

**Liquidator's Progress
Report****S.192****Pursuant to Sections 92A and 104A and 192
of the Insolvency Act 1986**

To the Registrar of Companies

Company Number

01362875

Name of Company

J & S Lewis Limited

I / We

Steven Muncaster, The Chancery, 58 Spring Gardens, Manchester M2 1EW

Sarah Helen Bell, The Chancery, 58 Spring Gardens, Manchester M2 1EW

the liquidator(s) of the company attach a copy of my/our Progress Report
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 06/11/2015 to 05/11/2016

Signed



Date

14/12/16

Duff & Phelps Ltd
The Chancery
58 Spring Gardens
Manchester, M2 1EW

Ref 119090/SBM/SB/MYL/JM/WV

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COMPANIES HOUSE

Progress Report to Creditors

J. & S. Lewis Limited

(In Creditors' Voluntary Liquidation)

14 December 2016

Joint Liquidators' Progress Report to Creditors
For the period from 6 November 2015 to 5 November 2016
Pursuant section 104A of the Insolvency Act 1986 (as amended)
and Rule 4.49C of the Insolvency Rules 1986 (as amended)

Duff & Phelps Ltd.
The Chancery
58 Spring Gardens
Manchester
M2 1EW

Definitions

Word or Phrase	Definition
the Act	The Insolvency Act 1986 (as amended)
the Appointment Date	6 November 2015, being the date of appointment of the Joint Liquidators
the Bank / the Secured Creditor	Barclays Bank Plc, with whom the Company banked and the holder of a fixed and floating charge over the Company's assets
Category 2 Disbursements	The Joint Liquidators' internal costs and expenses in dealing with the Liquidation
the Company	J & S Lewis Limited (In Creditors' Voluntary Liquidation) (Company Number 01362875)
DBEIS	The Department for Business, Energy & Industrial Strategy
the Directors	James Lewis and Stephen Lewis, the Directors of the Company
the Final Report	The Joint Administrators' Final Progress Report to Creditors dated 17 November 2015
HMRC	HM Revenue and Customs
the Joint Liquidators	Steven Muncaster and Sarah Bell of Duff & Phelps Ltd, The Chancery, 58 Spring Gardens, Manchester, M2 1EW
Prescribed Part	Pursuant to Section 176A of the Act, where a floating charge is created after 15 September 2003, a designated amount of the Company's net property (floating charge assets less costs of realisation) shall be made available to non-preferential creditors
the Progress Report	The Joint Administrators' Progress Report to Creditors dated 25 September 2015
the Proposals	The Joint Administrators' Report to Creditors and Statement of Proposals dated 21 April 2015
the Reporting Period	The period from 6 November 2015 to 5 November 2016
the Rules	The Insolvency Rules 1986 (as amended)
SIP 9	Statement of Insolvency Practice 9 – Industry Best Practice for Insolvency Practitioners in relation to disclosure of remuneration and disbursements
SOA	Statement of Affairs, documentation supplied by the Director outlining the Company's financial position as at the Appointment Date

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- 2 Analysis of Time Charged and Expenses Incurred
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- 4 Notice of Intended Dividend

1. Introduction

- 1 1 The purpose of this progress report is to detail the Joint Liquidators' acts and dealings together with the conduct of the Liquidation since the Appointment Date
- 1 2 This report should be read in conjunction with the Proposals, the Progress Report and the Final Report

2. Background

- 2 1 The Company entered into Administration on 2 March 2015, Steven Muncaster and Sarah Bell were appointed Joint Administrators
- 2 2 The Company subsequently entered into Liquidation on the Appointment Date, with Steven Muncaster and Sarah Bell being appointed Joint Liquidators
- 2 3 The Company's registered office is The Chancery, 58 Spring Gardens, Manchester M2 1EW
The Company's registration number is 01362875
- 2 4 The Company's former registered office was Hope Carr Industrial Estate, Butts Lane, Leigh
This was also the former trading address

3. Joint Liquidators' Receipts and Payments Account

- 3 1 A detailed Receipts and Payments Account for the Reporting Period is shown in Appendix 1
- 3 2 As at the end of the Reporting Period, there was a cash balance of £4,674

4. Progress of the Liquidation

- 4 1 The manner in which the affairs and business of the Company have been managed during the Reporting Period are set out below

