The Insolvency Act 1986

2.17B

Statement of administrator's proposals

Name of Company

CW Engineering Ltd

Company number

04239690

Leicester

LE19 1BY

High Court of Justice Chancery Division

Birmingham District Registry

(full name of court)

Court case number 8099 of 2015

(a) Insert full name(s) and address(es) of administrator(s)

#We (a) Christopher John Stirland FRP Advisory LLP ~ Castle Acres Narborough

Nathan Jones FRP Advisory LLP Castle Acres Narborough Leicester **LE19 1BY**

*Delete as applicable

attach a copy of *my/our proposals in respect of the administration of the above company

A copy of these proposals was sent to all known creditors on

(b) 29 April 2015

Signed

Joint / Administrator(\$)

Dated

29-4-2015.

Contact Details:

You do not have to give any contact information in the box opposite but if you do, it will help Companies House to contact you if there is a query on the form

The contact information that you give Will he visible to researchers of the

A30 01/05/2015 COMPANIES HOUSE Christopher John Stirland FRP Advisory LLP

Castle Acres Narborough

Leicester

LE19 1BY

DX Number

0116 303 3333 DX Exchange

When you have completed and signed this form, please send it to the Registrar of Companies at -

Companies House, Crown Way, Cardiff CF14 3UZ DX 33050 Cardiff

TO ALL MEMBERS AND ALL KNOWN CREDITORS

vour ref

our ref C1696LEI/AO051

date 29 April 2015

please ask for Naomi Jordan 0116 303 3267

Dear Sır/Madam

CW ENGINEERING LTD - (IN ADMINISTRATION) HIGH COURT OF JUSTICE CHANCERY DIVISION BIRMINGHAM DISTRICT REGISTRY NO 8099 OF 2015

1. Introduction

- 1.1 I write, further to my appointment as Joint Administrator of the Company on 25 March 2015, to inform creditors of the conduct of the administration to date and to set out the Joint Administrators' proposals under Paragraph 49 of Schedule B1 to the Insolvency Act 1986.
- I refer to my letter dated 31 March 2015, I can confirm that the Company has now ceased to trade under the control of the Administrators As referred to in more detail within this report, a sale of the Company's business and assets was completed on 2 April 2015
- The purpose of the Administration will be to achieve a better result for creditors than would be likely if the Company was wound up (without first being in Administration) in accordance with Paragraph 3(b) of Schedule B1 of the Insolvency Act 1986.
- 1.4 This report sets out full details of the sale, the reasoning behind the decision to accept this sale and why it was considered to be in the overall best interests of the Company's creditors as a whole. I can confirm that the sale transaction has enabled the statutory purpose of the Administration as detailed above to be achieved.

The following information is attached:

- Appendix A Statutory information about the Company and the Administrators together with details from the Company
- Appendix B Administrators' receipts and payments account to date
- Appendix C Administrators' proposals
- Appendix D Schedule of Administrators' time costs to date
- Appendix E Schedule of pre-appointment Administrators' costs
- Appendix F Estimated Statement of affairs of the Company including a list of creditors names and addresses
- Claim form

2. Circumstances Giving Rise to the Appointment of the Administrator

2.1 The Company has traded for over 40 years and was incorporated in June 2001. The business provides engineering and metal manufacturing work for the various industry sectors, it also

completes general fabrications and electrical installations. The Company trades from two rented premises in Kings Lynn, Norfolk and St Helens in Cheshire. There are 27 staff employed at the Kings Lynn depot and 16 staff at the St Helens site. The current director is a Mr Nick Watling, with the shareholding company, JAF Global FZE and Mr Philip Martin.

- 2.2 In recent months the Company has faced cash-flow difficulties due to a major customer not paying their invoices in line with their normal credit terms. This has resulted in creditor pressure from a number of key suppliers. A number of the Company's suppliers had placed the Company on a proforma basis which had impacted the Company's cash-flow further. The Company was struggling to fulfil/take on orders without supplier support due to insufficient cash flow. In the last two months County Court claims, and two Statutory Demands have been issued c£17.5k. The director had tried to obtain further funding under the Company's factoring facility. This request was rejected as the Company had no available drawdown allowance. Due to the rent arrears in respect of the St Helens site the landlord changed the locks and was refusing the Company access until payment has been received in full. The Company were unable to meet its obligation to pay the staff wages on 27 March 2015.
- 2.3 Allied Commercial Factors Limited hold a Fixed and Floating charge debenture created on 17 December 2012 This charge should be shown as satisfied following the transfer of the factoring facilities to Redd Factors Limited. Redd Factors Limited hold a Fixed and Floating charge debenture created on 29 October 2013.
- The director, Nick Watling, spoke with Redd Factors Limited for advice in relation to the Company's financial difficulties—Redd Factors Limited had previously appointed FRP Advisory LLP on other assignments where Nick Watling acted as a director. Mr Watling had also previously dealt with Chris Stirland of FRP Advisory LLP when CW Engineering acquired the assets of Rollco Engineering Limited—In Administration—After initial discussions and advice on the various options a meeting was held on 18 March 2015 with the director at the Company's premises in Kings Lynn
- A Notice of Intention to appoint Administrators was considered appropriate to immediately protect the Company from legal actions pending.
- The notice of intention to appoint Chris Stirland and Nathan Jones of FRP Advisory LLP was filed on 19 March 2015
- During the period between 18th March and 25th March 2015, the Company commenced an Accelerated Merger and Acquisition process with a view to finding a buyer. The Company also maintained a strict cash-flow to keep the secured creditor updated on its financial position. The decision was made that the Company wages could not be paid and Administrators were appointed.
- 2 8 Chris Stirland and Nathan Jones of FRP Advisory LLP were appointed Joint Administrators on 25 March 2015

3. The Conduct of the Administration

- 3 1 The objective(s) of the administration are:-
 - A. To rescue the Company as a going concern, failing which
 - B. To achieve a better result for the Company's creditors as a whole than would be likely if the Company were wound up (without first being in administration), failing which
 - C. To realise property in order to make a distribution to one or more secured or preferential creditors
- 3.2 The purpose of this Administration is objective B, to achieve a better result for the Company's creditors as a whole than would be likely if the Company were wound up without first being in administration. In the event that objective B cannot be achieved, the Administrators will pursue

objective C, being to realise property in order to make a distribution to one or more secured or preferential creditors. Objective A, rescuing the business as a going concern, was not possible on the basis that there were insufficient capital available to enable the Company to continue to trade in its current form.

