

Rules 1 26A/1 54

The Insolvency Act 1986

Notice to Registrar of Companies of
Supervisor's Progress Report**R.1.26A(4)(a)/
R.1.54****Pursuant to Rule 1.26A(4)(a) or
Rule 1 54 of the Insolvency Rules
1986**

For Official Use

To the Registrar of Companies

Company number

00679033

Name of company

(a) Insert full name of company

(a) Daften Die-casting Limited

(b) Insert full name and address

I (b) Jeremiah Anthony O'Sullivan (IP No 8333), Bishop Fleming, 2nd Floor
Stratus House, Emperor Way, Exeter Business Park, Exeter, EX1 3QS
supervisor of a voluntary arrangement taking effect on

(c) Insert date

(c) 24 March 2010

Attach my progress report for the period

from

(c) 24 March 2012

to

(c) 23 March 2013

Number of continuation sheets (if any) attached

Signed

Date

Presenter's name, address and
referenceJ A O'Sullivan, Bishop Fleming, 2nd Floor Stratus
House, Emperor Way, Exeter Business Park,
Exeter, EX1 3QSTel 01392 448800, Fax 01392 365536
Ref GJS/LCV/DA9887/CVA0507A

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Liquidation Section

Post Room

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04/05/2013

#28

COMPANIES HOUSE

**Daften Die-casting Limited -
Company Voluntary Arrangement (CVA)**

**Supervisor's Annual Progress Report
to the Creditors and Members**

Period from 24 March 2012 to 23 March 2013

Dated: 29 April 2013

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- B Time Analysis for the period from 24 March 2012 to 23 March 2013 and a Cumulative Time Analysis for the Period from 24 March 2010 to 23 March 2013,
- C Additional Information in relation to Supervisor's fees pursuant to Statement of Insolvency Practice No 9

1 Introduction

1 1 I, Jeremiah Anthony O'Sullivan, of Bishop Fleming, 2nd Floor Stratus House, Emperor Way, Exeter Business Park, Exeter, EX1 3QS was appointed Supervisor of the Company Voluntary Arrangement (CVA) of Daften Die-casting Limited (the Company) on 24 March 2010

1 2 This report now provides an update on the progress in the CVA in accordance with Rule 1 26 of the Insolvency Rules 1986

1 3 At Appendix A, I have provided an account of my Receipts and Payments for the year ended 23 March 2013 with a comparison to the Directors' Statement of Affairs values together with a cumulative account since my appointment

2 Overview of the CVA

2 1 The CVA provided in the main for contributions of £2,500 per month in the first two years of the arrangement, rising to £2,750 per month in years three and four, and £3,000 per month in the fifth and final year of the arrangement

2 2 In addition, the sum of £70,000, representing the balance due to the Company in respect of the Directors' loan account was also to be paid into the arrangement for the benefit of creditors

3 Realisation of Assets

Voluntary Contributions

3 1 I have received total contributions up to the third anniversary totalling £95,680, whilst additional contributions of £1,320 have also been made since the anniversary and up to the date of this report Scheduled contributions for the reporting period were £93,000 To assist with cash flow management the company has been making payments on a weekly basis and as a result is slightly ahead of schedule with payments

3 2 In addition and following my review of the company's financial statements to June 2012, weekly payments were increased from £635 to £660 with effect from 25 January 2013 to account for increased profitability of the Company, whereby 50% of any rise in the net income after provision for tax was payable

Directors' Loan Account

- 3 3 The statement of affairs and estimated outcome statement appended to the Company's CVA proposal disclosed a collective overdrawn Directors' Loan account in the sum of £70,000. Under the proposal, as modified this was to be repaid within the first year of the CVA. The modification stipulated that if the repayment was not made in the first year, the Supervisor was to report to creditors his proposed strategy for recovery and reasons.
- 3 4 As reported to creditors in my previous annual report, the Directors were unable to make full repayment in that timescale. Accordingly, proposals were sought from them for the repayment of the sums due to the CVA.
- 3 5 The Directors proposed repayment at the rate of £100 per week each, giving a total repayment of £300 per week. As reported to creditors previously this was accepted for an initial period of six months and was then to be reviewed.
- 3 6 With effect from 19 June 2012, weekly payments were subsequently increased to £115 on an affordability basis but have more recently been increased to £126 per week to ensure that the loan account will be fully repaid within the term of the arrangement.
- 3 7 Repayments totalling £30,390 have been made up to the third anniversary of the arrangement, whilst additional repayments of £1,008 have also been made since the anniversary and up to the date of this report.
- 3 8 The CVA is progressing well and contributions are always made in a timely manner.

