

Rule 1.26/1.54

The Insolvency Act 1986

**R.1.26(2)(b)/
R.1.54**Notice to Registrar of Companies of
Supervisor's Abstract of Receipts and
PaymentsPursuant to Rule 1.26(2)(b) or Rule 1.54 of
the Insolvency Rules 1986

To the Registrar of Companies

For Official Use

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Company Number

03582035

(a) Insert full name of
Company

Name of Company

DMM Limited

(b) Insert full name and
Address

We Mary Anne Curne-Smith
008934
Unit 3a, Crome Lea Business Park
Madingley Road
Cambridge
CB23 7PH

W John Kelly
008934
Unit 3a, Crome Lea Business Park
Madingley Road
Cambridge
CB23 7PH

(c) Insert date

supervisor of a voluntary arrangement taking effect on (c) 7 July 2010, present overleaf
my abstract of receipts and payments for the period from

(c) 7 July 2010

to

(c) 6 July 2011

Signed



Dated

18.8.11

Presenter's reference, name and
address (if any)

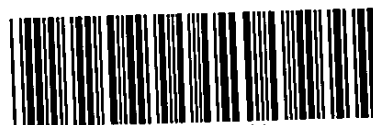
DM001CVA
Bebbies Traynor (Central) LLP
Unit 3a, Crome Lea Business Park
Madingley Road
Cambridge
CB23 7PH

For Official Use

Liquidation Section

Post Room

SATURDAY



A28

AHPRDWUA

20/08/2011

269

COMPANIES HOUSE

JOINT SUPERVISORS' ACCOUNT OF RECEIPTS AND PAYMENTS FOR THE PERIOD FROM 16 JUNE 2010 TO 15 JUNE 2011

Estimated to
realise to
date per
Proposal
£

Total
(Period)
£

Total
(Cumulative)
£

RECEIPTS

12,000 00 DEBTOR CONTRIBUTIONS
BANK INTEREST

12,000 00 12,000 00
5 31 5 31

12,000 00

12,005 31 12,005 31

PAYMENTS

SUPERVISOR EXPENSES
SUPERVISOR REMUNERATION
INPUT VAT

261 06
2,000 00
400 00

0 00 2,661 06

BALANCE

9344 25

18 August 2011

Our Ref DM001CVA/MACS/WJ
K/JLR/SWP/PC/CVA6
306

To all creditors bound by the CVA

Your Ref
Contact Sarah Peachey
DD 01954 213420


Dear Sirs

DMM Limited (Under a Voluntary Arrangement) ("the Company")

Pursuant to Rule 1 26(2) of the Insolvency Rules 1986, I enclose the Supervisors' abstract of receipts and payments for the year ended, together with a copy of the report on the progress of the arrangement

The report also includes a resolution for a replacement supervisor. I should be grateful if you would complete the resolution and return a signed copy either by fax or post

Yours faithfully
For DMM Limited



Joint Supervisor

Enc

Unit 3a, Crome Lea Business Park, Madingley Road, Cambridge, CB23 7PH
T 01954 213420 F 01954 213421 E cambridge@begbies-traynor.com W. www.begbies-traynor.com

Begbies Traynor is a trading name of Begbies Traynor (Central) LLP a limited liability partnership registered in England No OC306540, registered office 340 Deansgate, Manchester, M3 4LY

Mary Anne Currie-Smith is licensed in the United Kingdom to act as an Insolvency Practitioner by the Insolvency Practitioners Association

W John Kelly is licensed in the United Kingdom to act as an Insolvency Practitioner by the Institute of Chartered Accountants in England and Wales

Any reference to a partner is to a member of the limited liability partnership. A list of partners is available for inspection at the registered office. A member of the Begbies Traynor Group, Specialist Professional Services www.begbies-traynorgroup.com

Partners, Directors and Consultants acting as administrators or administrative receivers contract as agents and without personal liability

AYLESBURY COUNTY COURT
No 365 of 2010

Mary Anne Currie-Smith and James P N Martin appointed joint
supervisors on 7 July 2010

DMM Limited (Company Voluntary Arrangement)

Joint Supervisors' Report to Creditors pursuant
to Rule 1.26(2) of The Insolvency Rules 1986

Period: 7 July 2010 to 6 July 2011

Contents

- Introduction
- Receipts and Payments
- Dividend Prospects
- Summary and Conclusion
- Appendices
 - 1 Joint supervisors' account of receipts and payments
 - 2 Joint supervisors' time costs and expenses