- 3 3 The Administrators' actions to date include:
- 3.4 Following discussions regarding our appointment with the secured lender it was agreed they would fund trading, under the control of the Administrators, for a short period of time in order for a sale of the business and assets to be completed. It was agreed that the Administrators would trade the business for a limited time only, being one week from 26 March 2015 to 2 April 2015, for all offers of sale to be considered and contracts completed on.
- Undertakings were provided to key suppliers to ensure orders in progress and due to be dispatched could be completed. The Administration estate will benefit from the sales which took place during the trading, which has amounted to circa £29,000.
- Whilst costs have been incurred to maintain production, the sale agreement provides for costs committed to and undertakings given, which were for the benefit of future sales are to be reimbursed to the Administrators by the purchaser. The actual trading cost to the Administration estate for supplies and transportation is circa £3,000. Further costs incurred to the Administration estate are in respect of the staff wages for one week's trading under the control of the Administrators. Total costs incurred in respect of the employee wages including PAYE and NIC contributions are approx. £14,000.
- All 27 employees based at the Kings Lynn depot have been transferred to the C W Group Limited in accordance with The Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE").
- 3.8 The 16 employees at the St Helens depot entered into a redundancy consultation process which already commenced on 19 March 2015, prior to our appointment, at a subsequent meeting held by the Joint Administrator on 27 March 2015 all employees present at the meeting unanimously voted to end the consultation period and accept redundancy.
- Pete Evans, auctioneer and valuer, of Knighton Evans Limited, qualifications MNAVA, have confirmed their independence and have appropriate levels of professional indemnity insurance.

Valuations has been provided as follows:

Kings Lynn assets

	Ex Situ £
P&M – unencumbered	39,000
Office Furniture & Equipment	820
Office Equipment	3,300
Motor Vehicles	5,900

All the Company's chattel assets have been valued on market valuation and no valuation of goodwill has been provided

3.10 Two formal offers were received, details are as follows

Offer 1 was received from, CW Group Limited, the previous shareholder of the Company, of £68,000 for the assets of the Company, plus 50% of the value of WIP as at the date of completion. The total WIP is currently anticipated at £92k. This offer is based on the Kings Lynn business and assets only.

Offer one totals in the region of £114k. The WIP payment will be funded via a drawdown on invoicing by C W Group Limited, therefore we would anticipate in the region of £45,000 being paid by 10 April 2015 The balance would then be paid on a deferred consideration basis over a period of 6 months, security of this has been offered by way of a personal guarantee and a charge over a property which has in the region of £80,000 equity

Offer two was received from Mr John Ferguson, director of the shareholding company JAF Global FZE, who made an offer on behalf of IVI Metallics Limited. The offer was for £200,000, of which £25,000 will be payable within 30 days of completion and the balance of £175,000 will paid to the secured creditor, Redd Factors Limited, in respect of the overpayment account. This offer is also only in relation to the business and assets of the Kings Lynn depot

- 3.11 After discussing both offers with the secured creditor it was agreed that offer one would be more attractive on the basis that it results in a substantial upfront payment and offers a level of security whereas offer two is wholly on a deferred payment basis with no level of security put forward. In addition we have not received proof of funding in respect of offer two nor have we been provided with an explanation or breakdown in respect of the £175k deferred payment. Offer two also does not take into account the prejudice to the preferential creditors that accepting such an offer would bring
- 3.12 In view of all the above offer one was also recommended for acceptance by our agent
- The Purchaser is therefore CW Group Limited The ultimate beneficiaries of this company being Mr Anthony Jolley. The sole director is also Mr Anthony Jolley There are no known connected companies that may benefit from this transaction. Redd Factors Limited have confirmed that they are willing to support C W Group Limited with a new factoring facility going forward. The assets involved in this transaction relate only to the Kings Lynn assets above together with the WIP
- The purchaser has provided security against the deferred consideration of £80,000, by way of a personal guarantee and offered a charge over a property which has in the region of £80,000 equity. The deferred consideration will be repaid over a period of six months
- 3.15 The purchaser has also agreed that they would fulfil any of C W Engineering Limited's warranty claims should they arise.
- 3.16 We have been advised that the purchaser has been independently advised
- 3.17 The business or assets were not acquired from an IP within the previous 24 months, with the exception of the acquisition below:

C W Engineering Limited acquired the business and assets of Rollco Engineering Limited — In Administration in June 2014, as part of the Company's plans to expand the business to provide services in the North West region. Chris Stirland and Nathan Jones of FRP Advisory LLP were the office holders of Rollco Engineering Limited.

However, the chattel assets acquired from Rollco Engineering Limited do not form part of this sale and are being dealt with separately by the Administrators as referred to in more detail in section 4 of this report.

- 3 18 A sale of the part of the business and assets of the Company was effected on 2 April 2015.
- 3.19 A copy of the Joint Administrators' receipts and payment account to date is attached as **Appendix B.** This shows the following transactions for the period 25 March 2015 to 29 April 2015

RECEIPTS

Sales

This amount of approx. £29,000 represents the invoices raised whilst the Company continued to trade under the control of the Administrators, for a period of one week.

An initial payment of £10k in respect of the WIP was paid to our solicitors on the date of completion being, 2 April 2015, this amount is still being held by our solicitors and therefore not reflected in the attached receipts and payments account. A final payment of £35k was paid directly into the Administrators account shortly after completion in line with the terms of the sale contract.

PAYMENTS

Wages

A payment of £10,453.87 (net) was paid to the employees at the Kings Lynn for their services whilst in the trading period.

4. Other Assets to deal with in the Administration

- The company's sales ledger is factored with Redd Factors Limited. The gross ledger £692,014 of which £600,000 is deemed collectable. However, this may increase now that a sale of the business and assets have been accomplished as the purchaser has agreed to fulfil its obligation in respect of any warranty issues. From initial analysis it appears that there will be no surplus available to the Administration estate and the secured creditor will have to rely on its cross guarantee with Estuary Engineering Limited In Administration in order to repay its indebtedness in full.
- The Company also owns chattel assets situated at the St Helens depot which have not formed part of the above sale. The Administrators currently do not have access to the property as the landlord had exercised his control over the property prior to our appointment. Our agent attended the property with the agreement of the landlord on 8 April 2015 in order to carry out a valuation of the assets. To date, we have not yet received a full valuation or a breakdown of the assets. However, from initial information it appears that the St Helens assets appear to be subjected to finance agreements with only a limited amount of office furniture which is free from finance.

