

The Insolvency Act 1986

Administrator's progress report

Name of Company Swift 4U Limited	Company number 06402786
In the High Court of Justice, Chancery Division, Leeds District Registry <small>[full name of court]</small>	Court case number 180 of 2013

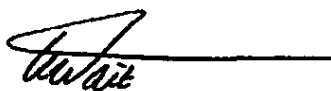
(a) Insert full name(s) and address(es) of administrator(s)

I/We (a) William Matthew Humphries Tait of 2 City Place, Beehive Ring Road, Gatwick, West Sussex, RH6 0PA and Christopher Kim Rayment of 125 Colmore Row, Birmingham, B3 3SD both of BDO LLP

administrator(s) of the above company attach a progress report for the period

(b) Insert date	From (b) 18 August 2013	to (b) 17 January 2014
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Signed



Joint/administrator(s)

Dated

29 January 2014

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 necessary.

BDO LLP, 2 City Place, Beehive Ring Road,	
Gatwick, West Sussex, RH6 0PA	
Our Ref 1/CAS/A/A6	Tel
DX Number	DX Exchange



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A14 21/02/2014 #246

COMPANIES HOUSE

A30PLUA2

A49 31/01/2014 #274

COMPANIES HOUSE

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

FRIDAY



Tel: +44 (0)1293 591000
Fax: +44 (0)1293 591001
www.bdo.co.uk

2 City Place
Beehive Ring Road
Gatwick
West Sussex RH6 0PA

16 December 2013

Our Ref 00001/CAS/Final
Progress Report/A6

Please ask for
Michele Lockyer
01293 591039
Email:michele.lockyer@bdo.co.uk

Progress report to accompany the application to court under Paragraph 79 Schedule B1 of the Insolvency Act 1986.

Dear Sirs

**Swift 4U Limited - In Administration ("S4U")
Swift Services 4U Limited - In Administration ("SS4U")
Together ("the Companies")
Period of this Report: - 18 August 2013 to 16 December 2013**

In accordance with Rules 2.47, 2.110 and 2.114 of the Insolvency Rules 1986, I enclose a progress report, commenting on matters arising during the implementation of the Joint Administrators' approved proposals. This report should be read in conjunction with the Joint Administrators' previous reports to creditors.

This report will represent the final report in the Administrations and will accompany the Joint Administrators applications to Court to exit the Administrations via Compulsory Liquidation.

Please note that it is proposed that the Official Receiver act as Liquidator of both Companies.

1 Statutory Information

The Joint Administrators of both Companies are William Matthew Humphries Tait of BDO LLP, 2 City Place, Beehive Ring Road, Gatwick, West Sussex, RH6 0PA and Christopher Kim Rayment of BDO LLP, 125 Colmore Row, Birmingham, B3 3SD and they were appointed in respect of both the above Companies on 18 February 2013. Under the provisions of paragraph 100(2) of Schedule B1 of the Insolvency Act 1986 the Administrators carry out their functions jointly and severally and neither Administrator has exclusive power to exercise any function.

The Administrators were appointed by Clydesdale Bank Plc ("Clydesdale") being a qualifying floating chargeholder, pursuant to Paragraph 14 of Schedule B1 of the Insolvency Act 1986. The Administration proceedings for both Companies are dealt with in the High Court of Justice, Chancery Division, Leeds District Registry and the Court case numbers for S4U and SS4U are 180 of 2013 and 227 of 2013 respectively.



Both Companies' registered office is situated at 2 City Place, Beehive Ring Road, Gatwick RH6 0PA and the registered numbers of S4U and SS4U are 06402786 and 06489081 respectively.

I enclose, at appendix I, a summary of the statutory information held at Companies House for the Companies.

2 Receipts and Payments (S4U)

I enclose, at appendix II, for your information, an abstract of my receipts and payments for the period from 18 August 2013 to 16 December 2013, showing a balance in hand of £20,812 and report as follows:

2.1 Receipts (S4U)

The receipts shown are largely self-explanatory. In the period net bank interest of £7 was received in respect of the fixed charge administration bank account. A previous receipt of £15,111 in respect of VAT reclaimed by S4U but paid by SS4U has been repaid to SS4U.

2.2 Payments (S4U)

The payments shown are largely self-explanatory. During the period Input VAT has been reclaimed. I would confirm that the distribution to be made to Clydesdale is in accordance with the terms of their security.

3 Receipts and Payments (SS4U)

I enclose, at appendix II, for your information, an abstract of my receipts and payments for the period from 18 August 2013 to 16 December 2013, showing a balance in hand of £70,228, and report as follows:

3.1 Receipts (SS4U)

The receipts shown are largely self-explanatory. The only movement in the period is net bank interest of £174 in respect of the fixed charge administration bank account.

3.2 Payments (SS4U)

The payments shown are largely self-explanatory, although I comment specifically on the following:

3.2.1 Joint Administrators' Fees

Approval has been received from the secured creditors for the Joint Administrators' fees in respect of the Companies for the sum of £170k, inclusive of pre-appointment time costs. All fees have now been drawn.

3.2.2 Distribution to Clydesdale

The sum of £600k has been distributed to Clydesdale in accordance with the terms of their security.

