

The Insolvency Act 1986

Statement of administrators' proposals

2.17B

Name of Company TEW (Construction) Limited – In Administration	Company number 3606747
In the High Court of Justice Chancery Division Companies Court	Court case number 1510 of 2004

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

We Tracey Elizabeth Callaghan and Mark Wilson of Baker Tilly of First Floor, 46 Clarendon Road, Watford, Herts WD17 1JJ

attach a copy of our proposals in respect of the administration of the above company.

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

(b) Insert date

22 April 2004

Signed [Signature]
Joint Administrators

Dated 22-4-04

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 be visible to searchers of the public record

Tracey Callaghan of Baker Tilly	
1 st Floor 46 Clarendon Road	
Watford WD17 1JJ	Watford WD17 1JJ
DX Number 4516	DX Number 4516



COMPANIES HOUSE 23/04/04

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



BAKER TILLY

Our ref: TEC/LTC/NAB/TTEWCON
Your ref:

1st Floor
46 Clarendon Road
Watford
Herts WD17 1JJ
Tel: +44 (0)1923 816400
Fax: +44 (0)1923 253402
DX: 4516 Watford - 1
www.bakertilly.co.uk

TO ALL CREDITORS

Neil.barry@bakertilly.co.uk
Direct Line: 01923 657794

22 April 2004

Dear Sirs

TEW (CONSTRUCTION) LIMITED IN ADMINISTRATION

In accordance with paragraphs 49 and 50 of Schedule 16 of the Enterprise Act 2002, I advise that I am calling a meeting of the creditors of the above company to consider the administrators' proposals.


I advise that the meeting will be held on Friday 7 May 2004 at 10.00 am at Watford Moat House, 30-40 St Albans Road, Watford, Hertfordshire WD17 1RN.

The purpose of the meeting is to consider the administrators' proposals, their remuneration and the exit route from the administration. I attach the following documents for your consideration:

- Administrators' proposal and report
- Form 2.20B – notice of administrators' meeting
- Proxy form for administrators' meeting

If you require any additional information, please do not hesitate to contact Neil Barry on the above number.

Yours sincerely
for and on behalf of
TEW (Construction) Limited


NTE Callaghan
Joint Administrator

The joint administrators act as agents of the company and without personal liability

Mark John Wilson is licensed to act as an Insolvency Practitioner by the Association of Chartered Certified Accountants under Registration No. 8612

**IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
COMPANIES COURT**

NO 1510 OF 2004

**IN THE MATTER OF
TEW (CONSTRUCTION) LIMITED
AND
IN THE MATTER OF THE ENTERPRISE ACT 2002**

**JOINT ADMINISTRATORS' PROPOSAL AND REPORT
PURSUANT TO SECTION 49 OF THE ENTERPRISE ACT 2002 AND
RULE 2.33 INSOLVENCY (AMENDMENT)
RULES 2003**

**T E CALLAGHAN & M J WILSON
BAKER TILLY**

JOINT ADMINISTRATORS OF TEW (CONSTRUCTION) LIMITED

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**1. STATEMENT OF PROPOSALS UNDER SECTION 49 OF THE
ENTERPRISE ACT 2002 AND RULE 2.33 OF THE INSOLVENCY
(AMENDMENT) RULES 2003**

T E Callaghan and M J Wilson, partners and licensed insolvency practitioners, of Baker Tilly, 1st Floor, 46 Clarendon Road, Watford, Herts, WD17 1JJ, are the Joint Administrators (the "Administrators") of TEW (Construction) Limited ("the Company"). The purpose of the administration was 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).

The vast majority of the Company's assets were out on site and it was therefore critical that the Administrators were able to take immediate control of the assets. This avoided an interim period whereby the Company would have to wait the statutory limit of 7-21 days to be placed into liquidation.

Therefore, as Administrators, we were able to immediately return all assets that were subject to finance. This has significantly reduced the level of unsecured claims.

Additionally, we have been able to take control of the vehicles that were owned by the Company as well as other plant and equipment located at various sites.

