

Rules 1.26A/1.54

The Insolvency Act 1986

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

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 2010

to

(c) 23 March 2011

Number of continuation sheets (if any) attached

Signed

Date

7/6/11

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/EMK/DA9887/CVA0507A

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Liquidation Section

Post Room

SATURDAY



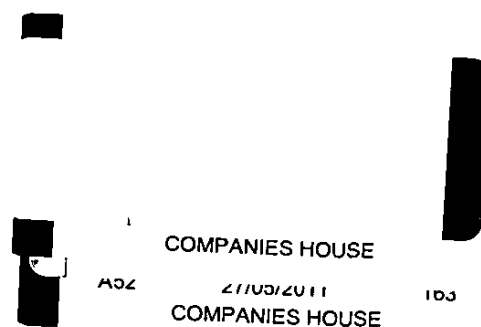
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COMPANIES HOUSE



**Supervisor's  
Annual Report to Creditors**

**Daften Die-casting Limited -  
Company Voluntary Arrangement**

**23 May 2011**

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**DAFTEN DIE-CASTING LIMITED  
COMPANY VOLUNTARY ARRANGEMENT**

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## **1 Introduction**

- 1 1 I was appointed Supervisor of the Company Voluntary Arrangement (CVA) on 24 March 2010. By way of reminder, 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 final year of the arrangement.
- 1 2 In addition, the sum of £70,000, representing the balance due to the Company in respect of the Director's loan account was also to be paid into the arrangement for the benefit of creditors.
- 1 3 This report provides an update on the progress of the CVA. At Appendix A, I have provided an account of my Receipts and Payments for the year ended 23 March 2011.

## **2 Realisation of Assets**

### ***Voluntary Contributions***

- 2 1 I have received total contributions to date of £30,600 to the anniversary. All contributions are up to date. To assist with its cash flow the Company is paying its contributions weekly.

### ***Directors Loan Account***

- 2 2 No realisation has yet been made in respect of the Directors Loan account.
- 2 3 I have recently been provided with documentation relating to life policies, the costs of which have historically been charged to the Director's loan account (DLA). In accordance with the terms of the proposal I will review these policies to determine if they have been incorrectly charged to the DLA.
- 2 4 The proposal stated that the DLA balance would be repaid in the first year of the arrangement. At the present time the Directors are not in a position to repay the sums due to the Company from their personal resources. When I have concluded my review I will seek repayment proposals from the Directors.
- 2 5 I am exercising discretion, given that aside from the DLA repayment the CVA is progressing well, not to take any formal action in respect of the DLA at this stage as I am of the view that it is not in creditors' interests to jeopardise the arrangement as things stand.
- 2 6 I will be seeking proposals from the Directors by the end July. These will be circulated to creditors as appropriate.

- 2 7 The Directors are aware that they must address the DLA position if the CVA is to be successfully concluded

***Sale of Assets to Directors***

- 2 8 In accordance with Statement of Insolvency Practice No 13 (SIP13), I would advise you that no assets were sold to a Director of the Company

**3 Creditors**

***Preferential Creditors***

- 3 1 There are no preferential creditors' claims in the CVA

***Unsecured Creditors***

- 3 2 I am currently reviewing the claims of the unsecured creditors
- 3 3 To date I have agreed 27 claims totalling £602,069 05
- 3 4 Of those claims, three have been admitted for a lower sum than that claimed as there are discrepancies between the amount claimed and the amount shown in the Company records. The total amount of the difference is £1,264 32. I am seeking clarification from both the creditors concerned and the Company to allow the position to be finalised. Should it be shown that the higher amounts are correct then the claims will be admitted for the higher amount and an equalising dividend paid. Funds are being retained for this purpose.
- 3 5 I have received further claims from four creditors totalling £3,429 which have not yet been agreed as the creditors concerned have failed to provide documentary evidence. I am seeking that evidence from the creditors concerned in order that those claims may be admitted to rank for dividend purposes. Pending this, funds are being retained for these dividends to be paid on receipt of the appropriate paperwork.
- 3 6 A first dividend to unsecured creditors of 3 0p in the £ on agreed unsecured claims is being distributed with this report. Please bank your cheque promptly.

**4 Supervisors' Remuneration**

- 4 1 The Arrangement provides that my remuneration will be based upon the time costs of the Supervisor and his staff in executing the CVA.
- 4 2 My time costs to date amount to the anniversary amount to £8,458 75. This represents 57 95 hours at an average hourly rate of £145 97 per hour. No fee has been drawn on


**DAFTEN DIE-CASTING LIMITED  
COMPANY VOLUNTARY ARRANGEMENT**

account in the first year of the arrangement 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 to date

- 4 3 The Supervisor's fees were estimated to amount to £15,000 for the duration of the arrangement
- 4 4 My fees to date are higher than may be expected given that only one year of the five year terms has elapsed However, significant time has been expended in the first year of the arrangement in agreeing the claims of creditors These costs are only incurred in the early stages of the arrangement and will not be repeated in further years
- 4 5 I do not anticipate that costs will materially exceed the estimate stated in the proposal
- 4 6 Attached, as Appendix C is additional information in relation to the firm's policy on staffing, the use of sub-contractors and re-charging of disbursements

Should you require further information at any time, please do not hesitate to contact Emma Keany of this office

Yours faithfully



J A O'Sullivan  
Supervisor

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**Daften Die-casting Limited**  
**(Under a Voluntary Arrangement)**

**Income and Expenditure Account**  
**24 March 2010 to 23 March 2011**

<b>INCOME</b>	<b>Total (£)</b>
BF Client A/c	20 00
Debtors Contributions	30,600 00
	<hr/>
	<b>30,620.00</b>
	<hr/>
<b>EXPENDITURE</b>	
Supervisor's Fees	1,500 00
Bank Charges	22 09
	<hr/>
	<b>1,522 09</b>
	<hr/>
<b>Balance</b>	<b>29,097.91</b>
	<hr/>
<b>MADE UP AS FOLLOWS</b>	
VAT on Payments	262 50
Bank 1 Money Market	28,835 41
	<hr/>
	<b>29,097.91</b>
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Appendix B

Daften Die-casting Limited (Voluntary Arrangement)

Analysis of Supervisor's time costs for the period 24 March 2010 to 23 March 2011

Classification of work function	Hours					Cost	
	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Costs £	Average Hourly rate £
Administration & Planning		10 70	7 65		18 35	2,717 25	148 08
Investigations					0 00		0 00
Realisation of Assets	10 20	2 10	1 65		13 95	2,884 25	206 76
Trading					0 00		0 00
Creditors	0 70	0 60	14 90	1 80	18 00	1,965 50	109 19
Tax & VAT		0 90	0 60		1 50	226 00	150 67
Case Specific Matters					0 00		0 00
Cashiering		0 20		2 20	2 40	231 00	96 25
Statutory Duty & Compliance		0 90	2 85		3 75	434 75	115 93
Closure					0 00		0 00
Supervisor's hours and time costs to date, and average rate					57 95	8,458 75	145 97



**Additional Information in Relation to Supervisors' 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 sub-contractors,
- professional advisors, and
- disbursements

**1.1 Staff Allocation and the use of Sub-contractors**

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, Senior and Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and on larger, more complex cases, several Seniors / Assistants may be allocated to meet the demands of the case

We have not utilised the services of any sub-contractors

**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
Locktons/AUA (insurance/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 Bishop Fleming's policy is that it does not charge expenses in this category

## **2 Charge-out Rates**

A schedule of Bishop Fleming charge-out rates was issued to creditors at the time the basis of the Supervisor's remuneration was approved There have been no material increases since that date