5. Alternative courses of action considered

- A creditors voluntary liquidation ("CVL") was considered However, as there is a prospect of saving the business as a going concern which would enhance asset realisations for stock and debtors, retain employees and as such reduce preferential and unsecured claims, it was considered that a CVL was not the best route for all creditors as a whole.
- 5.2 A creditors' voluntary arrangement ("CVA") was also considered but as the Company was unable to meet its obligation to pay the staff wages for March 2015, this option was not considered feasible.
- 5.3 In view of the above an Administration with a view of selling the business and assets is considered to be the best option for the creditors as a whole.

6. Major Creditor Consultation

- 6.1 Redd Factors Limited has a debenture over the Company's assets was in attendance at the initial meeting with the director. Redd Factors Limited have been kept updated with the proposed strategy of an Administration and possible pre pack sale together with ongoing exposure whilst interest in the business is being pursued.
- 6.2 HM Revenue & Customs were faxed a copy of our pre-pack protocol memo requesting confirmation as to whether they had any objections to proceeding with proposed sale. To date no objection has been received

7. Marketing and Interest Received

7.1 Since the notice of intention was filed on 19 March 2015, the Company's business and assets have been marketed via IP Bid and FRP's website, Data Rooms

- 7 2 The Company's business and assets were marketed as "Project Engine" on IP Bid from 19 March 2015 and on FRP Advisory's Data Room from 24 March 2015, a deadline for offers was set at 31 March 2015.
 - All interested parties were directed to data rooms where a sales information memorandum, accounts, hire purchase and employee information were made available.
 - o All information requests from interested parties were directed to our data room facility to ensure all interested parties received the same information.
 - All interested parties were sent a further reminder confirming the deadline on 30 March 2015.
- 7.3 Our database identified 37 potential interested parties who met the criteria. All 37 users have received notice of the proposed sale and 4 NDA's have been received. Two formal offers were subsequently received.

8. Administrators' Proposals

8.1 The Administrators' proposals in accordance with Paragraph 49 of Schedule B1 to the Insolvency Act 1986 to achieve the purposes of the administration, by realising the assets of the Company to achieve a better result for the Company's creditors as a whole than would be likely if the Company were wound up (without first being in Administration), are attached as **Appendix C**

9. Creditors' Meeting

- 9.1 Based on information currently available, the Joint Administrators think that the Company has insufficient property to enable a distribution to be made to unsecured creditors, except from the prescribed part if applicable. They are therefore not required to call a creditors' meeting pursuant to Paragraph 51 of Schedule B1 of the Insolvency Act 1986. The Administrators must however summon a meeting if requested to do so by creditors whose debts amount to at least 10% of the total debts of the Company. The request must be in the prescribed form (form 2 21B) and be made within 8 business days of the date of this report, in accordance with the Insolvency Rules 1986 (as amended).
- In accordance with the Insolvency Rules 1986 (as amended), where the Administrators have not called a creditors' meeting, the proposals set out below will be deemed to have been approved by the creditors unless at least 10% by value of the creditors requisition a meeting of creditors within 8 business days of the date of this report.

10. Administrators' Remuneration

- 10.1 The Administrators' remuneration after the date of appointment will be drawn from the Company assets and it is proposed that it will be charged on a time cost basis. We would advise that should the company subsequently be placed into liquidation and the administrators appointed as liquidators, the basis agreed for the drawing of the administrators' remuneration will also be that utilised in determining the liquidators' remuneration, without further recourse to creditors in accordance with the Insolvency Rules 1986. The Administrators remuneration is based on computerised records of all time spent on the administration of the estate. Matters dealt with during the assignment are dealt with by different members of staff depending on the level of complexity and the experience required. Time is charged to the case in maximum chargeable units of 6 minutes. Charge-out rates are based on individual expertise, qualification and grade. The costs of the firm's support staff are not directly charged to the estate unless dealing with directly identifiable case specific matters. Charge out rates are reviewed at least annually, details of FRP Advisory LLP charge out rates are included at **Appendix D**:
- The Administrators' disbursements are a recharge of actual costs incurred by the Administrators on behalf of the Company. Mileage payments made for expenses relating to the use of private vehicles

for business travel, which is directly attributable to the insolvency estate, are paid by FRP Advisory at the HMRC approved mileage rate. It is proposed mileage is recharged and drawn at the HMRC approved mileage rate prevailing at the time the mileage was incurred.

- 10.3 Creditors have a right to request further information from the Administrator and further have a right to challenge the Administrators' remuneration and other expenses under the Insolvency Rules 1986 following receipt of a progress report. Further details of these rights can be found in the Creditors' Guide to Fees which you can access by using the following link http://creditors.frpadvisory.com/feesquide.htm and select the one for administrations. Alternatively a hard copy of the relevant quide will be sent to you on request
- Details of the time charged to this case to date, analysed between the different types of work undertaken, are enclosed at **Appendix D**. The basis of the Administrators' remuneration has not yet been approved by creditors, and the Administrators have accordingly not drawn any remuneration in this case.
- 10.5 The Administrators' fees for dealing with the assets subject to the fixed charge will be agreed with the secured creditor, Redd Factors Limited, and will be drawn on a time cost basis.

11. Pre-Administration Costs Charged or Incurred by the Administrators

- 11.1 Attached at **Appendix E** is a statement of pre-administration costs charged or incurred by the Joint Administrator, Agents and Solicitors. All pre-administration costs remain outstanding. The Administrators are seeking to obtain approval from creditors for the payment of this amount and a stand-alone separate resolution is included in my statement of proposals.
- 11.2 Costs incurred prior to the Administration for legal fees and disbursements are as follows:
 - Solicitors Costs £2,671
 - o Valuation Fees £2,500
 - o IP Bıd
- £ 175
- Mileage
- £ 128
- As Joint Administrators, we were instructed by the directors of the Company formally on 17 March 2015. The Joint Administrators' pre-administration time costs total £22,642, these relate to time spent of 66.45 hours at an average rate of £340.74 per hour.

