

Rule 1 26A/1 54

The Insolvency Act 1986

Notice to Registrar of Companies of
Supervisor's Progress Report

Pursuant 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

04348866

Name of Company

Essex Denture Centre Limited

I / We

Lee De'ath, CVR Global LLP, Town Wall House, Balkerne Hill, Colchester CO3 3AD

Richard Toone, CVR Global LLP, Russell Square House, 10-12 Russell Square,
LONDON, WC1B 5LF

supervisor(s) of a voluntary arrangement taking effect on

18 April 2011

Attach my progress report for the period

18 April 2014

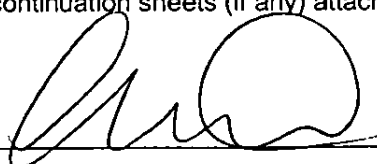
to

April
17 June 2015

Number of continuation sheets (if any) attached

☐

Signed



Date

17/06/2015

CVR Global LLP
Town Wall House
Balkerne Hill
Colchester
Essex
CO3 3AD

Ref ESSE39231/LMD/GP/JP

For Official Use

Insol

Post Room

THURSDAY



A23

A49T4DUA

18/06/2015

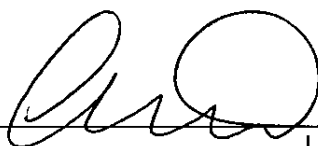
#355

COMPANIES HOUSE

Voluntary Arrangement of Essex Denture Centre Limited

Statement of Affairs		From 18/04/2014 To 17/04/2015	From 18/04/2011 To 17/04/2015
	ASSET REALISATIONS		
51,060 00	Debtor Contributions	10,403 00	36,653 00
	Bank Interest Gross	27 30	84 94
		<u>10,430 30</u>	<u>36,737 94</u>
	COST OF REALISATIONS		
	Specific Bond	NIL	135 00
	Nominees Fee	NIL	2,500 00
	Office Holders Fees	8,800 00	23,150 00
	Postage	12 00	30 17
	Legal Fees (1)	NIL	84 79
		<u>(8,812 00)</u>	<u>(25,899 96)</u>
	UNSECURED CREDITORS		
(138,512 56)	Unsecured Creditors	<u>NIL</u>	<u>NIL</u>
		<u>NIL</u>	<u>NIL</u>
<u>(87,452 56)</u>		<u><u>1,618 30</u></u>	<u><u>10,837 98</u></u>
	REPRESENTED BY		
	Vat Receivable		2 40
	Bank 1 Current		10,835 58
			<u><u>10,837 98</u></u>

Note


 Lee De'ath
 Joint Supervisor

IN THE MATTER OF
ESSEX DENTURE CENTRE LIMITED – UNDER A VOLUNTARY ARRANGEMENT

REPORT OF THE JOINT SUPERVISOR
PURSUANT TO RULE 1.26A(4)
OF THE INSOLVENCY RULES 1986 (AS AMENDED)

CVR Global LLP

Town Wall House
Balkerne Hill
Colchester
Essex
CO3 3AD

Telephone Number: 01206 217900

Fax Number: 01206 763386

E Mail: [jpurser@cvr global](mailto:jpurser@cvr-global.com)

ESSEX DENTURE CENTRE LIMITED – UNDER A VOLUNTARY ARRANGEMENT

TABLE OF CONTENTS

	Page
Introduction	1
Background	1
Receipts and Payments Account	1
Asset Realisations	2
Dividend Prospects	2-3
Costs of Realisation	2
Supervisors' Remuneration & Disbursements	3-4
Charge Out Rates	4
Conclusion	4

Appendices

Appendix 1	Receipts & Payments Account
Appendix 2	Summary of Supervisors' Timecosts & Disbursements
Appendix 3	Chargeout Rates & Disbursements Recovery Policy
Appendix 4	Extracts of 1.55 of the Insolvency Rules 1986 (as amended)