Administration Surplus

- 4 2 As detailed in the Final Report, the Company's assets were realised in full in the Administration
- 4 3 As at the Appointment Date, there was a cash balance of £404,580 held in the Administration estate account
- 4 4 This balance was transferred in full into the Liquidation estate account following the appointment of the Joint Liquidators

Dividend refund

- 4 5 Following payment of the first distribution to creditors, it became apparent that HMRC had submitted an incorrect claim resulting in an overpayment of £23,506
- 4 6 The Joint Liquidators informed HMRC and requested a refund of these monies, which were received in full on 16 September 2016
- 4 7 These monies were then re-distributed to the non-preferential creditors on 6 October 2016, by way of third and final dividend

Bank Interest Gross

4 8 Gross bank interest of £45 was received during the Reporting Period

4 9 No further asset realisations are anticipated

5. Investigations

5 1 The Joint Liquidators' investigations into the Company's affairs are complete

5 2 The Joint Liquidators have complied with their statutory obligation to file a report with DBEIS concerning the conduct of the Directors of the Company that served in the three years prior to the Joint Liquidators' appointment. The content of this report is confidential

5 3 There are no outstanding lines of enquiry

6. Dividend Prospects / Prescribed Part

Secured Creditors

6 1 The Company granted a debenture to the Bank on 2 August 2011, in respect of an overdraft and loan facility. It was established in the preceding Administration that the liability to the Bank was £529,246

6 2 The liability to the Bank was repaid in full during the Administration, by way of a first and final distribution

Preferential Creditors

6 3 Preferential claims in the total sum of £11,556 were received during the Administration

6 4 A dividend of 100p in the pound was paid to preferential creditors during the Administration

Prescribed Part

6 5 As detailed above, the Bank was repaid in full during the Administration and consequently the provisions of the Prescribed Part are not applicable

Non-Preferential Creditors

6 6 According to the SOA, non-preferential creditors total £771,213 and claims received to date total £998,068

6 7 During the reporting period, three distributions have been made to non-preferential creditors in the total sum of £383,999. This represents total dividend payments of 38.04p in the pound

6 8 It is anticipated that following payment of the final costs of Liquidation, there will be residual balance remaining to enable a further nominal dividend to the non-preferential creditors

6 9 Accordingly, a notice of intended dividend to non-preferential creditors is attached at Appendix 4 of this report

6 10 If you have not yet submitted your claim, a Proof of Debt Form is attached at Appendix 3 which should be completed and returned, together with supporting evidence, by the deadline of 23 January 2017

7 Costs and Expenses

- 7 1 A meeting of creditors was held by correspondence on 8 July 2016 at which the Joint Liquidators' remuneration was fixed on the basis of time properly charged, to be capped at £23,652 for the Reporting Period in accordance with the Joint Liquidators' Fee Estimate
- 7 2 The time costs charged in the Reporting Period and since the Appointment Date are analysed at Appendix 2
- 7 3 The time costs incurred by the Joint Liquidators during the Reporting Period total £28,455 representing 137 hours, at an average hourly charge out rate of £208
- 7 4 In accordance with SIP 9 the Joint Liquidators have provided creditors with additional information regarding major areas of time incurred during the Reporting Period as follows
- Time costs of £10,617 have been incurred under the heading Non Preferential Creditor Claims Adjudication and Distribution. This relates to time spent agreeing the claims of non-preferential creditors, as well as calculating and distributing dividend payments to the non-preferential creditors
 - Time costs of £5,825 have been incurred under the heading Statutory Matters (Meetings, Reports and Notices). This relates to the time spent drafting and issuing notices to creditors, as well as dealing with all other statutory requirements of the Liquidation
 - Time costs of £3,428 have been incurred under the heading Cashiering & Accounting. This relates to time spent recording receipts into the Liquidation account and paying outstanding expenses incurred during the Liquidation
 - Time costs of £2,482 have been incurred under the heading Case Review & Case Diary Management. This relates to time spent maintaining the Liquidation working files, completing ongoing case reviews as required by the Joint Liquidators' authorising body and ensuring that all statutory requirements have and are being met
- 7 5 The sum of £15,000 has been drawn to date in respect of the Joint Liquidators' remuneration
- 7 6 During the Reporting Period the sum of £13,000 has also been drawn in respect of the balance of the Joint Administrators' fees which were outstanding upon entering Liquidation
- 7 7 The Joint Liquidators' disbursements are also detailed at Appendix 2
- 7 8 The Joint Liquidators have incurred expenses in dealing with the Liquidation of the Company and these are detailed in Appendix 2
- 7 9 Information regarding the fees and disbursements of Liquidators, including details of the Duff & Phelps disbursements policy and hourly charge out rates for each grade of staff that may undertake work on this case, is in a document called "A Creditors' Guide to Liquidators' Fees". This can be viewed and downloaded from the Joint Liquidators' website at <http://www.duffandphelps.com/uk-restructuring/creditor-guides>. Should you require a copy, please contact this office
- 7 10 Any secured creditor, or any non-preferential creditor (with the support of at least 10% in value of the non-preferential creditors or the permission of the Court), may apply to Court on the grounds that the remuneration or basis fixed for the Joint Liquidators' remuneration or the expenses incurred by the Joint Liquidators are considered to be excessive. This application must be made no later than 8 weeks after receipt of the progress report, where the charging of the remuneration or the incurring of expenses in question occurs

