

Rule 1.26

<p>The Insolvency (Northern Ireland) Order 1989 Voluntary Arrangement's Supervisor's Abstract of Receipts and Payments Pursuant to rule 1.26 (2)(b) of the Insolvency Rules (Northern Ireland) Order 1991</p>	<p>R.1.26 (2)(b)</p>
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To the Registrar of Companies

For official use

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Company Number

NI073526

(a) Insert full name of
company

(a) **Hawkes Transport Limited**

(b) Insert full name and
address

I (b) James B Kennedy
of Unit A1, Boucher Business Studios, Glenmachan Place, Belfast, BT12 6QH

(c) Insert date

Supervisor of a Voluntary Arrangement approved on (c)

9th January 2020

present overleaf my abstract of receipts and payments for the period

from

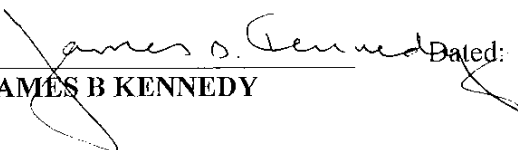
9th January 2022

to

8th January 2023

Number of continuation sheets (if any) attached

Signed:


JAMES B KENNEDY

Dated: **12th JANUARY 2023**

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

James B Kennedy & Co Ltd
Unit A1, Boucher Business Studios
Glenmachan Place, Belfast BT12 6QH

For Official Use

Public Office

Liquidation
Section

Hawkes Transport Limited (CVA)
NI 073526

Abstract

Note

The Receipts and Payments must severally be added up at the foot of each sheet and the totals carried forward from one abstract to another without any intermediate balances so that the gross totals shall represent the total amounts received and paid by the receiver since he was appointed

	£	p
RECEIPTS		
Brought forward from previous Abstract (if any)	15,000	00
Funds introduced	57,000	00
Interest	12	38
	72,012	38
PAYMENTS		
Brought forward from previous Abstract (if any)	11,724	00
Dividends	60,273	51
Interest	14	87
	72,012	38
BALANCE	0	00
Carried forward to (continuation sheet) (next abstract)		

Hawks Transport Ltd

Company Voluntary Arrangement

Annual and Final Report of the Supervisor

In accordance with Rule 1.29 of the insolvency (Northern Ireland) Rules 1991

Date of appointment **9th January 2020**

Date of Report **12th January 2023**

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Receipts & Payments Account

SIP 9 Time Costs Analysis

Introduction

In dealing with insolvency matters I am bound by the ethical code of the Institute of Chartered Accountants in Ireland.

I refer to my appointment as Supervisor of the above Company Voluntary Arrangement at a meeting of creditors held on Thursday 9th January, 2020.

Pursuant to Rule 1.29 of the Insolvency (Northern Ireland) 1991 I write to provide you with my Supervisor's final report on the voluntary arrangement.

Attached at Appendix 1 is my final Receipts & Payments account.

Background

I was appointed Supervisor of a voluntary arrangement proposed by the directors of Hawkes Transport Ltd on 9th January 2020. The company's registered office is 75 Moylagh Rd, Beragh, Omagh, Co, Tyrone, BT79 0UN which is its trading address. In previous reports I have dealt at some length with the recent history of the company and how it found itself in financial difficulties. No useful purpose would be served by reiterating these matters at this time.

Asset Realisations

The director's proposal called for the company to introduce funds of £2,000 per month amounting to a total of £72,000 over 36 months. However, shortly after the commencement of the arrangement the Covid pandemic meant that the company's activities were greatly constrained. As a result of the disruption caused by the pandemic payments to me throughout the period until November 2021 were considerably less than had been anticipated. I was in regular contact with the director and by late 2021 he had recommenced payments at a significant level. However in 2021 one of the company's vehicles was confiscated as a result of a licensing infringement which again resulted in an interruption of payments. Given all these circumstances and the fact that I was in close contact with all of the major creditors I did not fail the arrangement. Notwithstanding all this, in approximately April 2022 HM Revenue & Customs informed me that significant debts had arisen post arrangement. I had been aware that all returns for VAT and PAYE were being made but was unaware that payments were not being made.

