

Rule 1 26/
1 54

The Insolvency Act 1986
Notice to Registrar of
Companies of Supervisor's
Abstract of Receipts and
Payments
Pursuant to Rule 1.26(2)(b) or
Rule 1 54 of the
Insolvency Rules 1986

**R.1.26(2)(b)/
R.1.54**

For Official Use

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To the Registrar of Companies

Company Number

03767018

Name of Company

TWS (Leeds) Limited

I / We
Brendan Ambrose Guilfoyle
93 Queen Street
Sheffield
S1 1WF
DX 10616 Sheffield

Ashleigh William Fletcher
93 Queen Street
Sheffield
S1 1WF

supervisor(s) of a voluntary arrangement taking effect on

07 October 2009

present overleaf my/our abstract of receipts and payments for the period from

07 October 2010

to

06 October 2011

Number of continuation sheets (if any) attached



Signed

Date

5 December 2011

The P&A Partnership
93 Queen Street
Sheffield
S1 1WF
DX 10616 Sheffield

Ref T420809/AWF/f

THURSDAY



A11

AERLOZWJ
08/12/2011
COMPANIES HOUSE

306

RECEIPTS		£
Brought forward from previous Abstract (if any)		105,090 51
Voluntary Contributions		74,250 00
Bank Interest Gross		31 58
VAT Control Account		4,484 70
Carried forward to * continuation sheet / next abstract		183,856 79
PAYMENTS		£
Brought forward from previous Abstract (if any)		41,040 82
Supervisors Fees		21,925 00
Incidental Outlay		141 00
Legal Fees		2,500 00
Trade & Expense Creditors		39,061 87
VAT Receivable		4,782 45
Carried forward to * continuation sheet / next abstract		109,451 14

* Delete as appropriate

* Delete as appropriate

Note - The receipts and payments must severally be added up at the foot of each sheet and the totals carried forward from one abstract to another without any intermediate balance so that the gross totals shall represent the total amounts received and paid by the supervisor since he was appointed



TO THE CREDITORS

Our Ref T420809/CVA0801/AWF/f

Your Ref

Date 5 December 2011

Contact Ashleigh William Fletcher

Dear Sirs

TWS (LEEDS) LIMITED
SECOND REPORT ON THE COMPANY VOLUNTARY ARRANGEMENT

Further to my appointment as Supervisor of the Voluntary Arrangement of the above named company's affairs on 7 October 2009 and in accordance with Rule 1 26(2) of the Insolvency Rules 1986 I write to provide creditors with my second report on the progress of the Arrangement

My report is based on the following points

- 1 Summary of the Company's Proposal
- 2 Asset realisations to date
- 3 Liabilities to date admitted for dividend
- 4 Summary of Receipts & Payments
- 5 Supervisor's disbursements
- 6 Supervisor's remuneration
- 7 Dividend prospects for Creditors
- 8 Future conduct of the Arrangement

1 SUMMARY OF THE COMPANY'S PROPOSAL

- 1 1 The terms of the proposal state that the Company shall continue to trade and pay 60 monthly instalments of £4,250 from future profits into the CVA estate. This figure was subsequently increased to £6,750 per month as per a modification proposed by HM Revenue & Customs and subsequently incorporated into the CVA proposal
- 1 2 Please note that a further modification incorporated into the proposal stated that if the company defaulted with any term of the proposal and the breach was not remedied within 60 days of its occurrence, this would constitute as a default which cannot be Remedied. The company defaulted on its monthly contributions as well as its post voluntary arrangement tax compliance and therefore the Joint Supervisors consulted the major creditor, HM Revenue & Customs who confirmed that if the defaults were remedied within a short period of time they would agree to allow the CVA to continue. The default was subsequently remedied and the company is currently compliant

2 ASSET REALISATIONS TO DATE

- 2 1 To the second anniversary of my appointment I have received the sum of £155,250 in respect of contributions, which means that currently there are no arrears £4,250 of the above payment was received prior to appointment and therefore does not appear in the accounting periods covered by the attached receipts and payments account