ESSEX DENTURE CENTRE LIMITED – UNDER A COMPANY VOLUNTARY ARRANGEMENT ("THE ARRANGEMENT")

REPORT OF THE JOINT SUPERVISOR

16 JUNE 2015

INTRODUCTION

I, Lee De'ath, of CVR Global LLP ("formerly Chantrey Vellacott DFK LLP"), Town Wall House, Balkerne Hill, Colchester, Essex, CO3 3AD, together with my partner, Richard Toone, was appointed Joint Supervisor of the Arrangement on 18 April 2011

In accordance with Rule 1 26A(4) of The Insolvency Rules 1986 (as amended) I am pleased to present my report on the progress in the Arrangement. This report relates to the period 18 April 2014 to 17 April 2015

BACKGROUND

Creditors may recall that the general terms of the Voluntary Arrangement provided for the following

- Monthly contributions of £750, increasing to £1,354 once bank loan repaid,
- An additional contribution equivalent to 50% of any profit over and above £17,500, and
- Repayment during the period of the Voluntary Arrangement of any outstanding directors loan accounts

Creditors will note that one of the modifications put forward by HM revenue & Customs, required that the arrangement shall not be capable of successful completion until all unsecured, non-preferential creditors claiming in the arrangement have received a minimum of 48p in the £

Copies of the Company's accounts for the periods ended 31 March 2012, 31 March 2013 and 31 March 2014 have now been provided by directors. A review of these accounts indicates that the Company has not made a profit in excess of £17,500 in any period. Therefore no additional contributions are due to the arrangement

We continue to pursue an agreement with the directors in respect of their outstanding loan accounts

RECEIPTS AND PAYMENTS ACCOUNT

An abstract of the Supervisors' Receipts and Payments for the period concerned is attached at Appendix 1

ASSET REALISATIONS**Monthly Contributions**

Under the terms of the Arrangement, the Company is required to make minimum voluntary contributions of £750 per month for a minimum of 60 months. To date, contributions of £35,300 have been received which equates to 47 payments, the 48th payment was received after the statutory period covered by this report. I can further confirm that the 48th contribution was in the sum of £1,354 as detailed above. The Arrangement is currently up to date in respect of this requirement.

Bank Interest Gross

Gross bank interest has accrued on the funds held in the estate account in the sum of £85 of which £27 relates to the period covered by this report.

REPAYMENT OF DIRECTOR LOAN ACCOUNT

In accordance with the proposals, the directors were to repay all sums owed to the Company at the date of commencement of the arrangement in equal instalments over the duration of the arrangement.

To date, no payments have been received from any of the directors against the amounts due to totaling £68,728.

The directors are aware of the amounts due and I am in the process of chasing them for settlement of the same.

DIVIDEND PROSPECTS**Secured Creditors**

The Company has one secured creditor, Lloyds TSB Commercial Finance Limited, which holds a fixed and floating charge created on 1 December 2004. As detailed in the Company's proposals, secured creditors are not bound by the terms of the Voluntary Arrangement.

The proposals allowed for the continued payment of a loan the Company had outstanding at the date of the commencement of the Arrangement. We have been assured by the directors that the loan was settled in February 2015, we have requested copies of the loan accounts statements as evidence of the same.

Preferential Creditors

The Joint Supervisors are not aware of any preferential claims within the meaning of Schedule 6 of the Act and to date the Joint Supervisors have not received any preferential claims.

Unsecured Creditors

Unsecured creditor claims of £88,357 have been received to date compared to total claims of £138,512 in the Company's Statement of Affairs

No distributions have been made to date. A notice of intended dividend will be circulated, under separate cover, to creditors who have yet to make a claim. I therefore anticipate being in a position to declare and pay an interim dividend of between 7-10p in £ by the end of July 2015.