As a result I issued a Notice of Breach to the company on the 17th May 2022 giving them 30 days to respond. The director immediately embarked upon a programme of asset realisation which ultimately resulted in the completion of a sale of property in October 2022. At that time sufficient funds were introduced to the arrangement to comply with the director's original proposal. The post arrangement liabilities to HM Revenue & Customs were also discharged.

Dividend

I have now paid dividends to the creditors of 20.16p/£ which is closely in line with the undertaking given in the proposal of 21p/£.

Supervisor's Remuneration

In line with the provisions contained in the proposal I have drawn Nominees and Supervisors fees in the amount of £10,000. I enclose a schedule at Appendix 2 showing the time spent by myself and my staff on the case. This indicates that our time costs in the matter were £18,972 and the excess time costs are to be written off.

A resolution was passed at the meeting of creditors that the Supervisor's remuneration be calculated based upon time properly spent on the Arrangement. Charge out rates which have not changed since the date of my appointment are charged out at hourly rates appropriate to the grade of staff, as shown in the schedule below: -

	Hourly Rate
Grade	£
Partner	250
Senior Case Worker	150
Case workers	80
Secretarial	40

The total fee billed to this case amounts to £10,000 and the breakdown of this is set out below. The majority of time spent has been on the day-to-day administration of the case, including frequent visits to the company's premises for the purposes of monitoring activities, dealing with creditor claims, and the preparation and submission of the reports. A total of 102.4 hours has been charged to this assignment at an average hourly rate of £185.

Duties Undertaken

The work carried out under the headings above includes: -

Administration & Planning

Appointment Notification
Case Set-up
Bonding and insurance
Case Strategy Planning
Review of Options Available
Maintenance of Records
General Administration & Correspondence
Attending to all statutory matters/case closure

Creditors

Classification of claims
Ensuring the Validity of claims
Admitting Unsecured creditor claims
Creditor queries and correspondence
Meetings Reports & Statutory Duties
Holding of annual & Final meetings

Realisation of Assets

Property /Asset Sales

Employee Matters

Dealing with preferential/ unsecured claims
Employee queries and correspondence

Debt Collection

Correspondence with debtors

VAT /Tax

Attending to all HMRC returns and correspondence
Agreement of HMRC final Claim

Investigations

Investigating Transactions

Outlays incurred in this reporting period are as follows: -

Type of expense	Amount incurred in the reporting period £
Statutory advertising	Nil
Misc Expenses	15
Bond	1,724

In addition my office has also dealt with the following matters since my appointment:

- filing of all Statutory notices and advertisements;
- meetings and correspondence with the subject and his advisors; maintenance of records;
- dealing with all issues and queries raised by creditors and creditor correspondence;
- Review of Hawkes Transport records and transactional history;
- In depth investigation of possible connected transactions;
- Preparation and circulation of reports to all creditors.

CREDITORS' RIGHT TO CHALLENGE REMUNERATION AND/OR EXPENSES

Any secured creditor or, unsecured creditor with the support of at least 25% in value of the unsecured creditors or, with leave of the Court, may apply to the Court for one or more orders, challenging the amount or the basis of remuneration which the Supervisor is entitled to charge or otherwise challenging some or all the expenses incurred.

A creditors' guide to Supervisor's fees can be found on our web site at the following address: <http://www.jbkaccountants.com/insolvency-services/>. This guide helps you to understand your rights in relation to the remuneration of the Supervisor. If you would prefer a hard copy contact us at kate@jbkaccountants.com and we can provide one free of charge.