12. The Directors' Statement of Affairs

12.1 Shortly after the appointment, the directors of the Company were asked to submit a statement of affairs under paragraph 47 of Schedule B of the Insolvency Act 1986. No statement of affairs has yet been received, but an estimated statement of affairs as at the latest practical date, prepared from information available to the Administrators and including a list of creditors' names and addresses is enclosed as Appendix F to this report. As and when the directors' statement of affairs is received it will be duly filed at Companies House

13. Prescribed Part

The Administrators have considered the possibility of a prescribed part for unsecured creditors under S176A of the Insolvency Act 1986.

After the deduction of costs a prescribed part is not likely to apply as there will be no floating charge distribution to the secured creditors.

14. Outcome for Secured Creditor

- 14.1 The secured creditor, Redd Factors Limited, hold a fixed and floating charge by way of a debenture dated 31 October 2013. The company's sales ledger currently stands at £692,014 of which £600k is deemed collectable by Redd Factors However, this may increase now that a sale of the business and assets have been accomplished as the purchaser has agreed to fulfil its obligation in respect of any warranty issues
- 14.2 Attached at appendix F is the estimated statement of affairs where we have applied a 13.5% provision against the gross ledger for the purposes of this report. From the information provided it appears that the secured creditor will have to rely on its cross guarantee with Estuary Engineering Limited In Administration in order to repay its indebtedness in full.

15. Outcome for Preferential Creditors

15.1 The statement of affairs shows preferential creditors of £41,565.20, being employees for arrears of pay and holiday pay. Until all realisations and costs have been concluded we are unable to confirm if a dividend will be declared to the preferential creditors

16. Outcome for Unsecured Creditors

16.1 The statement of affairs indicate that after subsequent costs it is unlikely that a dividend will be available to unsecured creditors.

17. Directors' Conduct

17 1 Finally, as part of the Joint Administrators' statutory duties, we have to report on the conduct of the directors under the Company Directors Disqualification Act 1986. Should you have any information concerning matters to which reference should be made in that report, then I should be grateful if you would write to me formally setting out any facts which you believe should be considered for inclusion

Yours faithfully

For and on behalf of CW Engineering Ltd

Chris Stirland

Joint Administrator

Licensed in the United Kingdom by the Insolvency Practitioners Association

The Joint Administrators act as agents of the Company and without personal liability.

The affairs, business and property of the Company are being managed by Christopher John Stirland and Nathan Jones who were appointed Joint Administrators on 25 March 2015.

Appendix A

CW Engineering Ltd

Statutory Information

ADMINISTRATION DETAILS:

Date of notice of intention to appoint Administrators

presented to Court:

19 March 2015

Consent to the notice to appoint an Administrator provided by the qualifying charge holder as follows

Holder of Qualifying Floating Charge	Date of consent
Redd Factors Limited	25 March 2015
Allied Commercial Factors Limited – In Liquidation	25 March 2015

Names of Joint Administrators:

Christopher John Stirland and

Nathan Jones

Address of Joint Administrators:

FRP Advisory Castle Acres Narborough Leicester **LE19 1BY**

The appointment of the Joint Administrators included a declaration that they are acting jointly or severally as Administrators of the Company.

Date of appointment of Administrators

25/03/2015

Court in which administration

proceedings were brought:

Court reference number:

High Court of Justice Chancery Birmingham

Division Registry

8099 of 2015

District

Application for administration order made by.

Mr Nick Watling

The EC Regulation on Insolvency Proceedings will apply in this matter and accordingly the Administration will constitute main proceedings

CW Engineering Ltd

Statutory Information

COMPANY DETAILS:

Other trading names: None

Date of incorporation 22 June 2001

Company number 04239690

Registered office C/o FRP Advisory LLP

Castle Acres Everard Way Narborough Leicester LE19 1BY

Previous registered office: Hamlin Way

Hardwick Narrows Industrial Estate

Kıng's Lynn Norfolk PE30 4NG

Business address: Hamlin Way

Hardwick Narrows Industrial Estate

King's Lynn Norfolk PE30 4NG

Directors: Mr Nick Watling

Company secretary None

Shareholders:-

Name	Shares	Туре	Percentage
JAF Global FZE	1	Ordinary	50%
Mr Philip Martin	1	Ordinary	50%

Extracts from the financial statements available are summarised below -

Perioc	i Ended	E'000	Gross Profit £'000	Net Profit/ (Loss) £'000	Dividend paid £′000	P & L a/c c/fwd £'000
30 2013	September	987,082	475,079	39,261	Ni	175,390
30 2012	September	1,162,612	297,150	(42,180)	Nil	136,129

CW Engineering Ltd (In Administration) Joint Administrators' Trading Account To 29/04/2015

S of A £	£	£
POST APPOINTMENT SALES Sales	28,975.51	28,975.51
TRADING EXPENDITURE Indirect Labour	10,453.87	(10,453 87)
TRADING SURPLUS/(DEFICIT)		18,521.64

IPS SQL Ver 5 02

CW Engineering Ltd (In Administration) Joint Administrators' Abstract of Receipts & Payments To 29/04/2015

S of A £		£	£
600,000 00	SECURED ASSETS Book Debts	NIL	
,			NIL
	SECURED CREDITORS		
(828,750 00)	Redd Factors Limited	NIL.	NIL
			IVIL
=c 000 00	ASSET REALISATIONS	AITI	
56,000.00	Plant & Machinery	NIL	
3,500 00	Office Furniture & Equipment	NIL	
8,000.00	Motor Vehicles	NIL	
46,500.00	WIP / Stock	35,000.00	
Uncertain	St Helens Depot Assets	NIL	
15,000 00	Proft from 1 weeks trading	NIL	
	Trading Surplus/(Deficit)	18,521.64	53,521.64
			·
(41 ECE 20)	PREFERENTIAL CREDITORS	NIL	
(41,565 20)	Employees - Owed wages and Holiday		NIL
	LINICECTIPED CREDITORS		
(702 205 20)	UNSECURED CREDITORS	NIL	
(763,205.30)	Trade Creditors HM Revenue & Customs - VAT	NIL.	
(162,971.00)	HM Revenue & Customs - PAYE/NIC	NIL	
(156,459 00)	nin Revenue & Customs - PATE/NIC	IVIL	NIL
	DISTRIBUTIONS		
(2.00)	Ordinary Shareholders	NIL	
(2.00)	Ordinary Shareholders		NIL
(1,223,952.50)			53,521.64
(-,,,			
	REPRESENTED BY		34,770.60
	Trade Debtors		50,546 13
	Bank 2 Current A/c		(5,795.09)
	Vat Payable - Fixed		(26,000.00)
	Redd Factors - Drawdown		(20,000.00)
			53,521.64
		•	
		Chi	rıstopher John Stırland
			Joint Administrator