We believe that the purpose of the Administration has now been achieved. Accordingly, we propose that when all of the Company assets have been realised, we apply to the Court for permission to make a distribution to unsecured creditors pursuant to Section 65, Schedule 16 of the Enterprise Act 2002.



T E Callaghan & M J Wilson
Joint Administrators
Baker Tilly
1st Floor
46 Clarendon Road
Watford
Herts
WD17 1JJ

**INFORMATION TO BE ANNEXED TO THE ADMINISTRATORS'
PROPOSALS AS REQUIRED UNDER RULE 2.33 OF THE INSOLVENCY
(AMENDMENT) RULES 2003**

2. JOINT ADMINISTRATORS' APPOINTMENT

The Administrators were appointed by an Order of the High Court on 2 March 2004 following the notice of appointment submitted by the Company directors.

The Administrators exercise all functions jointly and severally as stated in the notice of appointment, Form 2.9B.

3. DIRECTORS AND SECRETARY

The directors of the Company as at 2 March 2004 were as follows:

- Trevor Wright
- Ann Wright
- Kevin Wright
- Peter Baldwin

The Company Secretary is Ann Wright. The Company's registered office was previously at 27 Church Street, Tewkesbury, Gloucestershire GL20 5RH and was changed to c/o Baker Tilly, 1st Floor, 46 Clarendon Road, Watford, Herts, WD17 1JJ on 3 March 2004.

The Company has authorised nominal and issued share capital of 100 ordinary shares.

Attached at Appendix A is a schedule of general and statutory information extracted from the Company's statutory books and records and Companies House, including details of the directors' shareholdings.

**4. EVENTS LEADING UP TO THE APPLICATION FOR THE
ADMINISTRATION**

The Company was incorporated on 30 July 1998 under company number 3606747 and provides general construction and civil engineering works principally laying underground piping.

The Company offices are at leased premises at 2nd Floor, 128 High Street, Tewkesbury, Gloucestershire GL20 5JU. In addition it operated from various sites around South East England.

TEW (CONSTRUCTION) LIMITED
IN ADMINISTRATION

Originally the business was a partnership between Trevor Wright and Ann Wright. At the time of incorporation as a Company, the assets were transferred at net book value.

The Company had four main contracts for the laying of underground gas and water pipes. The largest contract was won approximately two years ago and represented around 60% of turnover. This therefore led to a significant increase in the Company's operations.

The contract was forecast to be profitable, however set up costs were significantly higher than forecast. The increase in set up costs exhausted the Company's cash flow and accordingly it approached Barclays Bank plc for funding. In March 2003 the Bank then granted the Company an overdraft in favour of a fixed and floating charge over the Company assets. Following this additional funding, the costs of the contract still continued to increase and it became difficult to run the contract at a profit.

The directors were aware of the effect of this contract on the overall Company performance and began regular conversations with the Company's auditors in relation to the issues being encountered. In light of the downturn in results, the Company then made contact with Baker Tilly on 9 February 2004 to discuss the Company's financial position.

In February 2004 the directors of the Company decided that trading could not continue and accordingly began to wind down the operations. The intention of this process was to minimise any disruptions on the four contracts, therefore reducing any counter claim from customers against the Company debtors. Additionally, this allowed agreements to be made to ensure that the majority of employees were transferred to the new contractors pre Administration thereby reducing any employee claims in the Administration.

As many of the Company's assets were out on site, the directors agreed a timely return of its assets by the new contractors. Whilst not all assets were recovered, this agreement allowed the Company some comfort that its assets would be returned.

The Company also had approximately 30 vehicles on hire purchase, as well as approximately 35 vehicles on lease agreements. These vehicles have also been returned in a timely manner which has reduced unsecured creditor claims.

Following this the directors issued a Notice of Intention to appoint Administrators. In accordance with Schedule B1, paragraph 22 of the Enterprise Act 2002, the holders of a qualifying floating charge, in this case being Barclays Bank plc, were notified of the application for an Administration Order. In this instance, the Bank consented to the appointment and the Administrators were appointed on 2 March 2004.