COSTS OF REALISATION

The following costs have been incurred since my appointment as Joint Supervisor

	£
Specific Bond	135
Postage	30
Legal Fees	85
	250

NOMINEE'S FEE

In accordance with the terms of the accepted Proposals, the Nominee's fee of £2,500 has been paid under the Arrangement from the sums received to date.

SUPERVISORS' REMUNERATION AND DISBURSEMENTS

In accordance with the terms of the accepted Proposals, the Supervisors' remuneration will be based on my firm's costs, in addition to drawing Category 2 disbursements.

A summary of the Supervisors' time costs, covering the period since my appointment and the period covered by this report, analysed by grade of staff, are attached at Appendix 2.

In accordance with the Statement of Insolvency Practice 9 issued by the Association of Business Recovery Professionals and adopted by my professional licensing body, I advise that the overall time spent during the period of the administration of the case (18 April 2011 to 17 April 2015) and charge out value of that time is 117.10 hours and £22,544 respectively. This equates to an average hourly charge out rate of £192.52.

In relation solely to the period covered by this report, I advise that the overall time spent and charge out value of that time is 29.30 hours and £6,382 respectively. This equates to an average hourly charge out rate of £217.83 for the period. These figures do not include VAT.

To date, the Joint Supervisors have drawn fees in the sum of £22,050 and disbursements in the sum of £250 of which £7,700 and disbursements in the sum of £12 have been drawn in the period covered by this report.

The work undertaken as Supervisor is derived from the responsibilities placed upon me by the underlying legal and regulatory framework for work of this nature. I have been assisted by the assignment manager and administrator, together with secretarial staff and cashiers. All personnel were charged directly to the assignment for all of the time relating to the case.

I believe this case generally to be of average complexity and no exceptional responsibility has to date fallen upon me as Joint Supervisor.

Disbursements represent the reimbursement of expenses incurred on behalf of the assignment. These are outlined in the summary of Supervisors' timecosts and disbursements attached.

CHARGE OUT RATES

In common with other professional firms, my charge out rates increase from time to time over the period of the administration of the case. I enclose an explanation of office holders charging and disbursement recovery policies for your reference as Appendix 3.

A guide to Insolvency Practitioners' Fees – Voluntary Arrangements, which provides information for creditors in relation to the remuneration of a Supervisor, can be accessed at the website of the Association of Business Recovery Professionals at <http://www.r3.org.uk/index.cfm?page=1210>

Alternatively, I can provide you with a copy on written request.

RIGHT TO REQUEST FURTHER INFORMATION

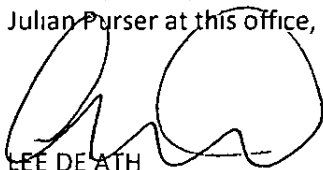
I would draw your attention to Rule 1.55 of the Insolvency Rules 1986 (as amended), the text of which is reproduced at Appendix 4. These Rules set out the circumstances under which creditors may request further information in relation to the Nominees' or Supervisors' remuneration and expenses.

CONCLUSION

The Joint Supervisors will continue to collect the contributions being received from the Company and to obtain an agreement of settlement of outstanding directors loan accounts.

Based on the present position it is anticipated that the Company will fall short of the minimum dividend required under the proposals. We have requested a meeting with the directors to discuss this situation.

Should you require any further information, in addition to that already given, please contact Julian Purser at this office, on 01206 217900.



Joint Supervisor

Licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales

Extracts of Rule 1.55 of The Insolvency Rules 1986 (as amended)

1.55 Provision by nominee or supervisor of information about time spent on a proposal or voluntary arrangement

1.55(1) [Duty of nominee or supervisor to provide statement] A person ("the relevant person") who has acted or is acting as –

- a) a nominee in respect of a proposed voluntary arrangement, or
- b) a supervisor in respect of a voluntary arrangement

must, on request in writing by any person mentioned in paragraph (2), supply free of charge to that person a statement complying with paragraph (3)

1.55(2) [Who may request statement] The persons referred to in paragraph (1) are –