3 LIABILITIES TO DATE ADMITTED FOR DIVIDEND

- 3 1 The Company's Statement of Affairs did not anticipated any preferential claims in the CVA, and no preferential claims have been received to date
- 3 2 It was estimated on the Company's Statement of Affairs that there were 38 unsecured creditors totalling £915,176 86
- 3 3 I have received claims from 22 unsecured creditors in the amount of £1,302,062 44
- 3 4 This includes a non-preferential claim from HM Revenue & Customs in the amount of £713,731 31
- 3 7 There are 13 creditors who failed to submit their proof of debt totalling £19,740 45, and therefore these creditors were omitted from the first distribution on 14 December 2010
- 3 8 The final claims of £1,302,062 44 are some £386,885 60 greater than estimated on the Company's Statement of Affairs

4 RECEIPTS AND PAYMENTS

- 4 1 Attached is the Receipts and Payments Account for the period 7 October 2010 to 6 October 2011

5 SUPERVISOR'S DISBURSEMENTS

- 5 1 Disbursements to date total £1,298 72 and a breakdown of these disbursements are shown below
- 5 2 On the approval by creditors of the voluntary arrangement, the drawing of the supervisor's disbursements was agreed In accordance with new best practice procedures introduced after appointment, the basis of such disbursements now have to be disclosed

Category 2 Disbursements	
Travel	271 53
Postage & Stationery	974 69
Company Search Fees	52 50

6 SUPERVISOR'S REMUNERATION

- 6 1 A resolution passed at the first meeting of creditors, based the Supervisor's remuneration on a time basis incorporated in Schedule 6 to the Insolvency Rules 1986 and in accordance with that resolution £38,506 50 on account of remuneration to date has been drawn
- 6 2 The time spent by the Supervisor and his staff in carrying out his functions and duties is attached
- 6 3 The total average hourly charge amounts to £263 15 making fees to date of £40,511 90

- 6 4 Please note that accountants fees and agents fees have been paid as an expense of CVA but were not detailed in the original outcome statement The fees discharged by the Joint Supervisors are as per the attached Receipt & Payments account
- 6 5 The legal fees detailed in the attached Receipts & Payments account relate to the drafting of the proposal, and are in excess of the amount estimated in the original outcome statement
- 6 6 The Joint Supervisors fees are in excess of those anticipated in the estimated outcome statement This relates mainly to the default of the arrangement terms and the associated correspondence with the company and creditors

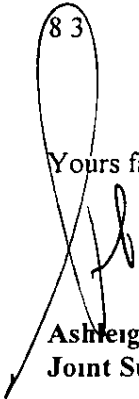
7 DIVIDEND PROSPECTS

- 7 1 An interim dividend was paid on 14 December 2010 of £39,061 87, or 3 pence in the pound
- 7 2 A further dividend is to be paid to unsecured creditors shortly, in relation to the funds currently held by the Joint Supervisors
- 7 3 The estimated overall dividend is now expected to be in the region of 20-24 pence in the £, adjusted from the original estimation of 26 pence in the £

8 FUTURE CONDUCT OF THE ARRANGEMENT

- 8 1 The ongoing dividends payable to non-preferential creditors will depend on the company's continued compliance
- 8 2 If creditors have any queries regarding this Report, please do not hesitate to contact the Supervisor or his staff
- 8 3 In order to minimise future costs, it is not my intention to report further to creditors within the next 12 months unless there are any significant events