4 Steps taken during the Administrations

4.1.1 Trading during the Administrations

As previously reported, upon the Joint Administrators' appointment it was found that trading was only being conducted from one site, at Cheltenham. The site remained open and continued to trade, but under the control of the Joint Administrators who engaged Highway Stops Retail Limited ("HSRL") to manage the business on their behalf.

A profit & loss account for the Administration period is attached as part of appendix II which I trust is self explanatory. The loss shown is attributed to the costs of the Managing Agents but without this cost the site would not have been able to trade and, as such, would have had to shut down incurring greater cost and achieving a substantially lesser sale value.

4.1.2 Sale of the Companies' Business and Assets

Edward Symmons LLP ran a sale process That led to several offers and ultimately their recommendation that an offer of £900k, with a £50k non-refundable deposit being made with a promise to exchange contracts within 10 working days, be accepted from Global Fuel (UK) Limited. I would confirm that, to the best of the Joint Administrators' knowledge, this company has no connection with any of the directors or shareholders of S4U and/or SS4U. The sale of the freehold premises and business to Global Fuel (UK) Limited as a going concern completed on the 15 July 2013.

4.1.3 Employees

As S4U continued to trade and a sale was effected on a going concern basis, all employees transferred to the new business.

4.1.4 Toll Bar Garage, Lancaster

As previously reported, upon their appointment the Joint Administrators found that SS4U had taken a lease and an Option to Purchase Agreement on a site known as Toll Bar Garage, Lancaster.

Agents were instructed to review and the Joint Administrators were advised that neither had any attributable value. Accordingly, a surrender of the lease was proposed and accepted, and the Option to Purchase Agreement was allowed to lapse

4.1.5 Merton House, Banbury

During the course of their investigations, the Joint Administrators became aware that S4U had entered into a lease for a commercial unit at Merton House, Banbury, and also an Option to Purchase. A rent free period had been agreed to 26 June 2013 where after rent would be payable at £20k p.a. Six months rent deposit had also been given.

Agents were instructed to review and the Joint Administrators were advised that there was no value in either the lease or the Option agreement.

Offers to surrender the lease were made but rejected by the landlord. Accordingly, it is envisaged that the Liquidator of S4U, when appointed, will take steps to disclaim the lease.

4.1.6 Investigations into Directors' Conduct

I previously reported that since my report dated 8 April 2013 no contact had been made with Mr Adam Reiss or any other director of either company. That remains the position. Some books and records appertaining to the Companies have however been retrieved from a third party.

As previously reported, a Bankruptcy Order had been made in respect of Mr Reiss dated 3 April 2012. It is evident that creditors/suppliers were not advised of this by Mr Reiss and that notwithstanding restrictions placed upon him by this Order he continued to sign and contract on behalf of both Companies. Reports have been made to the relevant authorities.

4.2 Steps taken during this reporting period

4.2.1 Joint Administrators' Fees

Approval has been received from the secured creditors for the Joint Administrators' fees in respect of the Companies for the sum of £170k inclusive of pre-appointment time costs of £17,964.50. All fees have been drawn.

4.2.2 Trading

Final trading accounts have been prepared, and all suppliers and obligations have been settled.

4.2.3 Distribution to Clydesdale

The sum of £600k has been distributed to Clydesdale in accordance with the terms of their security, as a payment on account of their indebtedness.

4.2.4 Investigations into Directors' Conduct

With regard to the conduct of the directors, further information has been provided to the relevant authorities as requested. In the meantime, no contact has been had with any of the directors of either Company.

5 Summary of Joint Administrators' proposals

The Joint Administrators' proposed and the creditors approved that.

- (a) They continue to realise assets in accordance with objective 3 of the statutory purpose of the Administrations, and
- (b) they make payments to the secured creditors, and

they exit the Administration by way of dissolving the Companies under paragraph 84 of Schedule B1 of the Insolvency Act 1986, or that they apply to Court to move the Companies into Compulsory Liquidation

NB Under Paragraph 83(7) of Schedule B1 of the Insolvency Act 1986 and Rule 2.117(3) creditors may nominate their own liquidator.

The following resolutions were approved by the secured creditors in respect of remuneration, disbursements and discharge of the Joint Administrators' liability:

- (c) that the pre appointment costs of the Joint Administrators totalling £17,964 50 plus VAT, as set out under Paragraph 11.1 (i) of the proposals dated 8 April 2013, be paid as an expense of either Administration when funds permit;
- (d) the Joint Administrators remuneration will be subject to the approval of the secured and preferential creditors (if any) pursuant to Rule 2 106 (5a) of the Insolvency Rules 1986;and
- (e) That the Joint Administrators be discharged from liability under the Administration per Paragraph 98 of Schedule B1 of the Insolvency Act 1986, 28 days after the Joint Administrators' filing their final report and sending it to creditors

There has been no deviation or amendments to the proposals during the period of each administration.

6. Prospects for Creditors

6.1 Secured Creditors

6.1.1 Clydesdale

As previously reported Clydesdale holds security over both Companies; over S4U by way of a debenture dated 11 February 2008, and over SS4U by way of a debenture dated 11 February 2008 and a legal mortgage over the site at Cheltenham dated 4 April 2008. In addition, S4U also provided Clydesdale with a guarantee for the liabilities of SS4U

At the date of appointment Clydesdale were owed c£1 626m after offsetting a credit balance of c£51k held by S4U under the aforementioned guarantee.