- a) any director of the company,
- b) where the proposal has been approved, any creditor or member of the company in respect of the arrangement

1.55(3) [Period and content of statement] The statement referred to in paragraph (1) –

- a) must cover the period beginning with the date of the appointment of the relevant person as nominee or supervisor, as the case may be, and ending –
 - (i) with the date next before the date of making the request on which the relevant person has completed any period as nominee or supervisor, or both, which is a multiple of 6 months, or
 - (ii) where the relevant person has ceased to act as nominee or supervisor, the date upon which the person so ceased, and
- b) must comprise the following details –
 - (i) the total number of hours spent on the voluntary arrangement by the relevant person whether as nominee or supervisor, or both, and any staff assigned to the voluntary arrangement during that period,
 - (ii) for each grade of individual so engaged, the average hourly rate at which any work carried out by individuals in that grade is charged, and
 - (iii) the number of hours spent by each grade of staff during that period

1.55(4) [Time limit to request statement] No request pursuant to this Rule may be made where more than 2 years has elapsed since the relevant person ceased to act in any capacity in relation to the proposal or any voluntary arrangement arising out of the approval of the proposal

1.55(5) [Time limit for supply of statement] Any statement required to be provided to any person under this Rule must be supplied within 28 days of that date of the receipt of the request by the person required to supply it

ESSEX DENTURE CENTRE CVA - ESSE40142

Time and Chargeout Summary for the period 18/04/2014 to 17/04/2015							
Classification of work function	Hours					Time Cost £	Average hourly rate £
	Partner / Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & Planning	0 30	4 60	5 60	7 30	17 80	3,540 50	198 90
Realisation of Assets	0 00	2 50	1 10	0 00	3 60	926 50	257 36
Creditors	0 00	4 10	3 00	0 00	7 10	1,695 50	238 80
Case Specific Matters	0 00	0 80	0 00	0 00	0 80	220 00	275 00
Total Hours	0 30	12 00	9 70	7 30	29 30	6,382 50	217 83
Total fees Claimed	107 00	3,251 50	2,101 00	923 00	6,382 50		

Category 1 Disbursements	
Type and Purpose	£
Online reporting fee	12 00
	12 00

ESSEX DENTURE CENTRE CVA - ESSE40142

Time and Chargeout Summary for the period to 17/04/2015							
Classification of work function	Hours					Time Cost £	Average hourly rate £
	Partner / Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & Planning	3 50	10 60	44 10	22 50	80 70	14,386 50	178 27
Investigations	0 00	0 50	0 30	0 00	0 80	152 50	190 62
Realisation of Assets	0 00	4 90	1 60	0 00	6 50	1,728 00	265 85
Creditors	1 10	7 40	19 30	0 00	27 80	5,882 50	211 60
Case Specific Matters	0 00	0 80	0 00	0 00	0 80	220 00	275 00
Shareholdings	0 50	0 00	0 00	0 00	0 50	175 00	350 00
Total Hours	5 10	24 20	65 30	22 50	117 10	22,544 50	192 52
Total fees Claimed	1,787 00	6,732 50	11,036 00	2,989 00	22,544 50		

Category 2 Disbursements	
Other amounts paid or payable to the office holder's firm or to any party in which the office holder or his firm or any associate has an interest	
Type and Purpose	£
Courier	18 17
On-Line reporting fee	12 00
Legal Fees	84 79
	114 96

CHARGEOUT RATES & DISBURSEMENTS RECOVERY POLICY

CHARGEOUT RATES AND DISBURSEMENT RECOVERY POLICIES**Chargeout Rates**

In accordance with the provisions of Statement of Insolvency Practice 9 ("SIP 9"), the firm's chargeout rates applicable to this appointment, exclusive of VAT, are as follows