1. INTRODUCTION

Rule 1 26(2) of The Insolvency Rules 1986 requires that the joint supervisors shall send an annual report to creditors on the progress of the Company Voluntary Arrangement ("CVA"), together with a copy of their receipts and payments

The joint supervisors hereby present their first annual report to creditors, which should be read in conjunction with the CVA proposal of the directors approved at the meeting of creditors on 7 July 2010

2. RECEIPTS AND PAYMENTS

Attached as **Appendix 1** is our abstract of receipts and payments for the period from 7 July 2010 to 6 July 2011

Receipts

Debtor Contributions

The proposed term of the CVA is 4 years and the monthly contributions from October 2010 to December 2014 were agreed at £3,000 per month. Monthly contributions from October 2010 to July 2011 have been received and I am currently holding a net sum of £27,035 in the estate account.

Payments

Supervisors Remuneration

The joint supervisors' remuneration is based on hourly costs at scale rates calculated on the time properly spent in the course of the CVA and was approved at the meeting of creditors to consider the CVA proposal held on 30 June 2010.

Total remuneration drawn to date in accordance with the above approval amounts to £2,000 plus VAT. Total time spent to date on this assignment amounts to 39.9 hours at an average composite rate of £189 per hour resulting in total time costs to date of £7,562. The following further information as regards time costs and expenses is set out at **Appendix 2**.

- ☐ Begbies Traynor (Central) LLP's policy for re-charging expenses/disbursements
- ☐ Begbies Traynor (Central) LLP's charge-out rates
- ☐ Narrative summary of time costs incurred
- ☐ Table of time spent and charge-out value

Supervisors Disbursements

The following disbursements have been drawn from the estate in accordance with the resolution approved at the creditor meeting held on 7 July 2010.

Photocopying and mailing	£180 60
Room Hire	£34 04
Bonding	£260 00

3. DIVIDEND PROSPECTS

As set out in the proposals the supervisor will make a first distribution to creditors in December 2011. The initial dividend is estimated at 14p in the £. Annual dividends will also be declared in December 2012, 2013 & 2014.

I have currently received 42 creditor claims totalling £242,880 with a further 41 creditors who have not yet submitted a claim. Please find attached a creditor claim form for completion and return. Please attach a detailed statement of account to the claim form. A creditor who has not proved his debt within 21 days from the date of the report will not be entitled to a distribution, by reason that he has not submitted a claim.

4. RESOLUTIONS

Included in the proposals were the standard conditions for CVA. Point 19 of the conditions deals with the vacancy in the office of supervisor where one resigns, the remaining Supervisor shall continue to act as sole supervisor, however, our policy is to have joint supervisors in place. I have enclosed a resolution for your consideration and should be grateful for your approval or otherwise of the replacement supervisor.

The resolution is as follows:

"That the resignation of James Martin as joint supervisor be accepted and that William John Kelly of Begbies Traynor (Central) LLP, 10th Floor, temple Point, 1 temple Row, Birmingham, B2 5LG be appointed in his place to act as joint supervisor with Mary Ann Curne-Smith"

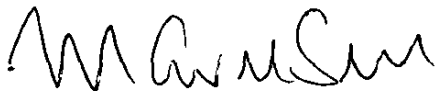
I can confirm that I have a formal letter of resignation from James Martin on file. I can also confirm that W John Kelly has provided his consent to act as joint supervisor and that he is qualified to act as an insolvency practitioner in relation to the company.

5. SUMMARY AND CONCLUSION

It has also been brought to my attention that in the CVA proposals I omitted to disclose to the creditors the introducer for the CVA. For the record Mr Gooch contacted me following a review of the Begbies Traynor Group plc website.

We will report to creditors again following the second anniversary of the CVA unless there are any material developments in the interim.

This report has been filed with the court and the registrar of companies pursuant to Rule 1.26 of the Insolvency Rules 1986

A handwritten signature in black ink, appearing to read 'M A Curne-Smith', written over a horizontal line.