To date the sum of £600,000 has been paid to Clydesdale. Further payments totalling c£80k will be made shortly leaving a substantial shortfall.

6.1.2 Conocophillips ("Conoco")

Conoco has a third party legal charge over the freehold of the site at Cheltenham dated 4 April 2008 and a third party legal charge over the lease at that site also dated 4 April 2008.

As previously reported, Clydesdale and Conoco entered into a deed of priority dated 4 April 2008, the effect of which being that Clydesdale has priority over all the assets of both Companies for the sum of £1.025m.

At the date of appointment Conoco were owed c£150k although a payment has since been made to them by S4U of £37k in settlement of a retention of title claim in respect of wet stock at the site at that time. Accordingly, Conoco's claim now stands at c£113k.

The Joint Administrators believe that Conoco will not receive any further payments in reduction of their indebtedness.

6.1.3 Lloyds TSB Bank Plc ("Lloyds")

Lloyds have a debenture dated 11 February 2008 against S4U. The debenture also conferred an equitable mortgage in favour of Lloyds over the lease at the Cheltenham site.

At the date of appointment Lloyds were owed £92,464 by S4U.

The Joint Administrators believe that there will be no payments to Lloyds in reduction of their indebtedness.

6.2 Preferential creditors

As S4U continued to trade and a sale was effected on a going concern basis, there are no preferential claims against either Company.

6.3 Unsecured non-preferential creditors and the prescribed part

No records of the amounts due to unsecured creditors of either Company were supplied to the Joint Administrators.

Notwithstanding this, the Joint Administrators have received claims which they have noted and will pass to the Liquidator(s) of the Companies when appointed.

It is unlikely that there will be funds available for the non-preferential unsecured creditors of either Company.

Under Section 176A of the Insolvency Act 1986 the Joint Administrators must state the amount of funds available to unsecured creditors in respect of the prescribed part. This provision only applies where a Company has granted a floating charge to a creditor after 15 September 2003.

In the case of both Companies, floating charges were granted after this date. However, taking into account the costs of the Administrations there will be no funds available under the prescribed part for either Company

7 Extensions of the Administration

There have been no extensions of either Administration.

8 Achieving the purpose of the Administrations

I refer creditors to section 6 of my report dated 8 April 2013, which outlined the three statutory purposes of the Administrations.

At that time, for both Companies, it was considered that the third objective of realising property in order to make a distribution to one or more secured or preferential creditors would be achievable. This has been achieved.

9 Future of the Companies

It was proposed that the Companies exit Administration via dissolution, or by way of Compulsory Liquidation should any matters come to light that made this appropriate, as per the Joint Administrators' proposals approved by creditors.

It has become necessary to move the Companies to Compulsory Liquidation in order to disclaim the remaining lease and to enable further investigations to be undertaken into the Companies' affairs and those of their directors.

The Joint Administrators therefore propose making two applications to Court under Paragraph 79, Schedule B1 of the Insolvency Act 1986 (one for each company) for the Administrations to cease to have effect and for the Companies to be wound up by the Court and for the Official Receiver to be appointed as Liquidator of both Companies in accordance with section 140 of the Insolvency Act 1986

The creditors have been notified of the Joint Administrators intention to apply to court in accordance with Rule 2.114(3) and 2.114(4) of the Insolvency Rules 1986. No responses have been received as at the date of this report.

10 Matters to be dealt with in the Liquidation

10.1 Leasehold Property

As previously reported, S4U had entered into a lease for a commercial unit at Merton House, Banbury, and also an Option to Purchase.

Offers to surrender the lease have been made but rejected by the landlord. Accordingly, it is envisaged that the Liquidator of S4U, when appointed, will take steps to disclaim the lease.

10.2 Cooperation with Investigations into Directors Conduct

Further investigations are to be undertaken into the Companies' affairs and those of their directors by the relevant authorities.

11 Pre Administration Costs

With regard to pre-appointment costs, under Rule 2.67A of the Insolvency Rules 1986 certain costs incurred in preparation and planning for the Administration may, with the approval of the creditors, be approved for payment from the Administration estate, as an expense of the Administration. Allowable costs fall into the following categories:-

- (i) the fees charged by the Joint Administrators;
- (ii) the expenses incurred by the Joint Administrators;
- (iii) the fees charged (to the Joint Administrators' knowledge) by any other person qualified to act as an insolvency practitioner

The table below summarises the outstanding costs for which approval was sought and has been received.

	Costs Incurred
(i)	BDO LLP pre appointment time costs of £17,964.50 in respect of both Companies
(ii)	Nil
(iii)	Nil
TOTAL	£17,964.50

12 Joint Administrators' Remuneration

The creditors have already approved the Joint Administrators' remuneration on a time costs basis and to 16 December 2013 costs of £208,159.65 for 826.25 hours at an average charge out rate of £251.93 p/h in respect of S4U and £45,797.3 for 156.5 hours at an average charge out rate of £292.63 p/h in respect of SS4U.