	From 1 January 2015 £ per hour	From 1 August 2013 £ per hour	From 1 August 2011 £ per hour	From 1 August 2010 £ per hour
Partners / Office Holders	370 - 475	350 - 450	350 - 450	350 - 430
Consultants	370 - 475	350 - 450	350 - 450	350 - 450
Directors	340 - 370	325 - 350	325 - 340	320 - 330
Senior Manager	315 - 340	300 - 325	300 - 315	270 - 310
Managers	295 - 315	280 - 295	280 - 295	250 - 280
Assistant Managers	275 - 295	260 - 280	260 - 275	230 - 260
Senior Executive / Analyst	230 - 265	220 - 250	220 - 250	175 - 250
Executive	150 - 190	135 - 180	125 - 175	100 - 170
Cashier	130 - 175	125 - 165	120 - 160	115 - 180
Secretaries / Support / Junior Analyst	85 - 120	80 - 115	80 - 110	70 - 110

Chargeout rates are normally reviewed annually on 1 July when rates are adjusted to reflect such matters as inflation, increases in direct wage costs, and changes to indirect costs such as Professional Indemnity Insurance. It is the firm's policy for the cashier's time spent on an assignment to be charged to the case. However, secretarial and office admin support time is charged only in respect of identifiable blocks of time devoted to the case where we consider it to be viable to do so. All time is recorded in 6 minute units.

Direct expenses ("Category 1 Disbursements")

Category 1 disbursements as defined by SIP 9, which can be specifically identified as relating to the administration of the case will be charged to the estate at cost, with no uplift. These include but are not limited to such items as case advertising, storage, online reporting facilities, bonding and other insurance premiums and properly reimbursed expenses incurred by personnel in connection with the case.

Indirect expenses ("Category 2 Disbursements")

It is our normal practice to also charge the following indirect disbursements ("Category 2 Disbursements as defined by SIP 9) to the case, where appropriate

Circulars to creditors

Plain/headed paper including photocopying	12p per side
Envelopes	12p each
Postage	Actual cost

Room Hire

For the convenience of creditors and to save the cost of booking an outside hotel room, meetings of creditors are occasionally held internally at our offices. Where meetings of creditors are held in one of our internal meeting rooms, a charge of £100 plus VAT is levied to cover the cost of booking the room.

Travel

Mileage incurred as a result of any necessary travelling is charged to the estate at the H M Revenue & Customs approved rate, currently 40p per mile.

All of the above costs are subject to amendment by the firm at any time and if amended will be notified to creditors with the next circular sent to all creditors.

Company Searches & Electronic Verification of Identity

Included in expense and/or disbursements, Company Searches and electronic Verification of Identity include an element of shared costs. Such expenses are of an incidental nature but are generally incurred on each case. In line with the cost of the external provision of such services, a charge of £15 plus VAT is levied to cover the cost of these searches.

EXTRACTS OF 1.55 OF THE INSOLVENCY RULES 1986 (AS AMENDED)

**Voluntary Arrangement of
Essex Denture Centre Limited**

Statement of Affairs		From 18/04/2014 To 17/04/2015	From 18/04/2011 To 17/04/2015
51,060 00	ASSET REALISATIONS		
	Debtor Contributions	10,403 00	36,653 00
	Bank Interest Gross	27 30	84 94
		<u>10,430 30</u>	<u>36,737 94</u>
	COST OF REALISATIONS		
	Specific Bond	NIL	135 00
	Nominees Fee	NIL	2,500 00
	Office Holders Fees	8,800 00	23,150 00
	Postage	12 00	30 17
	Legal Fees (1)	NIL	84 79
		<u>(8,812 00)</u>	<u>(25,899 96)</u>
(138,512 56)	UNSECURED CREDITORS		
	Unsecured Creditors	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<u>(87,452.56)</u>		<u>1,618 30</u>	<u>10,837.98</u>
	REPRESENTED BY		
	Vat Receivable		2 40
	Bank 1 Current		10,835 58
			<u>10,837 98</u>

Note



Lee De'ath
Joint Supervisor