Mary A Curne-Smith
Joint Supervisor

Dated 18 August 2011

JOINT SUPERVISORS' ACCOUNT OF RECEIPTS AND PAYMENTS FOR THE PERIOD FROM 7 July 2010 TO 6 July 2011

Estimated to realise per Proposal £		Total (Period) £	Total (Cumulative) £
RECEIPTS			
30,000 00	Debtor contributions	30,000 00	30,000 00
<u>30,000 00</u>		<u>30,000 00</u>	<u>30,000 00</u>
PAYMENTS			
	Supervisor expenses		474 74
	Supervisor fees		2,000 00
	Input VAT		490 42
			<u>2,965 16</u>
	Balance		27,034 84
		<u>0 00</u>	<u>32,965 16</u>

* Receipts and payments are shown net of VAT

DMM Limited - Company Voluntary Arrangement

Time Costs Analysis from 7 July 2010 to 6 July 2011

Action Code	Partner	Director	Senior Manager	Manager	Senior Case Administrator	Case Administrator	Support & Cashiering	Other	Total Hours	Total Cost	Avg Rate
Administration	0.00	0.00	0.00	13.50	1.30	5.50	0.60	0.00	21.00	4,427.50	210.83
Appointment activity	0.00	0.00	0.00	0.00	0.00	0.80	0.00	0.00	0.80	104.00	130.00
Banking	0.00	0.00	0.00	1.20	0.00	0.10	4.90	0.00	6.20	820.00	132.26
CDDA reporting and follow up	0.00	0.00	0.00	0.30	0.00	0.40	0.00	0.00	0.70	127.00	181.43
Claims, profits and distributions	0.00	0.00	0.00	2.50	0.00	1.30	0.00	0.00	3.80	810.50	213.29
Case strategy and planning	0.00	2.00	0.00	0.50	0.00	1.20	0.00	0.00	3.70	931.00	251.82
Receipts and Payments and statement of affairs	0.00	0.00	0.00	0.00	0.00	0.50	0.00	0.00	0.50	65.00	130.00
Statutory reports and returns	0.00	0.00	0.00	2.00	0.00	0.40	0.00	0.00	2.40	552.00	230.00
VAT and TAX	0.00	0.00	0.00	0.80	0.00	0.00	0.00	0.00	0.80	200.00	250.00
Total Hours	0.00	2.00	0.00	20.80	1.30	10.30	5.50	0.00	39.90		
Total Cost	0.00	650.00	0.00	5,251.00	227.50	1,339.50	569.00	0.00		8,037.00	

Employee/Dish Costs	515.64
Dish Fees Drawn	474.64
Time Fees Drawn	2,000.00
Outstanding Costs	5,562.36

SUMMARY OF OFFICE HOLDERS' TIME COSTS

CASE NAME	DMM Limited
CASE TYPE	COMPANY VOLUNTARY ARRANGEMENT
OFFICE HOLDERS	Mary Anne Currie-Smith AND W John Kelly
DATE OF APPOINTMENT	7 July 2010

1 CASE OVERVIEW

1.1 This overview and the time costs analysis attached is intended to provide sufficient information to enable the body responsible for the approval of the office holders' fees to consider the level of those fees in the context of the case

1.2 **Complexity of the case**
There have been no complex matters since my appointment

1.3 **Exceptional responsibilities**
None to report

1.4 **The office holders' effectiveness**
The CVA is due to run for a period of 4 years. The first year of the arrangement has been achieved

1.5 **Nature and value of property dealt with by the office holders'**
As office holder I am only dealing with the monthly CVA contributions

1.6 **Anticipated return to creditors**
It is anticipated that a first dividend will be paid to creditors in December 2011 with further dividends in December 2012, 2013 and 2014

1.7 **Time costs analysis**
An analysis of time costs incurred between 7 July 2010 and 6 July 2011 prepared in accordance with Statement of Insolvency Practice 9 is attached showing the number of hours spent by each grade of staff on the different types of work involved in the case, and giving the average hourly rate charged for each work type

The time costs analysis provides details of work undertaken by the office holders and their staff following their appointment only. Our time costs amount to £7,562, I have drawn a fee of £2,000 for work carried out to the first anniversary

1.8 **Work undertaken prior to appointment**
In addition to the post appointment time costs detailed, the costs relating to work undertaken by the Nominees prior to approval of the voluntary arrangement were approved by the creditors at the creditors' meeting

1.9 **The views of the creditors**
This is the first annual report to creditors

1.10 **Approval of fees**
A resolution approving supervisors' remuneration on a time cost basis was approved at the meeting of creditors held on 7 July 2010

1.11 **Approval of Expenses and Disbursements**
A resolution for the supervisor to draw disbursements was approved at the meeting of creditors held on 7 July 2010