4 Supervisor's Remuneration

- 4 1 The CVA provides that my remuneration will be based upon the time costs of the Supervisor and his staff in executing the CVA.
- 4 2 The Supervisor's time costs for the year to 23 March 2013 total £5,957.00. This represents 36.75 hours at an average rate of £162.10 per hour. In the period covered by this report £14,800 has been drawn on account. Attached as Appendix B is a Time Analysis in accordance with the provisions of Statement of Insolvency Practice 9 (SIP9), which provides details of the activity costs incurred by staff grade in the year to 23 March 2013.
- 4 3 Also included at Appendix B1 is a cumulative Analysis for the period 24 March 2010 to 23 March 2013.
- 4 4 Attached, as Appendix C is additional information in relation to our policy on staffing, the use of sub-contractors and re-charging of disbursements.

4 5 I have considered the implications of the Paymex decision and have taken steps to refund the CVA estate with the VAT charged on the Nominee's and Supervisor's fees and disbursements where appropriate

5 Creditors

Preferential Creditors

5 1 There are no preferential creditors' claims in this CVA

Unsecured Creditors

5 2 Unsecured creditors were estimated to total £473,137 I have received and agreed unsecured claims totalling £605,840.43 but 5 creditors totalling £3,417.70 have yet to claim

5 3 Creditors are reminded that only those who submit claims will be entitled to rank for dividend. A statement of claim form is enclosed for those creditors who have yet to submit a claim

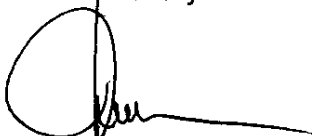
6 Distributions

6 1 A first interim dividend of 3.02 p in the £ was paid to all creditors who had submitted a claim and supporting evidence with my annual report in May 2011. A subsequent interim dividend of 7.00 p in the £ was paid to all creditors on 18 May 2012

6 2 I have funds in hand and a further dividend of 6.6 pence in the £ is being declared and circulated with this report

Should you require further information at any time, please do not hesitate to contact Graham Shillabeer or Luke Venner of this office

Yours/faithfully



J A O'Sullivan
Supervisor

Enc

Voluntary Arrangement of Daften Die-casting Limited

Statement of Affairs	From 24/03/2012 To 23/03/2013	From 24/03/2010 To 23/03/2013
SECURED ASSETS		
500,000 00 Freehold Land & Property-Trevilling Q	NIL	NIL
	NIL	NIL
COSTS OF REALISATION		
(25,000 00) Agents/Sit clearance Fees	NIL	NIL
	NIL	NIL
SECURED CREDITORS		
(500,000 00) Chargeholder (1)	NIL	NIL
	NIL	NIL
HIRE PURCHASE		
251,506 00 Plant & Machinery	NIL	NIL
(251,506 00) Finance Company(1)	NIL	NIL
	NIL	NIL
ASSET REALISATIONS		
40,000 00 Plant & Machinery	NIL	NIL
10,000 00 Stock	NIL	NIL
93,500 00 Book Debts	NIL	NIL
	NIL	20 00
	33,245 00	95,680 00
	17,790 00	30,390 00
	51,035 00	126,090 00
COST OF REALISATIONS		
	140 00	140 00
	14,800 00	20,800 00
	NIL	161 80
	6 75	6 75
	49 80	49 80
	NIL	22 09
	(14,996 55)	(21,180 44)
UNSECURED CREDITORS		
(189,605 99) Trade & Expense Creditors	42,522 63	60,718 37
(236,879 91) HM Revenue & Customs (PAYE/NIC)	NIL	NIL
(46,651 22) HM Revenue & Customs (VAT)	NIL	NIL
	(42,522 63)	(60,718 37)
(354,637.12)	(6,484 18)	44,191.19
REPRESENTED BY		
VAT on Payments		39 31
Bank 1 Money Market		44,151 88
		44,191.19

Daften Die-casting Limited - Under a Company Voluntary Arrangement

Analysis of Supervisor's time costs for the period 24 March 2012 to 23 March 2013