8. Further Information

- 8.1 In accordance with Rule 4.49E of the Rules, secured creditors and non-preferential creditors (with the concurrence of at least 5% in value of total non-preferential claims) may make a request in writing to the Joint Liquidators for further information about the remuneration or expenses set out in this progress report. This should be done within 21 days of receipt of this report.

9. Conclusion

- 9.1 Creditors will receive formal progress reports annually until the conclusion of the Liquidation.
- 9.2 It is expected that all outstanding matters will be dealt with prior to the anniversary of the Liquidation. Consequently, the Liquidation will be closed and the next report to creditors will be the Joint Liquidators' final report.
- 9.3 In the meantime if you require any further information please contact Jamie Maddox of this office.



Steven Muncaster
Joint Liquidator

Appendix 1

Joint Liquidators' Receipts and Payments Account

**J. & S. Lewis Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments
To 05/11/2016**

S of A £	£	£
ASSET REALISATIONS		
Administration Surplus	404,579.87	
Dividend refund	23,505.87	
Bank Interest Gross	45 03	
		428,130 77
COST OF REALISATIONS		
Liquidators' remuneration	15,000 00	
Joint Administrators' Remuneration	13,000.00	
Accountants Fees	3,850 00	
Consultancy - Pensions Advice	750 00	
Storage Costs	20 00	
Statutory Advertising	253.80	
Bank Charges	8 08	
		(32,881 88)
PREFERENTIAL CREDITORS		
HMRC	0.80	
		(0.80)
UNSECURED CREDITORS		
Non-Pref Dividend 29.21p in the £	299,988 40	
HMRC Tax and NI Deductions	14 00	
Non-Pref Dividend 6 2p in the £	58,997 60	
Non-Pref Dividend 2.63p in the £	24,999 20	
		(383,999 20)
		11,248.89
REPRESENTED BY		
VAT receivable		6,574 76
Floating/main current account		4,674.13
		11,248.89

Appendix 2

Analysis of Time Charged and Expenses Incurred

56010 J & S LEWIS LIMITED

ANALYSIS OF LIQUIDATORS TIME COSTS FOR THE PERIOD 6/11/2015 to 5/11/2016

CVL-Creditors Vol Liquidation - Post Appt

Classification of Work Function	Partner	Manager	Hours Senior	Assistant	Support	Total Hours	Time Cost	Avg Hourly Rate
Administration and Planning								
Case review and Case Diary management	0 00	4 25	0 00	7 30	0 00	11 55	2,482 25	214 91
Cashiering & accounting	0 00	0 50	4 90	8 30	0 00	13 70	3,427 50	250 18
Dealings with Directors and Management	0 00	1 25	0 00	1 50	0 00	2 75	591 25	215 00
IPS set up & maintenance	0 00	0 00	0 00	2 30	0 00	2 30	264 50	115 00
Statutory matters (Meetings & Reports & Notices)	0 40	13 70	0 00	7 05	0 00	21 15	5,824 75	275 40
Strategy planning & control	0 00	0 00	0 00	2 70	0 00	2 70	395 00	146 30
Tax Compliance/Planning	0 00	1 30	0 00	3 05	0 00	4 35	851 25	195 69
Creditors								
Communications with Creditors/Employees	0 00	1 25	0 00	11 20	0 00	12 45	1,801 25	144 68
Non Pref Creditor claims adjudication and dist'n	0 00	13 35	0 00	37 50	0 00	50 85	10,617 25	208 80
Non Pref Creditors/Employee claims handling	0 00	0 00	0 00	9 60	0 00	9 60	1,357 50	141 41
Pref claims adjudication and distribution	0 00	0 00	0 00	1 20	0 00	1 20	138 00	115 00
Investigations								
CDDA & reports & Communication	0 00	0 50	0 00	3 65	0 00	4 15	587 25	141 51
Realisation of Assets								
Book debts	0 00	0 35	0 00	0 00	0 00	0 35	117 25	335 00
Total Hours	0 40	36 45	4 90	95 35	0 00	137 10		207 55
Total Fees Claimed	212 00	12,820 75	1,668 00	13,754 25	0 00		28,455 00	