CREDITORS' RIGHT TO REQUEST INFORMATION

Any secured creditor or, unsecured creditor with the support of at least 5% in value of the unsecured creditors or, with leave of the Court, may, in writing, request the Supervisor to provide additional information regarding remuneration or expenses to that already supplied within this document. Such requests must be made within 21 days of receipt of this report

COMPLAINTS

We would hope to be able to resolve the majority of complaints internally. If you have any issues or wish to discuss any areas for improvement, please contact James Kennedy initially. However, if your complaint is not resolved to your satisfaction you have the right to raise any complaint via the Complaints Gateway administered by the Insolvency Service (GB). A complaint can be raised through the Complaints Gateway either in writing to IP Complaints, Insolvency Service, 3rd Floor, 1 City Walk, Leeds, LS11 9DA, by email to ip.complaints@insolvency.gsi.gov.uk or by telephone 0845 602 9848.

GENERAL DATA PROTECTION REGULATIONS

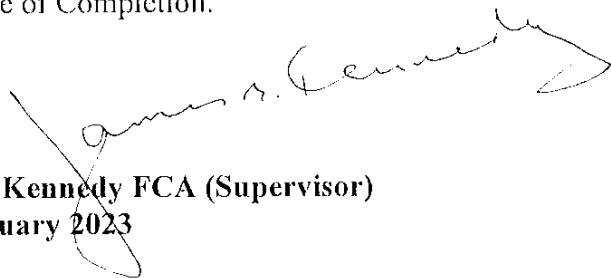
During the course of the period that our company is providing services, you may disclose personal data to us in order that we may comply with our legal duties as Insolvency Practitioner of the Company. The processing of personal data is regulated in the UK by the General Data Protection Regulation EU 2016/679 as supplemented by the Data Protection Act 2018 together with other laws which relate to privacy and communications.

In fulfilling our role as Insolvency Practitioner we act as Data Controllers of your personal data and we are therefore responsible for complying with Data Protection Laws in respect of any personal data we process.

Our Privacy Notice which explains how we hold, process and dispose of your personal data is available on our website - <http://www.jbkaccountants.com/privacy/>.

Conclusion

The company has now fulfilled its obligations under the terms of the proposal within the timeframe originally envisaged, namely three years. I therefore consider that the matter is finalised and enclose a Certificate of Completion.

A handwritten signature in black ink, appearing to read 'James B. Kennedy', with a long, sweeping horizontal line extending to the right.

James B Kennedy FCA (Supervisor)
12th January 2023

HAWKES TRANSPORT LTD (CVA)

SIP 9 for the period ended 08.01.2023

Classification of work function	Practitioners Hrs/ Mins	Manager Hrs/ Mins	Other Senior Professional Hrs/ Mins	Assistants & Support Staff Hrs/Mins	Total Hrs/Mins	Time Cost £	Average Hourly Rate
Pre Appointment	4.4	0	0	0	4.4	1,100.00	250
Case Planning	0	0	0	0	0	-	-
Statutory Reporting & Duties	31.3	4.6	0.3	2	38.2	8,619.00	226
Creditors	3.2	0.7	0	0	3.9	905.00	232
Debtors	0	0	0	0	0	-	-
General	10.1	3.2	0	5.8	19.1	3,237.00	169
Meetings	13.3	2.5	0	0	15.8	3,700.00	234
Assets	0	0	0	0	0	-	-
Employees	0	0	0	0	0	-	-
Investigations	0	0	0	0	0	-	-
Legal Issues	2.3	0.8	0	0	3.1	695.00	224
Bookkeeping	0	0	0	17.9	17.9	716.00	-
Total Hours	64.6	11.8	0.3	25.7	102.4	18,972.00	185
Rate	250.00	150.00	80.00	40.00			
Total Fees Claimed	16,150.00	1,770.00	24.00	1,028.00		£ 18,972.00	
Disbursements						Amount	1,740

HIGH COURT OF JUSTICE IN NORTHERN IRELAND

RE: HAWKES TRANSPORT LTD - CVA

IN THE MATTER OF THE INSOLVENCY ORDER (NORTHERN IRELAND) 1989

CERTIFICATE OF COMPLETION

I James Kennedy, Supervisor of the above arrangement, confirm that there is nothing more to be done under the arrangement as the directors have complied in full with the obligations placed upon them by the proposal as approved by the creditors.

In accordance with Rule 5.32 I now give notice that the arrangement is now deemed to be completed.

Dated: 12th January 2023

Signed:

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