1 12 **Category 2 Disbursements**

In accordance with the resolution obtained in relation to expenses and disbursements, the following Category 2 disbursements and disbursements which should be treated as Category 2 disbursements have been charged to the case since the date of my appointment

Other amounts paid or payable to the office holder's firm	
Type and purpose	Amount £
Room Hire— provide details	34 04
Bonding	260 00
Photocopying and mailing	180 60
TOTAL	474 64

BEGBIES TRAYNOR CHARGING POLICY

INTRODUCTION

This note applies where a licensed insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to draw remuneration on the basis of the time properly spent in dealing with the case. It also applies where further information is to be provided to creditors regarding the office holder's fees following the passing of a resolution for the office holder to be remunerated on a time cost basis. Best practice guidance¹ requires that such information should be disclosed to those who are responsible for approving remuneration

Where the office holder's remuneration is proposed to be fixed on an additional or alternative basis, sufficient information will be provided to creditors in order to allow them to consider whether to approve the proposed basis or bases of the office holder's remuneration. Following approval further information will be provided to creditors regarding the office holder's fees as required by the legislation and best practice guidance.

In addition, this note applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm. Best practice guidance² requires that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated

OFFICE HOLDER'S FEES IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

The office holder has overall responsibility for the administration of the estate. He/she will delegate tasks to members of staff. Such delegation assists the office holder as it allows him/her to deal with the more complex aspects of the case and ensures that work is being carried out at the appropriate level. There are various levels of staff that are employed by the office holder and these appear in Appendix 3

The firm operates a time recording system which allows staff working on the case along with the office holder to allocate their time to the case. The time is recorded at the individual's hourly rate in force at that time which is detailed in Appendix 3. This is only applicable to those cases where the office holder is remunerated on a time costs basis.

EXPENSES INCURRED BY OFFICE HOLDERS IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

Best practice guidance classifies expenses into two broad categories:

- ☐ **Category 1 disbursements (approval not required)** - specific expenditure that is directly related to the case usually referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- ☐ **Category 2 disbursements (approval required)** - items of incidental expenditure directly incurred on the case which include an element of shared or allocated cost and which are based on a reasonable method of calculation.

(A) The following items of expenditure are charged to the case (subject to approval):

- Internal meeting room usage for the purpose of statutory meetings of creditors is charged at the rate of £100 per meeting;
- Car mileage is charged at the rate of 45 pence per mile;

Storage of books and records (when not chargeable as a *Category 1 disbursement*) is charged on the basis that the number of standard archive boxes held in storage for a particular case bears to the total of all archive boxes for all cases in respect of the period for which the storage charge relates[

¹ Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales

² Ibid 1

- (B) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 disbursement*:

- Telephone and facsimile
- Printing and photocopying
- Stationery

BEGBIES TRAYNOR CHARGE-OUT RATES

Begbies Traynor is a national firm. The rates charged by the various grades of staff that may work on a case are set nationally, but vary to suit local market conditions. The rates applying to the Cambridge office as at the date of this report are as follows:

	Standard 1 May 2011 – until further notice
	Regional
Partner	395
Director	345
Senior Manager	310
Manager	265
Assistant Manager	205
Senior Administrator	175
Administrator	135
Trainee Administrator	110
Support	110

Time is recorded in 6 minute units

DMM Limited – Company Voluntary Arrangement

Resolution

“That the resignation of James Martin as joint supervisor be accepted and that William John Kelly of Begbies Traynor (Central) LLP, 10th Floor, 1 Temple Row, Birmingham, B2 5LG be appointed in his place to act as joint supervisor with Mary A Currie-Smith”.

For/Against

Signed.....

Creditor name & address :

Please consider the resolution and I should be grateful for your approval or otherwise of the replacement supervisor.

Completed resolutions once signed can be returned by fax to 01954 213421 or alternatively posted to:

**Begbies Traynor Group plc
3A Crome Lea Business Park
Madingley Road
Cambridge
CB23 7PH**

Ref: DMM001CVA/MACS/JLR/1000P

PROOF OF DEBT - GENERAL FORM

DMM Limited	
Date of Voluntary Arrangement 7 July 2011	
1	Name of Creditor (If a company please also give company registration number)
2	Address of Creditor for correspondence
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date of the bankruptcy order
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 trustee may call for any document or evidence to substantiate the claim at his discretion as may the official receiver whilst acting as receiver and manager, or 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
Official Receiver/Trustee	Trustee