THE INSOLVENCY ACT 1986

STATEMENT OF THE PROPOSALS OF THE JOINT ADMINISTRATORS OF CW ENGINEERING LTD (IN ADMINISTRATION)

PURSUANT TO PARAGRAPH 49(1) OF SCHEDULE B1 TO THE INSOLVENCY ACT 1986 (The Act) AND RULE 2.33 OF THE INSOLVENCY RULES 1986 (The Rules)

1. The Joint Administrators think that objective (a) of the administration, as detailed in Paragraph 3(1) of Schedule B1 to the Insolvency Act 1986, will not be achieved, as there was no realistic prospect of rescuing the Company due to the funding being withdrawn and the extent of the Company's liabilities. As such, it is envisaged that objective (b) will be achieved, a better result for the Company's creditors as a whole than would be likely if the Company had been wound-up (without first being in administration).

Should this not be achieved the Joint Administrators will pursue objective (c), to realise property in order to make a distribution to one or more secured or preferential creditors.

- The Joint Administrators make the following proposals for achieving the objective set out above:
 - a) They continue to manage the business, affairs and property of the Company in order to achieve the purpose of the Administration In particular that they
 - Continue to trade the business of the Company [if appropriate]
 - Dispose of the Company's ownership of such assets at such time(s) on such terms as they consider expedient.
 - Investigate and, if appropriate, pursue any claims that the Company may have against any person, firms or company whether in contract or otherwise, including any officer or former officer of the Company or any person, firm or company which supplies or has supplied goods or services to the Company.
 - In addition, they do all such things and generally exercise all their powers as Administrators as they in their discretion consider desirable or expedient in order to achieve the purpose of the administration or protect and preserve the assets of the Company or maximise the realisations of those assets, or of any purpose incidental to these proposals
 - b) The administration shall continue (subject to the statutory provisions relating to automatic termination; or a court order determine the appointment of the Administrator should cease to have effect) until the realisable assets of the Company have been realised and all liabilities incurred during the administration have been discharged or until such a time as deemed appropriate by the Administrators. At this stage the Company shall be dissolved or placed into liquidation or as outlined below.
 - c) The administration may be extended by six months prior to the one year anniversary pursuant to paragraph 76 of the Schedule B1 of the Act if all assets have not yet been achieved and the Administrators consider the extension of the Administration to be beneficial.

- d) If they think the Company has no property which might permit a distribution to its unsecured creditors, or if they also consider that an exit from the administration into liquidation is not appropriate they will send a notice to the Registrar of Companies in accordance with Paragraph 84 of Schedule B1 to the Insolvency Act 1986 and three months after the filing of the notice the Company will be deemed to be dissolved
- e) If they are of the view that it is appropriate for the Company to move from administration into liquidation, whether compulsory or voluntary, the Joint Administrators be authorised to take steps to place the Company into whichever liquidation process they, at their discretion, deem appropriate. Pursuant to Paragraph 83 of Schedule B1 to the Insolvency Act 1986, should the creditors not nominate a Liquidator, the proposed Liquidators are to be Christopher John Stirland and Nathan Jones. Any act to be done by the Joint Liquidators may be done by all or any one of them. Pursuant to the Insolvency Rules 1986, creditors may nominate a different person as the proposed Liquidator, provided that the nomination is made after the receipt of these proposals and before these proposals are approved.
- f) If they are of the view that it is appropriate for the creditors to consider the approval of a Company Voluntary Arrangement (CVA) the proposed Joint Supervisors are to be Christopher John Stirland and Nathan Jones. Creditors may nominate different Supervisors at the meeting of creditors convened to consider the voluntary arrangement proposals

As the Joint Administrators consider that the Company has insufficient property to enable a distribution to be made to the unsecured creditors, the following sections of the Administrators' proposals, (g, h, i and j) will require the consent of each secured creditor and the majority of voting preferential creditors (as appropriate):

- g) The Joint Administrators' fees plus VAT should be approved on a time cost basis charged at the charge out rates prevailing at the time the work is undertaken. A schedule of current charge out rates are set out in **Appendix D**
- h) Mileage can be recharged at the HMRC approved mileage rate prevailing at the time the mileage was incurred.
- The Joint Administrators' discharge from liability shall take effect in accordance with Paragraph 98 of Schedule B1 to the Act 30 days following either the Company entering into liquidation or CVA or filing the notice of moving from administration to dissolution.

The following resolution is subject to approval under the Insolvency Rules 1986 and is not part of the proposals subject to approval under Paragraph 53 of the Insolvency Act 1986

j) That the unpaid pre-administration costs as set out in Appendix E are approved and that the Joint Administrators be authorised to draw such sums from any funds in hand as an expense of the administration

Dated this 29 April 2015

Christopher John Stirland

Joint Administrator

Insolvency Practitioner Licensed in the United Kingdom by the Insolvency Practitioners Association

The Joint Administrators act as agents of the Company and without personal liability.

