all necessary investigations, where possible, and submitting my report on the conduct of the Directors, pursuant to the requirements of the Company Directors Disqualification Act 1986.
- iv) Dealing with all matters relating to book debts.

To view an explanatory note concerning Liquidators' remuneration issued by the Joint Insolvency Committee, please visit the Publications folder on our website at www.drpartners.com/cases, using the following log-on details:

USERNAME: J5059@drco.co.uk

PASSWORD: 9505Jrc*!

Alternatively, please contact this office to arrange for a copy to be sent to you.

JOSE SY LTD - IN LIQUIDATION

Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986

4. *Liquidator's Expenses*

Expenses incurred in the liquidation are explained at (e) above in my comments on the Receipts and Payments Accounts

5. *Creditors' Rights – Rule 18.9 and Rule 18.34*

- i) Within 21 days of the receipt of this report, a Secured Creditor, or an Unsecured Creditor (with the concurrence of at least 5% in value of the Unsecured Creditors), may request, in writing, that the Liquidator provides further information about his Remuneration or expenses, which have been itemised in this progress report.
- ii) Any Secured Creditor, or an Unsecured Creditor (with the concurrence of at least 10% in value of the Unsecured Creditors), may, within 8 weeks of receipt of this progress report, make an application to Court on the grounds that the basis fixed for the Liquidator's remuneration, the remuneration charged, or the expenses incurred by the Liquidator, as set out in this progress report, are excessive.

(g) Creditors and Distributions

(i) (a) Secured Creditors

The Company has no Secured Creditors.

(b) Prescribed Part

Section 176A of the Insolvency Act 1986 provides for a prescribed part of the Company's net property to be retained from distribution to the floating charge holder, where the debenture was created on or after 15 September 2003 and made available for the satisfaction of unsecured debts.

As the Company has no secured creditors, this regulation does not apply.

(ii) Preferential Creditors

The Company has no Preferential Creditors.

(iii) Unsecured Creditors

The Directors' Estimated Statement of Affairs showed that there were 5 unsecured creditors with total claims of £42,465.12. Based on current information, it is unlikely that there will be a dividend payable to the Unsecured Creditors.

(h) Details of what remains to be done

As outlined in (e) above, the only matter preventing finalisation of this Liquidation is the resolution of the position with MSL, which I hope will be resolved in the coming months.

JOSE SY LTD - IN LIQUIDATION
Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986

(i) Other information of relevance to creditors:

Investigations

1. Unfortunately, as a result of the lack of Company records, I have been unable to conduct my usual initial assessment as to whether there could be any matters that might lead to recoveries for the estate and what further investigations may be appropriate.
2. In accordance with the Company Directors Disqualification Act 1986, I have submitted a report on the conduct of the Directors of the Company to the Department for Business, Energy & Industrial Strategy (BEIS). As this is a confidential report, I am not able to disclose the contents.

(j) Next report

I am required to provide a further report on the progress of the liquidation within two months of the end of the next anniversary of the liquidation, unless I have concluded matters prior to that, in which case I will write to all creditors with my Final Account, which will conclude my administration of the Liquidation.

I trust you will find this report adequate for your purposes but should you require any further information, please do not hesitate to contact Rhiannon McColl at this office.

PAUL APPLETON - LIQUIDATOR

DATE: 17 JANUARY 2020