Yours faithfully


Ashleigh William Fletcher
Joint Supervisor

**Voluntary Arrangement of
TWS (Leeds) Limited**

Statement of Affairs		From 07/10/2010 To 06/10/2011	From 07/10/2009 To 06/10/2011
ASSET REALISATIONS			
20,000 00	Third Party Contributions	NIL	20,000 00
405,000 00	Voluntary Contributions	74,250 00	151,000 00
	Bank Interest Gross	31 58	46 47
		<u>74,281 58</u>	<u>171,046 47</u>
COST OF REALISATIONS			
	Specific Bond	NIL	628 00
	Nominees Fees	NIL	2,500 00
	Supervisors Fees	21,925 00	38,506 50
	Incidental Outlay	141 00	637 68
	Agents/Valuers Fees	NIL	475 00
	Legal Fees	2,500 00	8,501 00
	Accountants Fees	NIL	6,000 00
		<u>(24,566 00)</u>	<u>(57,248 18)</u>
UNSECURED CREDITORS			
(189,336 86)	Trade & Expense Creditors	39,061 87	39,061 87
(50,000 00)	Banks/Institutions	NIL	NIL
(500,000 00)	Inland Revenue - PAYE/NIC	NIL	NIL
(129,000 00)	Bibbys	NIL	NIL
		<u>(39,061 87)</u>	<u>(39,061 87)</u>
(443,336.86)		<u>10,653.71</u>	<u>74,736 42</u>
REPRESENTED BY			
	VAT Receivable		1,520 84
	Bank Balance		73,215 58
	Disbursements		81 60
	The P&A Partnership		(81 60)
			<u>74,736.42</u>

SIP 9 - Time & Cost Summary

Period 07/10/09 06/10/11

Time Summary

Hours						Time Cost (£)	Average hourly rate (£)
Classification of work function	Partner	Manager	Other Senior Professionals	Assistants	Total Hours		
Administration & planning	38 70	4 00	7 95	12 40	63 05	14,624 40	231 95
Investigations	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Realisations of assets	1 00	0 00	0 00	0 20	1 20	303 00	252 50
Trading	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Creditors	42 50	0 90	0 00	1 60	45 00	12,865 00	285 89
Case specific matters	41 20	0 60	0 10	2 80	44 70	12,719 50	284 55
Pre Sip9 Time Recording	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Total Hours	123 40	5 50	8 05	17 00	153 95	40,511 90	263 15
Total Time Cost (£)	36,778 00	1,462 50	1 351 40	920 00			

Creditors Guide to the Fees, Expenses and Disbursements charged by The P&A Partnership
Rates applicable from the 1st April 2011

Details of Insolvency Practitioners Licensing Bodies

John Russell, Brendan Ambrose Guilfoyle, Andrew Philip Wood, Christopher Michael White, Gareth David Rusling and Ashleigh William Fletcher are all licensed by the Insolvency Practitioners Association of Valiant House, 4-10 Heneage Lane, London, EC3A 5DQ Philip Andrew Revill is licensed by the Institute of Chartered Accountants of England & Wales of Silbury Court, 412/416 Silbury Boulevard, Milton Keynes, MK9 2AF Derek Ewan Simpson is licensed by The Institute of Chartered Accountants of Scotland of CA House, 21 Haymarkets Yard, Edinburgh EH12 5BH

Insolvency Practitioners Fees

The Insolvency Rules 1986 entitles the Insolvency Practitioner to receive remuneration for his services and sets out the basis of how such remuneration shall be fixed which includes a percentage of the assets realised and monies distributed to creditors, a set amount, by reference to the time properly given by the office holders, their partners and staff in attending to matters arising, or one or more of the above bases and different basis may be fixed for different things Where it has been agreed by resolution of the secured creditors, a creditor's committee or creditors generally, that the office holders remuneration will be calculated by reference to a time basis, then such remuneration will be calculated in units of 6 minutes at the following hourly standard rates -

Grade	Total Hourly Standard Rates £	Total Hourly Complex Rates £
Partners/Associate	320 – 435	480 – 600
Partners & Directors		
Senior Manager & Managers	215 – 290	320 – 440
Administrators	176 – 215	
Assistants	40 – 176	