The affairs, business and property of the Company are being managed by Christopher John Stirland and Nathan Jones who were appointed Joint Administrators on Joint Administrator

FRP Administration) CW Engineering Ltd (In Administration)

Time charged for the period 25 March 2015 to 29 April 2015

新年11年 1日本								
			Other					
	Partner	Manager	Professional Support	Support	Total Hours	Total Cost £	Avera	Average Hrly Rate £
· Administration and Planning	, 19:30	8 60	37.50	15 30	80 70		23,597.00	292 40
Asset Realisation	11.00	11 40	11.80	0 20	34 40		12,313.00	357 94
Creditors	7 40	4 20	42 95	8 50	63.05		16,140 50	256 00
Investigation			1,30		1 30		195.00	150 00
Statutory Compliance	2.70	2.80	25 80		31 30		9,206.50	294 14
Trading	1 90	10 50	19 70	0 40	32 50		9,828 00	302 40
Total Hours	42 30	37 50	139 05	24 40	243 25		71,280 00	293 03
Total Cost £	20,903 50	11,919 00	34,517 50 3,940 00	3,940 00				
Average Hrly Rate £	494 17	317 84	248 24	248 24 161 48				

25 March 2015 to 29 April 2015 Disbursements for the period

	216 00	125 00	- •	185 40	526 40
Category 1			Category 2	Car/Mileage Recharge	Grand Total

1st July 2013 275-495 225-455 85-275 70-320

Partner
Manager
Other Professional

FRP Charge out rates

prevailing at the time the cost was incurred Mileage is charged at the HMRC rate

Case Name Case Code

C W Engineering Ltd (pre) C1695LEI

Advantage Communication Commun

			Other				
	Partner	Manager	Manager Professional Support	Support	Total Hours	Total Cost E	Total Hours Total Cost E Average Hrly Rate £
Administration and Planning		2 30	2.65	1.00	5.95	1,634 75	274.75
Travel		2 30	2 25		4 55	1,354 75	297 75
General Administration			0 40	1 00	1 40	280 00	200 00
Creditors		0 20	0 40		09 0	115 00	191 67
		0 20	-		0 20	55 00	275 00
HP/ Leasing			0 40		0 40	00 09	150 00
Ħ	•	16 80	26 00	# ! ! 1	59 90	20,892 50	348 79
Pre Appointment	17.10	16 80	26 00		59 90	20,892 50	348 79
Total Hours	17 10	19 30	29 05	1 00	66 45	66 45 22,642 25	340 74
Total Cost £	8,366 50	6,167 00	7,888 75 220 00	220 00			
Average Hrly Rate £	489 27	319 53	271 56	271 56 220 00			

FRP Charge out rates	1	¥
Grade		uly 2
Partner		275-495
Manager	1	225 455
Other Professional		85-275
Support	ł	70-320

CW ENGINEERING LTD

STATEMENT OF PRE-ADMINISTRATION COSTS

	Note	Fees Charged	Expenses Incurred
		£	£
Pre-administration costs	1 & 2	22,642	5,474
Amounts paid	3	(0)	(0)
Unpaid pre-administration costs	4	22,642	5,474
Pre administration costs for which approval is being sought (see Statement of Proposals)		22,642	5,316

Notes

- FRP Advisory LLP fees, for pre administration work, is based on the time costs incurred for the work carried out prior to the Company entering into Administration and set as set out in the engagement letter dated 17 March 2015. The engagement letter estimated the fee at £20,000, plus disbursements plus VAT.
- 2. In view of the above the work carried out prior to my appointment as Administrators was limited to
 - o Review the Company's work in progress and cash flow position
 - o Meetings with the director and the secured creditor
 - Liaising with the secured creditor regarding our appointment and the administration strategy regarding Administrators trading period
 - o Obtaining an Administration factoring facility in order to trade the business
 - Review of the Company's creditor position
 - Liaise with Smith Partnership Solicitors in relation to the dealing of the formalities in respect of the Administrators appointment.
 - 3 Smith Partnership Solicitors were instructed to assist with the formalities of the appointment of the Administrators and reviewing the validity of Redd Factors Limited's charges over the Company They have incurred pre-appointment costs of £2,466 and £205 of disbursements plus VAT.
 - 4 An initial sale flyer was posted to IP Bid in order to advertise the potential business for sale for the period between the filing of the notice of intention and our appointment.
 - 5. FRP Advisory LLP, has incurred mileage cost of £128, in respect of their employees travelling to and from a meeting at the Company's premises in Kings Lynn
 - 6. Pete Evans, auctioneer and valuer, of Knighton Evans Limited was instructed to assist with the valuation of the Company's assets at a cost of £2,500 plus VAT.

7.	Th w th	he pa with the ne Ins	aymer ne Ins solver	nt of u solvena ncy Ac	inpaid cy Act t 1986	pre-ad 1986, , Sche	dminist Rule 2 dule B1	ration 67A a i., Para	costs and is agraph	set o not p 153.	out a part o	bove of the	is subje propos	ect to als su	appro ibject	oval in to app	accord roval u	lance Inder
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CW Engineering Ltd Statement Of Affairs as at 25 March 2015

A - Summary of	of Assets
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		Estimate	ed to	
Assets	Book Value		Realise	
	£	£		
Assets subject to fixed charge:				
Book Debts	692,014 00	600,000 00		
Redd Factors Limited		(828,750 00)		
Deficiency c/d		(228,750 00)		
Assets subject to floating charge:				
Plant & Machinery	68,179 32		56,000 00	
Office Furniture & Equipment	4,630 76		3,500 00	
Motor Vehicles	5,963 96		8,000 00	
WIP / Stock	77,246 50		46,500 00	
St Helens Depot Assets	5,000 00		Uncertain	
Proft from 1 weeks trading			15,000 00	
Uncharged assets:				
Estimated total assets available for preferential creditors			129,000 00	
Signature Date				

CW Engineering Ltd Statement Of Affairs as at 25 March 2015

		Estimated to Realise £
Estimated total assets available for preferential creditors (Carried from Pag	je A)	129,000 00
Liabilities		
Preferential Creditors -	44 505 00	
Employees - Owed wages and Holiday Pay	41,565 20	41,565 20
Estimated deficiency/surplus as regards preferential creditors		87,434 80
Debts secured by floating charge pre 15 September 2003 Other Pre 15 September 2003 Floating Charge Creditors		
		NIL
		87,434 80
Estimated prescribed part of net property where applicable (to carry forward) Based on floating charge assets of 87,434 80		20,486 96
Estimated total assets available for floating charge holders		66,947 84
Debte account by flacture about a post 45 Contember 2002		
Debts secured by floating charges post 15 September 2003 Deficiency b/d	228,750 00	
Dollard Sta		228,750 00
Estimated deficiency/surplus of assets after floating charges	_	(161,802 16)
Estimated prescribed part of net property where applicable (brought down)		20,486 96
Total assets available to unsecured creditors		20,486 96
Unsecured non-preferential claims (excluding any shortfall to floating charge hole Trade Creditors	ders) 763,205 30	
HM Revenue & Customs - VAT	162,971 00	
HM Revenue & Customs - PAYE/NIC	156,459 00	
Estimated definions//ournlys as regards non profesential agaditors		1,082,635 30
Estimated deficiency/surplus as regards non-preferential creditors (excluding any shortfall in respect of F.C's post 14 September 2003)		(1,062,148 34
Shortfall in respect of F C's post 14 September 2003 (brought down)		161,802 16
Estimated deficiency/surplus as regards creditors		(1,223,950 50
Issued and called up capital		
Ordinary Shareholders	2 00	
		2 00
Estimated total deficiency/surplus as regards members		(1,223,952 50