The Joint Administrators' fees are subject to the specific approval of the secured creditors where no distribution will be made to any other class of creditor.

Such approval has been received from all secured creditors for the Joint Administrators to draw the sum of £170k inclusive of their pre-appointment time costs of £17,964.50.

The Joint Administrators have drawn the sum of £170,000, all drawn from SS4U.

In accordance with Statement of Insolvency Practice 9, I attach summaries of time incurred to date by the Joint Administrators and their staff in dealing with the Administrations, appendices III.

There will be additional costs to closure although in accordance with our firm's procedures these will be written off.

Please find enclosed the following:

- A creditors guide to Administrators' fees; and
- Information on the work undertaken in respect of this appointment together with the BDO LLP policy in respect of fees and disbursements.

13 Disbursements

Where disbursements are recovered in respect of precise sums expended to third parties there is no necessity for these costs to be authorised. These are known as category 1 disbursements. I therefore report that since the date of appointment, category 1 disbursements totalling, £100.65 against S4U and £604.60 against SS4U have been paid in respect of mail redirection and statutory bordereaux

Some Administrators recharge expenses for example postage, stationery, photocopying charges, telephone and fax costs, which cannot economically be recorded in respect of a each specific case. Such expenses, which are apportioned to cases, require the approval of the creditors, before they can be drawn, and these are known as category 2 disbursements. The policy of BDO LLP is to charge mileage only as a category 2 disbursement. I therefore report that since the date of appointment, category 2 disbursements totalling £556.14, all attributed to S4U, has been paid in respect of mileage. The Joint Administrators have received approval from the creditors to draw category 2 disbursements.

14 Statement of expenses

During the period, the Joint Administrators have incurred costs as detailed above under Paragraph 12. All time in excess of the £170k (inclusive of pre-appointment time costs of £17,964.50) will be written off.

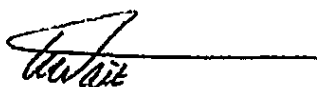
Further costs of £5,500 (exclusive of VAT) have been estimated for each Company in respect of legal fees and disbursements to move the companies into Compulsory Liquidation.

15 Creditors' rights

I provide at the end of this report an extract from the Insolvency Rules 1986 setting out the rights of creditors to request further information and/or challenge the remuneration or fees within the administration.

If you require any further information, please contact Paul Sarling on 01293 591 161.

Yours faithfully
for and on behalf of
Swift 4U Limited and Swift Services 4U Limited



Matthew Tait
Joint Administrator of both Companies

Enc.

William Matthew Humphries Tait and Christopher Kim Rayment were appointed Joint Administrators of both Companies on 18 February 2013. William Matthew Humphries Tait is authorised to act as an Insolvency Practitioner by the Insolvency Practitioners Association and Christopher Kim Rayment is authorised by the Institute of Chartered Accountants in England and Wales. The Administrators act as agents of the Companies and contract without personal liability.

Statement from the Insolvency Rules 1986 (as amended) regarding the rights of creditors in respect of the Joint Administrators' fees and expenses:-

Rule 2.48A Creditors' request for further information

(1) If—

- (a) within 21 days of receipt of a progress report under Rule 2.47—
 - (i) a secured creditor, or
 - (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
- (b) with the permission of the court upon an application made within that period of 21 days, any unsecured creditor, makes a request in writing to the administrator for further information about remuneration or expenses (other than pre-administration costs) set out in a statement required by Rule 2.47(1)(db) or (dc), the administrator must, within 14 days of receipt of the request, comply with paragraph (2)

(2) The administrator complies with this paragraph by either—

- (a) providing all of the information asked for, or
- (b) so far as the administrator considers that—
 - (i) the time or cost of preparation of the information would be excessive, or
 - (ii) disclosure of the information would be prejudicial to the conduct of the administration or might reasonably be expected to lead to violence against any person, or
 - (iii) the administrator is subject to an obligation of confidentiality in respect of the information, giving reasons for not providing all of the information

(3) Any creditor, who need not be the same as the creditor who requested further information under paragraph (1), may apply to the court within 21 days of—

- (a) the giving by the administrator of reasons for not providing all of the information asked for, or
- (b) the expiry of the 14 days provided for in paragraph (1),
and the court may make such order as it thinks just

(4) Without prejudice to the generality of paragraph (3), the order of the court under that paragraph may extend the period of 8 weeks provided for in Rule 2.109(1B) by such further period as the court thinks just

Rule 2.109 Creditors' claim that remuneration or other expenses are excessive

(1) Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4)

(1A) Application may be made on the grounds that—

- (a) the remuneration charged by the administrator,
- (b) the basis fixed for the administrator's remuneration under Rule 2.106, or
- (c) expenses incurred by the administrator,
is or are, in all the circumstances, excessive or, in the case of an application under sub paragraph (b), inappropriate

(1B) The application must, subject to any order of the court under Rule 2.48A(4), be made no later than 8 weeks after receipt by the applicant of the progress report which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").

- (2) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss it without a hearing but it shall not do so without giving the applicant at least 5 business days' notice, upon receipt of which the applicant may require the court to list the application for a without notice hearing. If the application is not dismissed, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly.