J & S Lewis Limited (In Liquidation)
Joint Liquidators' Expenses

Company	Activity	Fee Basis	Reporting Period	
			Incurred	Amount Paid
			(£)	(£)
Professional Advisors				
Practical Business Solutions Limited	Accountants Fees	Fixed Fee	3,850	3,850
20-20 Trustees Limited	Consultancy Fees	Fixed Fee	750	750
			<u>4,600</u>	<u>4,600</u>

The Joint Liquidators' choice of professional advisors was based on their perception of the experience and ability of the respective firms/individuals to perform their work, the complexity and nature of the assignment and the basis of their fee

J. & S Lewis Limited (In Liquidation)
Joint Liquidators' Disbursements

Category 1	Reporting Period	
	Incurred	Amount
	(£)	Paid (£)
Storage Costs	20 00	20 00
Statutory Advertising	253 80	253 80
Bank Charges	8 08	8 08
	<u>281.88</u>	<u>281.88</u>

The above costs exclude VAT

No Category 2 disbursements were incurred during the period

Appendix 3

Proof of Debt Form

Proof of Debt – General Form**J. & S Lewis Limited (In Creditors' Voluntary Liquidation)**

Relevant Date for Claims 02/03/2015 (Administration) Date of Appointment 6/11/2015 (Liquidation)

1	Name of creditor (If a company please also give company registration number)	
2	For correspondence Address of creditor	
	Contact telephone number of creditor	REF
	Email address of creditor	
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation	
4	Details of any documents by reference to which the debt can be substantiated (Note There is no need to attach them now but the liquidator may call for any document or evidence to substantiate the claim at his discretion as may the chairman or convenor of any meeting)	
5	If amount in 3 above includes outstanding uncapitalised interest please state amount	£
6	Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form)	
7	Particulars of any security held, the value of the security, and the date it was given	
8	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates	
9	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	
	Position with or in relation to creditor	
	Address of person signing (if different from 2 above)	
Admitted to vote for		Admitted for dividend for
£		£
Date		Date
Liquidator		Liquidator

Appendix 4

Notice of Intended Dividend

NOTICE OF INTENDED DIVIDEND- CREDITORS VOLUNTARY LIQUIDATION

J. & S. Lewis Limited - in Creditors' Voluntary Liquidation

Company number 01362875
Registered office The Chancery, 58 Spring Gardens, Manchester, M2 1EW
Principal trading address Hope Carr Industrial Estate, Butts Lane, Leigh, WN7 3XA

A dividend to non-preferential creditors is intended to be declared in the above matter within 2 months of 23 January 2017 (the last date of proving)

Any creditor who has not yet lodged a proof of debt, with full supporting documentation, must do so by 23 January 2017. Creditors should send their claims to Steven Muncaster, Joint Liquidator, Duff & Phelps, The Chancery, 58 Spring Gardens, Manchester, M2 1EW. A creditor who has not proved their debt by this date will be excluded from the dividend.

Steven Muncaster IP No 9446 and Sarah Bell IP No 9406 of The Chancery, 58 Spring Gardens, Manchester, M2 1EW were appointed Joint Liquidators on 6 November 2015.

Liquidators' telephone number +44 (0) 161 827 9000
Alternative contact for enquiries on proceedings Wasim Vanat
Email Wasim.Vanat@duffandphelps.com

Signed



Steven Muncaster
Joint Liquidator

Date

14/12/16.