These are our current hourly charge out rates and are exclusive of value added tax Rates are reviewed annually and creditors will be advised of any alteration thereto In cases of exceptional complexity or risk, the insolvency practitioner reserves the right to obtain authority from the secured creditors, creditor's committee or the creditors generally, that their remuneration on such time as is agreed shall be charged on the above higher hourly complex rate

Debt Collection, Contested Asset Recovery and Related Services

Contested debt collection will be referred to P&A Receivables Services PLC, an associated company of The P&A Partnership and its dedicated legal firm James Peters & Co The fees of P&A Receivables Services PLC shall be charged by reference to the time properly given by their staff, such fees will be calculated in units of 6 minutes at the hourly rate of £80 P&A Receivables Services PLC may also be used to recover items such as plant and machinery, to locate debtors and to serve documents The fees for work of this nature will be calculated in accordance with P&A Receivables Services PLC's standard rates James Peters & Co fees will be charged by reference to time costs properly incurred, calculated in 6 minute units at an hourly rate of between £109 and £213, plus their disbursements These fees are in accordance with the guideline rates for summary assessment of costs following consultation between the legal profession and the Designated Civil Judge and are typical of legal firms in this geographical area

Expenses and Disbursements

The payment of **Category 1** disbursements will be a charge against the estate to recover the actual cost of the disbursement paid out in respect of the administration of the estate A separate amount will be charged by way of an expense to recover the cost of **Category 2** disbursements for services provided by the insolvency practitioner's firm Category 2 disbursements will include storage of company's books and records at the insolvency practitioner's own storage facility The books and records will be stored in banker's boxes and a storage fee will be charged at the rate of £7 50 per box per month This charge covers the transportation of records from the company's premises, storage, retrieval of books and records in storage for administration purposes and the destruction of such books and records after the first anniversary of the completion of the insolvency administration The recharge for company searches and electronic identification procedures for all new clients will depend on the documentation requested The charges will be £10 per set of financial accounts, £5 for an annual return, £5 for a mortgage summary, £10 for a company report, £35 for the Memorandum and Articles of Association, £15 for credit references, £5 for any other documents and £15 for electronic verification searches These charges reflect the insolvency practitioners costs to cover the administration costs of collating the information in addition to the direct costs in obtaining the documents An annual fee of £175 will be charged on corporate matters for the maintenance of the company's registered office at our office addresses The charge for the use of meeting rooms will be a flat rate of £100 per meeting or £150 in our London premises This includes where requested, the use of computer and media facilities Travelling by motor vehicle on business for the administration of the insolvency will be charged to the estate per mile at the appropriate rate currently published by the "AA" for the type of vehicle and engine size used All circulars will be sent out by first class post and the actual postage costs will be charged as an expense to the estate In respect of circulars, stationery and photocopying will be charged out at the rate of 50p per letterhead, 25p per copy paper or facsimile, 09p per proxy form, 09p creditor's guide, 20p large envelope, 18p small envelope, 16p address labels No charge will be made in respect of individual letters relating to the administration of the estate as the costs of these disbursements are reflected in the hourly rate The charges stated above are subject to small annual increments and creditors will be advised of these with future circulars

Introduction to Lending Sources

The P&A Partnership may make referrals to P&A Lender Services Ltd ('PALS') being an associated company PALS and its authorised representatives are not authorised under the Financial Services and Markets Act 2000 or by the Financial Services Authority to provide specific investment advice but they may be able to introduce funding seeking parties ('FSP's') to one or more reputable lending services ('Lender')

In such circumstances where any party associated with the referral is subsequently subject to any formal insolvency procedure and the Partners of The P&A Partnership are appointed office holders in relation to any formal insolvency, then any arrangement fees or commissions or payments becoming due to PALS (if any) from any Lender in respect of the acquisition or future trading of the business and assets of the insolvent party, will be paid into the realisation fund in the formal insolvency for the benefit of creditors

Our Ref T420809/J/AWF/f