Statement from the Insolvency Rules 1986 (as amended) regarding the rights of creditors in respect of the Joint Administrators' fees and expenses (continued):-

Rule 2.109 (continued)

- (3) The applicant shall, at least 14 days before the hearing, send to the administrator a notice stating the venue and accompanied by a copy of the application, and of any evidence which the applicant intends to adduce in support of it
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
- (a) an order reducing the amount of remuneration which the administrator was entitled to charge;
 - (b) an order fixing the basis of remuneration at a reduced rate or amount,
 - (c) an order changing the basis of remuneration,
 - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the administration;
 - (e) an order that the administrator or the administrator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify,
- and may make any other order that it thinks just; but an order under sub paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report.
- (5) Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the administration

Swift 4U Limited and Swift Services 4U Limited
Statutory Information

**Swift 4U Limited
In Administration**

Statutory Information

Company Number: 06402786

Date of Incorporation: 18 October 2007

Address of Registered Office: Cotterills House
125 Cotterills Lane
Saltley
Birmingham
B8 3RZ

Trading Name: Swift 4U

Directors: Adam Ali Reiss

Company Secretary: Adam Ali Reiss

Nominal Share Capital: £100 divided into ordinary shares of £1 each

Registered Shareholders:

Adam Ali Reiss	70
Sajid Asif Ali	30
	<u>100</u>

Mortgage Report:	Creation	Registration	Name of Charge
Clydesdale Bank Plc	11/02/2008	15/02/2008	Debenture
Lloyds TSB Bank Plc	11/02/2008	20/02/2008	Debenture
Conocophillips Limited	04/04/2008	08/04/2008	Legal Charge
David Ronald Back	27/06/2012	03/07/2012	Rent Deposit Deed

**Swift Services 4U Limited
In Administration**

Statutory Information

Company Number: 06489081

Date of Incorporation: 30 January 2008

Address of Registered Office: Cotterills House
125 Cotterills Lane
Saltley
Birmingham
B8 3RZ

Trading Name: Swift Services

Directors: Adam Ali Reiss

Company Secretary: Sajid Asif Ali

Nominal Share Capital: £100 divided into ordinary shares of £1 each

Registered Shareholders:

Adam Ali Reiss	70
Sajid Asif Ali	<u>30</u>
	<u>100</u>

Mortgage Report:	Creation	Registration	Name of Charge
Clydesdale Bank Plc	11/02/2008	15/02/2008	Debenture
Conocophillips Limited	04/04/2008	08/04/2008	Legal Charge
Clydesdale Bank Plc	04/04/2008	08/04/2008	Legal Mortgage



Swift 4U Limited and Swift Services 4U Limited
Abstract Receipts & Payments Account

Swift 4U Limited - In Administration
Joint Administrators' Abstract Receipts and Payments Account
for the Period 18 February 2013 to 16 December 2013

	From 18/02/2013 to 17/08/2013	From 18/08/2013 to 16/12/2013	Cumulative Total	Payments to be made	Anticipated Total
	£	£	£	£	£
RECEIPTS					
Book debts	48,431		48,431		48,431
Cash at Bank	2,624		2,624		2,624
ATM Commission	939		939		939
Interest Gross	18	7	25		25
Refund of VAT paid by SS4U	15,111	(15,111)	0		0
Output VAT	26,292	(26,292)	0		0
	<u>93,415</u>		<u>52,019</u>		<u>52,019</u>
PAYMENTS					
Balance on Profit & Loss Account	27,116	352	27,468		27,468
Mail Redirection	500		500		500
Bank Charges & Interest	3,114		3,114		3,114
Payments on behalf of Swift Services 4U Ltd	1,137	(1,137)	0		0
Statutory Advertising	81		81		81
Corporation tax at Source	5		5		5
Storage of books and records		39	39		39
Input VAT	21,433	(21,433)	0		0
Legal Fees to Exit Administration	0		0	5,500	5,500
Distributions to Secured Creditors Clydesdale	0		0	15,312	15,312
	<u>53,386</u>		<u>31,207</u>		<u>52,019</u>
Balance in Hand	40,029	(19,217)	20,812	(20,812)	0
	<u>93,415</u>		<u>52,019</u>		<u>52,019</u>

Notes to Profit & Loss Account and Receipts and Payment Account

- 1 The Joint Administrators ceased trading on 15 July 2013. No provision has been made for further ROT claims in respect of dry stock. The loss of £27,468 is brought forward to the receipts and payments account.
- 2 Costs of £5,500 have been estimated in respect of legal fees to move the Company into Compulsory Liquidation.
- 3 It is anticipated that a final distribution of £15,312 will be made to Clydesdale.