FRP Advisory LLP CW Engineering Ltd A2 - Secured Creditors Statement of Affairs Figures

Key	Name	£
CR07	Redd Factors Limited	828,750 00
1 Entri	es Totalling	828,750.00

Signature		
_	·	

CW Engineering Ltd A5 - Unsecured Creditors Statement of Affairs Figures

Key	Name	£
CAOG	A T JOHNSON	63.25
CA01	AALCO METALS LTD - LIVERPOOL	3,248 19
CA00	AALCO METALS LTD - NORWICH	953.17
CA02	ABLE ENGINEERING LTD	195 60
CA05	AIR PRODUCTS PLC	315.36
CA06	AJ Carpentry and plumbing	1,765 00
CA07	AJN STEELSTOCK LTD	4,434.53
CA09	ALLIED CONTRACTS AND ROOFING LTD	42,817 50
CA08	ALLIED TANKS AND FABRICATIONS LTD	173,040 00
CA0A	ALPHABET GB LTD	845.16
CA0B	ANGLIA ACCESS PLATFORMS	2,329.20
CA04	Anglia Electrical Wholesale Ltd	14,275 83
CA0C	ANGLIA TOOLS	190.14
CA0D	ANGLIAN WATER SERVICES LTD	165 54
CA0E	ARC NORWICH LTD - CASH FRIDAY	2,739 87
CA03	ASSOCIATION OF DRAINAGE AUTHORITIES	1,081 20
CA0F	ASTUTE MOTORING LTD	360.00
CB02	B&B Engineering Ltd	56,019 60 6,603 88
CB00	BARRYS CARS AND COMMERICALS LTD	6,692.88
CB01	BATT CABLES PLC	1,724 28 106.84
CB03	BIFFA WASTE SERVICES LTD	761.95
CB04	BOC GASES	18,409 50
CB0B	BOROUGH COUNCIL OF KINGS LYNN	3,000 00
CB05	BOSTON GROUP HOLDINGS LTD	408.00
CB06	BRADLEYS STOWMARKET LTD	57.60
CB07	BRANDON HIRE	5,048 40
CB08	BSI BSS GROUP LTD	1,562.52
CB09	BUZZ ELECTRICAL SUPPLIES	669.08
CB0A CC03	C BRIGGS EVOLUTION BUSINESS IMPROVEMEN	3,585.00
CC03	CALDO OILS LTD	165 00
CC01	CALVERT BRAIN & FRAULO LTD	900 00
CC02	Carter Cabin Hire	856.80
CC02	CF CORPORATE FINANCE LTD	35.00
CC07	CHUBB FIRE AND SECURITY LTD	1,320 00
CC08	CITATION LTD	600 00
CC05	City Electrical Factors Ltd	218.11
CC09	CLARITY COPIERS LTD	333 12
CC0A	CLEVELAND CABLE COMPANY LTD	39,080 29
CCOC	CONTAINERS4SALE UK LTD	60.00
CC04	CONTROL COMPONENTS ANGLIA LTD	90 84
CCOD	Crest Reprographics (Northern) Ltd	60.00
CC0E	CV SYSTEMS LTD	7,709 34
CD00	DAVID TAYLOR ASSOCIATES UK LTD	336.65
CD03	DEBORH SERVICES LTD	621.58
CD01	DICKSON & CO	1,927.64
CD02	DK COLLINS CONTRACTORS	3,120 00
CE00	EAST ANGLIAN GALVANISING LTD	2,889 76
CE01	EDMUNDSON ELECTRICAL LTD	9,158.81
CE02	ENGINEERING & DESIGN PLASTICS	253.24

CW Engineering Ltd A5 - Unsecured Creditors Statement of Affairs Figures

Key	Name	£
CE03	EP INDUSTRIAL & COMMERCIAL PAINTING LTD	4,380.24
CE04	EVERARK WELDTRONICS LTD	1,115 76
CE05	EXPERIAN LTD	510 00
CF00	FASTRACK FASTENERS LTD	368 67
CF01	FH BRUNDLE	416 65
CF02	FINLEX INTERNATIONAL LTD	3,195 78
CF03	FRANKLIN INDUSTRIAL SUPPLIES	2,817.93
CG00	Geoff Couzins CAD Drafting Ltd	264 00
CG01	GM WALKER	11,484.00
CG02	GREEN EDITION LTD	27,150 00
CH04	HM Revenue & Customs - PAYE/NIC	156,459 00
CH03	HM Revenue & Customs - VAT	162,971.00
CH02	HURST PROPERTY MANAGEMENT	26,000 84
CI00	IAN SMITH OFFICE SUPPLIES LTD	1,210 85
CJ00	JACKSONS WORKWEAR RENTAL LTD	396.56
CJ01	JACKTIGHE	946 80
CJ02	JAF GLOBAL FZE	7,000.00
CJ03	JM LANE ENGINEERING	5,006 28
CJ04	Johnson Engineering Consultants	11,365 70
CJ05	JP TRUCK SERVICES	723.96
CJ06	JR WEBSTER & CO LTD	57.22
CK02	KAYVAN RAWLINGS	200 00
CK00	KL NUTS BOLTS & ENGINEERING SUPPLIES LTD	2,281.67
CK01	KNOWLDEN TITLOW INSURANCE BROKERS LTD	5,974 82
CL00	LAMBERTS NORWICH LTD	8,521.75
CL01	LAWTRONIC LTD	4,301.28 333.37
CL02	LISTERS GROUP LTD	154.87
CL03	LKQ COATINGS	1,348.44
CL04	LYNN COMMERICALS 1989 LTD	175 47
CM00	MIDDLETON HEAT TREATMENTS LTD	265.92
CM01	MSC INDUSTRIAL SUPPLY CO	12,989.32
CN00	NATIONWIDE PLATFORMS LTD	5,965.60
CN01	NETWORK	17,145.39
CN02	Newey & Eyre	215 54
CN03	NINE TELECOM LTD	1,080.00
CN04	NJS SAFETY LTD	862.80
CN05	NORD GEAR LTD	4,913 91
CO00	OPTIMA STAINLESS LTD	1,555 20
CO01	OVERTONS COACHPAINTERS LTD	1,937.88
CP00	PEGASUS PROFILES LTD	259 99
CP01	PENNINE TELECOM LTD	2,039.71
CP02	Philip Grahame Int Ltd	237 60
CP04	POLAR SYSTEMS LTD	2,643 17
CP03	PP PLASMA LTD	9,738 44
CP05	PP Profiles PROCOMM SITE SERVICES LTD	1,056.00
CP06		24,192.60
CP07	PROELEK LTD PTSG ELECTRICAL SERVICES LTD	1,014.00
CP08		9,140.00
CQ00	Qinesis marketing Limited Quality NDE Services Limited	8,160.00
CQ01	Anguel Mar activities runted	•