	Hours					Cost	
Classification of work function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Costs £	Average Hourly rate £
Administration & Planning	1 90	6 10	0 30	1 85	10 15	1,713 75	168 84
Investigations							
Realisation of Assets		4 50			4 50	721 00	160 22
Monitoring / Trading	4 10		4 50		8 60	1,712 00	199 07
Creditors		3 70		0 45	4 15	587 50	141 57
Tax & VAT							
Case Specific Matters							
Cashiering		1 05		5 35	6 40	780 25	121 91
Statutory Duty & Compliance		2 95			2 95	442 50	150 00
Closure							
Supervisor's hours and time costs to date, and average rate					36 75	5,957 00	162 10

Daften Die-casting Limited - Under a Company Voluntary Arrangement

Analysis of Supervisor's time costs for the period 24 March 2010 to 23 March 2013

	Hours					Cost	
Classification of work function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Costs £	Average Hourly rate £
Administration & Planning	1 90	20 65	16 25	1 85	40 65	6,256 25	153 91
Investigations					0 00		0 00
Realisation of Assets	0 90	7 90	4 25		13 05	2,061 75	157 99
Trading	19 50	0 20	4 50		24 20	5,434 00	224 55
Creditors	0 70	4 30	23 20	2 75	30 95	3,617 25	116 87
Tax & VAT		1 20	0 60	0 75	2 55	378 25	148 33
Case Specific Matters					0 00		0 00
Cashiering		2 15		12 35	14 50	1,646 25	113 53
Statutory Duty & Compliance		4 35	11 85		16 20	2,131 75	131 59
Closure					0 00		0 00
Supervisor's hours and time costs to date, and average rate					142 10	21,525 50	151 48

Additional Information in Relation to Supervisor's Fees Pursuant to Statement of Insolvency Practice 9

Appendix C

1 Policy

Detailed below is Bishop Fleming's policy in relation to

- Staff allocation and the use of subcontractors
- Professional advisors
- Disbursements

1.1 Staff allocation and the use of subcontractors

Our general approach to resourcing our 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, Administrator and/or an Assistant. 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

We have not utilised the services of any subcontractors in this case

1.2 Professional advisors

On this assignment we have used the professional advisors listed below. We have also indicated alongside, the basis of our fee arrangement with them, which is subject to review on a regular basis

Name of Professional Advisor	Basis of Fee Arrangement
AUA (Bordereau)	Scale charges

Our choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them

1.3 Disbursements

Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage

Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case

Category 2 disbursements do require approval from creditors. These disbursements can include costs incurred by Bishop Fleming for the provision of services which include an element of recharged overhead, for example, room hire or document storage.

No category 2 disbursements have been charged in this case.

2 Charge-out rates

A schedule of Bishop Fleming's charge-out rates was issued to creditors at the time the basis of the Supervisor's remuneration was approved. A schedule of Bishop Fleming's current charge out rates, effective from 9 July 2012, is enclosed.

Bishop Fleming Business Recovery & Insolvency

Information to Creditors

Charge out rates and policy regarding the recharge of Disbursements

Charge out Rates (£ per hour)

	Business Recovery & Insolvency Staff	Other Staff
Insolvency Practitioner / Partner	£275	£180 - £300
Senior Manager	£205	£110 - £225
Manager	£150 - £170	£85 - £170
Other Senior Professionals	£135 - £140	£45 - £150
Support Staff	£95 - £110	£20 - £110

Most of the work on the assignment will be undertaken by specialist staff in the Business Recovery & Insolvency department, but some tasks may be performed by other staff in the General Practice, Corporate Finance, Taxation, Payroll and Administration departments where appropriate, which will be charged out at their normal rates

Time is usually charged in units of 0.1 hour (i.e. 6 minutes) but the minimum unit of time that may be recorded is 0.017 of an hour (1 minute)

Disbursements

In accordance with Statement of Insolvency Practice 9 (SIP9) disbursements are categorised as either Category 1 or Category 2

Category 1 Disbursements

These are costs where there is specific expenditure directly referable both to the appointment in question and a payment to an independent third party. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses, and equivalent costs reimbursed to the office holder or his or her staff.

Category 1 disbursements can be drawn without prior approval, although an office holder should be prepared to disclose information about them in the same way as any other expenses

Category 2 Disbursements

These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage

Category 2 disbursements may be drawn if they have been approved in the same manner as an office holder's remuneration. When seeking approval, an office holder should explain, for each category of expense, the basis on which the charge is being made

Bishop Fleming proposes to recover category 2 disbursements as follows:

- Insolvency Practitioner and staff mileage re-imburement at HMRC approved rates – currently 45p / mile
- Faxes at 40p per sheet and Photocopying at 10p per sheet, based on comparative commercial rates

All costs are subject to VAT, where applicable