Swift 4U Limited - In Administration
Joint Administrators' Profit & Loss Account
For the Period 18 February 2013 to 16 December 2013

PROFIT & LOSS ACCOUNT

		From 18/02/2013 to 17/08/2013	From 18/08/2013 to 16/12/2013	Final P&L
	Notes	£	£	£
INCOME				
Fuel Sales		1,290,242		1,290,242
Non fuel Sales		302,482		302,482
ATM Commission		833		833
Lottery		0	631	631
Rent		6,726		6,726
		<u>1,600,283</u>	<u>631</u>	<u>1,600,914</u>
EXPENDITURE				
Managing Agents' Fees		(58,471)		(58,471)
Fuel Purchases		(1,237,273)		(1,237,273)
Dry Stock Purchases		(245,901)	(1,267)	(247,168)
Merchant Services Charges		(12,890)		(12,890)
Licensing Costs		(454)		(454)
Equipment Purchases		(123)		(123)
Repairs & Renewals		(4,425)		(4,425)
Sundry expenses		(533)		(533)
Wages		(36,261)		(36,261)
Drive offs/theft		(260)		(260)
Electricity		(6,238)		(6,238)
Waste Collection		(400)		(400)
Telephone		(863)		(863)
Business Rates		(9,231)	284	(8,947)
Water Rates		(1,744)		(1,744)
Security		(796)		(796)
Insurance		(3,760)		(3,760)
PAYE		(4,530)		(4,530)
Professional Fees		(1,040)		(1,040)
Till over/under		(54)		(54)
Coupons / Vouchers		(1,439)		(1,439)
Stationery and Postage		(212)		(212)
Lottery		(501)		(501)
TRADING PROFIT/(LOSS) c/d	1	<u>(27,116)</u>	<u>(352)</u>	<u>(27,468)</u>

Swift Services 4U Limited - In Administration
Joint Administrators' Abstract Receipts and Payments Account
for the Period 18 February 2013 to 16 December 2013

RECEIPTS	18/02/2013 to 17/08/2013 £	18/08/2013 to 16/12/2013 £	Cumulative Total £	Payments to be made £	Anticipated Total £
Freehold Land & Property	900,000		900,000		900,000
Interest Gross		217	217		217
	<u>900,000</u>		<u>900,217</u>		<u>900,217</u>
PAYMENTS					
Agents' Fees & Disbursements	34,440		34,440		34,440
Legal Fees & Disbursements	22,762		22,762		22,762
Joint Administrators' Fees	25,000	15,860	40,860		40,860
Joint Administrators' Disbursements	0	605	605		605
Joint Administrators' Fees paid on behalf of S4U	75,000	54,140	129,140		129,140
Joint Administrators' Disbursements paid on behalf of S4U	556	100	656		656
Mail Redirection		500	500		500
Insurance	345	638	983		983
Input VAT	31,520	(31,520)	0	0	0
Distributions to Secured Creditors - Clydesdale	0	600,000	600,000	64,728	664,728
Corporation tax at Source	0	43	43		43
Legal Fees to Exit Administration	0		0	5,500	5,500
	<u>189,623</u>		<u>829,989</u>		<u>900,217</u>
Balance in Hand	710,377	(640,149)	70,228	(70,228)	0
	<u>900,000</u>		<u>900,217</u>		<u>900,217</u>

Notes to the Receipts and Payment Account

- 1 Includes pre appointment time costs of £17,964.50
- 2 It is anticipated that a final distribution of £64,728 will be made to Clydesdale
- 3 Costs of £5,500 have been estimated in respect of legal fees to move the Company into compulsory liquidation



Swift 4U Limited and Swift Services 4U Limited
SIP 9 Time Cost Analysis and BDO LLP Policy Statement

Summary of time charged and rates applicable for the period from 18 February 2013 (date of administration) to 18 December 2013

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Swift Services 4 U Limited In Administration

Summary of time charged and rates applicable for the period from 18 February 2013 (date of administration) to 18 December 2013

Description	PARTNER		MANAGER		ADMINISTRATOR		OTHER STAFF		TOTAL FOR PREVIOUS PERIOD		GRAND TOTAL		AVERAGE RATE
	18/02/2013	18/12/2013	18/02/2013	18/12/2013	18/02/2013	18/12/2013	18/02/2013	18/12/2013	18/02/2013	18/12/2013	18/02/2013	18/12/2013	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	£
Steps on Appointment													
Statutory Documentation									7.95	943.70	7.95	943.70	118.54
Attendance at Pre-Sets									9.50	1,831.00	9.50	1,831.00	194.84
Other Matters									16.50	7,441.50	16.50	7,441.50	451.00
Total									33.95	10,215.20	33.95	10,215.20	301.49
Planning and Strategy													
Strategy Planning									7.00	3,439.00	7.00	3,439.00	491.29
Total									7.00	3,439.00	7.00	3,439.00	491.29
General Administration													
VAT			1.00	247.00	1.50	312.00			0.75	142.50	3.25	701.50	215.43
Taxation			0.75	61.75	1.45	301.60					1.70	363.35	213.74
Investigations			2.50	567.50	0.85	176.80			0.25	24.00	3.60	1,668.30	324.53
Conduct Reports									7.60	1,504.15	7.60	1,504.15	197.91
Receipts and Payments			0.10	24.70	2.15	429.80			0.70	131.60	2.95	586.10	193.68
Pensionation Issues					0.20	41.60					0.70	41.60	208.00
Statutory Matters					0.50	104.00			3.00	405.50	3.50	309.50	143.57
General Disclosures					0.15	31.20					0.15	31.20	236.00
General Admin/Correspondence			0.45	111.15	0.55	114.40			1.80	327.00	2.80	452.15	161.63
Maintain Internal Files					1.20	249.60					1.20	340.60	206.00
Total			4.30	1,457.10	6.55	1,761.20			14.10	2,434.75	26.55	5,407.85	208.08
Assets Realisation/Dealing													
Agent Instruction/Listing									12.50	4,850.00	12.50	4,850.00	385.00
Property Related Matters									24.80	5,847.60	24.80	5,847.60	235.79
HP/Leasing Matters									1.50	582.00	1.50	582.00	388.00
Retention of Title													
Sale of Business Assets									5.25	2,504.25	5.25	2,504.25	477.00
Total									44.05	13,783.85	44.05	13,783.85	312.91
Reporting													
Statutory Reporting					5.20	1,081.60			7.00	1,330.00	12.20	2,411.60	197.67
Reporting to Creditors					2.85	592.80					2.85	552.80	208.00
Reporting to Appointor									21.00	7,055.75	21.00	7,055.75	338.04
Other Matters					0.70	145.60					0.70	145.60	208.00
Total					8.75	1,820.00			28.00	8,428.75	34.75	10,243.75	278.63
Obstruction and Closure													
Closure Planning			1.75	619.25	0.35	82.00					2.00	671.25	335.63
Distribution					0.80	166.40					0.80	166.40	208.00
Closure Documentation			4.00	1,316.00							4.00	1,316.00	329.00
Other Matters			1.00	329.00							1.00	329.00	329.00
Total			6.75	2,264.25	1.05	248.40					7.80	2,482.45	318.29
Grand Totals			11.05	3,676.35	18.15	3,799.40			127.10	38,321.55	154.50	45,797.30	292.63