CW Engineering Ltd A5 - Unsecured Creditors Statement of Affairs Figures

Key	Name	£
CR05	R&S VAN HIRE	800.00
CR00	RADWELL INTERNATIONAL UK LTD	370 66
CR01	REDCO LTD	137 14
CR02	Relbon Ltd	360 00
CR03	RESOURCE ENGINEERING SUPPLIES LTD	900.58
CR04	ROFFES TRANSPORT LTD	960.00
CR06	RURAL COMPUTING LTD TA RURAL BROADBAN	39.95
CS00	SAFETY KLEEN UK LTD	390 92
CS01	SAGE SOFTWARE LTD	151 14
CS02	SHAWTON PRECISION MACHINING LTD	2,292 00
CS03	SPEEDY ASSET SERVICES LTD	5,616 59
CS04	ST ELECTRICAL SERVICES	80.00
CS05	ST HELENS COLLEGE	34 00
CS06	STM POWER TRANSMISSION LTD	144 00
CS07	STRATFORDS LTD	538 62
CS08	SYSTEM 3 BUSINESS SOLUTIONS LTD	1,113 60
CT02	T & B BLASTING SERVICES LTD	1,777.22
CT01	TAM ENGINEERING SERVICES LTD	1,047 38
CT03	TESTERMANS	3,018 30
CC0B	The College of West Anglia	3,400.00
CT00	THE NORFOLK WATER COMPANY	177.48
CT04	TIMBOS HAND CAR WASH LTD	316 00
CT06	TM ENGINEERS MIDLANDS LTD	77,018 76
CT05	TMC LIFTING SUPPLIES	249.22
CT07	TRACY TOOLS LTD	21.60
CT08	TYRES KINGS LYNN LTD	1,211.70
CU00	UNITED UTILITIES	108 50
CV00	V & J KNITWEAR LTD	1,449.50
CW00	WALKER RUBBER & PLASTICS LTD	416.69
CW01	Waterside Training	1,368 00
CW02	WATSON PETROLEUM LTD	793 80
CW03	WIXROYD INTERNATIONAL LTD	40.58
CY00	YARMOUTH STEEL SERVICES LTD	7,144 02
133 Ent	tries Totalling	1,082,635.30

^{@ -} Denotes associate creditor

Rule 2 72

Proof of Debt – General Form CW ENGINEERING LTD (IN ADMINISTRATION)

	Date of Administration: 25 March 2015	
1	Name of creditor	
ļ	Co Registration No (if applicable)	
2	Contact No Address of creditor	
3	Total amount of claim, including any value added tax and outstanding uncapitalised interest as at the date of the Company went into administration	£
4	Details of any documents by reference to which the debt can be substantiated (Note any document or evidence to substantiate the daim may be called for)	
5	If the total amount shown above includes value added tax, please show	
	a) amount of value added tax	£
	b) amount of claim NET of value added tax	£
6	If total amount above includes outstanding uncapitalised interest please state amount	£
7	If you have filled in both box 3 and 5, please state whether you are claiming the amount shown in box 3 or the amount shown in box 5(b)	
8	Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under Section 386 of, and schedule 6 to, the Insolvency Act 1986 (as read with schedule 3 to the Social Security Pensions Act 1975)	Amount(s) damed as preferential £
9	Particulars of how and when debt incurred	· ·
10	Particulars of any security held, the value of the security, and date it was given	
11	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	
	Position with or relation to creditor	

Admitted to vote	∙ for

£

Admitted preferentially for

£

Date

Administrator

Admitted non preferentially for

Date Administrator





FRP Advisory LLP
Castle Acres
Everard Way
Narborough
Leicester LE19 1BY
Tel +44 (0)116 303 3333
Fax +44 (0)116 303 3334
www.frpadvisory.com

Registrar of Companies Companies House Crown Way Maindy Cardiff your ref: Company registration number 04239690

our ref: C1696LEI/AO052

date: 29 April 2015

Please ask for Naomi Jordan

Dear Sirs

CF14 3UZ

CW ENGINEERING LTD - (IN ADMINISTRATION) HIGH COURT OF JUSTICE CHANCERY DIVISION BIRMINGHAM DISTRICT REGISTRY NO 8099 OF 2015

I enclose the following for filing:

Form 2.17B; and

Statement of Administrator's Proposals, together with enclosures.

Please acknowledge safe receipt by endorsing the attached copy letter and returning it in the enclosed prepaid envelope

Yours faithfully For and on behalf of CW Engineering Ltd

Christopher John Stirland Joint Administrator

Licensed in the United Kingdom by the Insolvency Practitioners Association

The Joint Administrators act as agents of the Company and without personal liability,

The affairs, business and property of the Company are being managed by Christopher John Stirland and Nathan Jones who were appointed Joint Administrators on 25 March 2015.

Enc.

AO052

Issue 1 30/11/93 QP