**Swift 4U Limited
Swift Services 4U Limited
- Both In Administration**

William Matthew Humphries Tait of BDO LLP, 2 City Place, Beehive Ring Road, Gatwick, West Sussex, RH6 0PA and Christopher Kim Rayment of BDO LLP 125 Colmore Row Birmingham B3 3SD were appointed Joint Administrators on 18 February 2013.

Attached is information on the work undertaken in respect of this appointment together with the policies of BDO LLP in respect of fees and disbursements for such work. This is submitted in support of the office holders' remuneration.



A report summarising the work undertaken by the Joint Administrators and their staff in dealing with all issues arising in the Administration for the period of this report is attached together with:

- Receipts and payments accounts for the period from 18 August 2013 to 16 December 2013.
- Statement of Insolvency Practice - Analysis of time costs for the period from 18 August 2013 to 16 December 2013.

1) Background to Case

Initial strategy

Prior to their appointment the Joint Administrators had been advised by the appointor, Clydesdale Bank Plc ("Clydesdale"), that the business and assets of the companies covered 5 trading sites.

Accordingly, arrangements were made for all 5 sites to be attended simultaneously upon appointment by staff of the Joint Administrators, together with agents to take immediate inventories of all wet and dry stocks and provide valuations of all business and property, and managing agents to assist the Joint Administrators with assessing ongoing trading.

Upon appointment and attendance at these sites it was found that the companies were only actively trading from one site, that at Cheltenham, and had an interest in only one other, that at Lancaster.

At that point initial valuations provided by Edward Symmons LLP, instructed agents, indicated that value would be maximised by continued trading of the Cheltenham site and a sale as a going concern, and that furthermore, notwithstanding this, there would only likely be a return to the secured creditors, and probably (save for retention of title rights applicable to Conoco) only to Clydesdale as the first secured creditor

With the agreement of the secured creditors, this strategy was pursued.

Given the nature of the business a detailed site survey was undertaken by environmental specialists (Bureau Veritas) to ensure there were no potential contamination or environmental issues that required addressing or could lead to greater claims being made against the companies.

With regard to the site at Lancaster, Edward Symmons LLP reviewed the lease (that was in the name of SS4U) and advised that it had no value nor did the Option to Purchase that that company had also entered into.

Accordingly the lease was surrendered and the Option allowed to lapse.

Current position

The Cheltenham site has been sold as a going concern.
As envisaged, realisations, after costs, only enabled there to be a distribution to Clydesdale.

Significant other aspects arising

Upon their appointment no books and records were available for the Joint Administrators. One meeting was held with Mr Reiss at which limited information was provided. After extensive investigations by the Joint Administrators and their staff it is apparent that a lot of information was withheld.

Such investigations have revealed that

- false accounting was undertaken by the directors, such accounts being provided to Clydesdale, Lloyds Bank Plc, and also filed at Companies House.



- Mr Adam Reiss (a.k.a Adam Ali Reiss) had been the subject of a Bankruptcy Order dated 3 April 2012 which he had failed to advise creditors/suppliers of.
- A further property for which S4U had taken a lease was found; a commercial unit in Banbury. Agents were duly instructed and S4U's interest was advised to be of nil value.

In all the above matters, detailed reports have been provided to the relevant authorities and further information provided to them as requested.

Summary of trading

Upon advice from agents (Edward Symmons LLP) and after receiving confirmation from Bureau Veritas that to do so would not be detrimental, managing agents were instructed to continue trading

This involved ensuring ongoing supplies of wet and dry stock, reviewing trading hours and practices, and that all staff/HR matters were properly dealt with. In this connection a payroll bureau was engaged

Undertakings were given by the Joint Administrators for continued supplies of goods and services as required.

The final trading account shows a loss on trading but this is after charging the managing agents' fees without which, on a "normal" unfettered trading basis would indicate that the site was capable of being profitable.

Effectiveness of the Joint Administrators and their strategy

Notwithstanding the ultimate trading loss recorded, continued trading enabled the higher end of the agents valuation to be achieved.

Other potential assets have been uncovered during the course of the Administrations and these have been properly reviewed and evaluated.

Such work has, however, caused additional time and cost to be incurred by the Joint Administrators, their staff, appointed agents, and solicitors

Initially staffing levels of the Joint Administrators and their agents were set on the basis there were 5 trading/operational sites. This was scaled down when it became apparent the companies only had interest in 2 sites; one of which was trading. The other, which was not, needed securing and safeguarding pending evaluation and a subsequent agreed surrender.

The other investigations undertaken have also proved time consuming on the basis that no assistance has been forthcoming from the directors.

Prior information provided to creditors

All of the above information concerning work undertaken by the Joint Administrators and matters found in the course of their administration have previously been advised to creditors in the Joint Administrator's progress reports dated 8 April 2013 and 9 September 2013.

In addition creditors have been provided with detailed break downs of the Joint Administrators time costs incurred in accordance with SIP 9.

In summary, creditors have been advised that as there will only be a distribution to Clydesdale, Clydesdale (and the other secured creditors) have agreed the Joint Administrators' fees in this matter.



BDO LLP Remuneration and Disbursements Policy

In accordance with best practice I provide below details of policies of BDO LLP in respect of fees and expenses for work in relation to the above insolvency.

The current charge out rates per hour of staff within my firm who may be involved in working on the insolvency follows: This in no way implies that staff at all such grades will work on the case.

GRADE £	
Partner1	451-592
Partner 2	371
Director	387-410
Senior Manager	328-357
Manager	221-295
Assistant Manager	221-279
Senior Executive	188-209
Executive	119-174
Junior Executive	81-99
Trainee	75
Support staff/Secretary	75-128

The rates charged by BDO LLP are reviewed in December and July each year and are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. Units of time can be as small as 3 minutes. BDO LLP records work in respect of insolvency work under the following categories:-

- Pre Appointment
- Steps upon Appointment
- Planning and Strategy
- General Administration
- Asset Realisation/Management
- Trading Related Matters
- Employee Matters
- Creditor Claims
- Reporting
- Distribution and Closure
- Other Issues

Under each of the above categories the work is recorded in greater detail in sub categories. Please note that the 11 categories provide greater detail than the 6 categories recommended by the Recognised Professional Bodies who are responsible for licensing and monitoring insolvency practitioners

Where an officeholder's remuneration is approved on a time cost basis, the time invoiced to the case will be subject to VAT at the prevailing rate.

Where remuneration has been approved on a time costs basis, a periodic report will be provided to any committee appointed by the creditors, or in the absence of a committee, to the creditors. The report will provide a breakdown of the remuneration drawn and will enable the recipients to see the average rates of such costs.

2) Other Costs

Where expenses are incurred in respect of the insolvent estate they will be recharged. Such expenses can be divided into 2 categories.



3) Category 1

This heading covers expenses where BDO LLP has met a specific cost in respect of the insolvent estate where payment has been made to a third party. Such expenses may include items such as advertising, travel (by public transport), couriers, searches at company house, land registry searches, fees in respect of swearing legal documents, external printing costs etc. In each case the recharge will be reimbursement of a specific expense incurred.

A further disbursement under this heading is the cost of travel where staff use either their own vehicles or company cars in travelling connected with the insolvency. In these cases a charge of 40p per mile is raised which is in line with the Inland Revenue Approved Mileage Rates (median - less than 10,000 miles per annum) which is the amount the firm pays to staff

4) Category 2

Additionally some firms recharge expenses for example postage, stationery, photocopying charges, mileage, telephone and fax costs, which cannot economically be recorded in respect of each specific case. Such expenses, which are apportioned to cases, require the approval of the creditors, before they can be drawn, and these are known as category 2 disbursements. Mileage is the only category 2 disbursement which may be charged. Category 2 disbursements, because they are imprecise, require approval by the creditors before they can be drawn.

Mileage under this heading is the cost of travel where staff use either their own vehicles or company cars in travelling connected with the insolvency. In these cases a charge of 45p per mile is raised which is in line with the Inland Revenue Approved Mileage Rates (median - less than 10,000 miles per annum) which is the amount the firm pays to staff.

5) Detail of Work Undertaken

- Treasury Duties.
- Preparation of the six month Progress report
- Finalising the trading position in S4U.
- Providing further information to the relevant authorities regarding the directors conduct
- VAT and Corporation tax returns
- Case reviews and maintaining the paper files and the electronic records concerning the Administrations.
- Preparation of the progress report to support the Joint Administrators application to Court to exit the administration via Compulsory winding up.

6) Conclusion

We trust you have found this report informative regarding the work undertaken in respect of this insolvency. Any issues you may have arising from this report should be directed to: William Matthew Humphries Tait at BDO LLP, 2 City Place, Beehive Ring Road, Gatwick, West Sussex, RH6 0PA