Company's Trading History

A summary of the recent management accounts for the 11 months to 2 March 2004, together with the audited accounts for the seven months to 31 March 2003 and the year to 31 August 2002, is as follows:

	12 months to 31-Aug-02 Audited (£)	7 months to 31-Mar-03 Audited (£)	11 months to 02-Mar-04 Management (£)
Turnover	3,557,105	1,931,546	7,926,670
Cost of Sales	(2,753,368)	(1,673,667)	(7,915,112)
Gross Profit	803,737	257,879	11,559
Overheads	(376,412)	(294,424)	(967,314)
Interest	(5,734)	(8,272)	(14,100)
Profit/(loss) before tax	421,591	(44,817)	(969,855)
Taxation	(108,000)	1,638	0
Profit/(loss) after tax	313,591	(43,179)	(969,855)

5. STATEMENT OF AFFAIRS

The directors have prepared a Statement of Affairs supported by a statement of concurrence and have provided us with a copy which is attached as **Appendix B**.

My comments on the directors' statement of affairs is as follows:

- We do not believe that the estimated realisations of assets will be achieved. Whilst there have been some items of plant that were not returned, and we believe that these assets would realise approximately £10,000 - £15,000, the majority of items returned are expected to realise less than their book values.
- Debtors of £771,472 are in the Company records and are estimated to realise £500,000 in the directors' Statement of Affairs. Until we have received the final claim from these debtors it is difficult to comment accurately on this figure but our initial view is that this may be over estimated.

6. ADMINISTRATORS' REMUNERATION

The Administrators' propose to request that creditors consider that the basis of the Administrators' remuneration shall be by reference to the time properly given by the Administrators and their staff, together with the expenses incurred by them, in

TEW (CONSTRUCTION) LIMITED
IN ADMINISTRATION

attending to matters arising in the Administration in accordance with rule 2.106(2)(b). Attached to this report is a guide to Administrators' fees.

In accordance with Statement of Insolvency Practice 9, we enclose a summary of our time costs to date for creditors information. The Administrators costs to date total £21,257.50. Based on all known events to date we do not believe that our costs will exceed £40,000. Accordingly we are now seeking creditor approval for our costs up to a maximum of £40,000 when asset realisations allow. We will provide a full summary of our time costs to creditors in due course.

When the Administrators were approached by the directors for insolvency advice, the directors agreed to pay the Administrators remuneration on a time cost basis for their pre appointment time. At the date of Administration, the Administrators incurred time costs of £12,749. Of this amount, the Company had paid £7,000 pre administration.

During this time, we performed the following work for the Company:

- advice regarding the financial position of the Company;
- advice regarding the different insolvency options available to the Company;
- liaison with the Company's bankers regarding an orderly wind down of operations;
- liaison with the Company hire purchase creditors regarding items of plant and motor vehicles;
- met with the Company's contractors regarding any possible sale or transfer of assets; and
- prepare the administration appointment documents for the Company and file in Court.

The Administrators now propose that the outstanding pre appointment time costs of the Administrators totalling £5,479 be paid from realisations in the Administration.

7. MEETING OF CREDITORS

In accordance with paragraph 51(1) of the Enterprise Act 2002 the Administrators have decided to call a meeting of creditors to consider the Administrators proposals. The meeting will be held at Watford Moat House, 30-40 St Alban's Road, Watford, Hertfordshire WD17 1RN on Friday 7 May 2004 at 10am.

We attach form 2.20B together with a proxy form for your consideration. Please complete the proxy form and return to us by noon on Thursday 6 May 2004.

8. CONDUCT OF THE ADMINISTRATION

The Company had ceased trading when the Administrators were appointed, however nearly all of the physical assets were out on the various sites at which the Company operated.

In the weeks following appointment, the Administrators attempted to recover all of the assets on the Company asset register. The Administrators recovered all hire purchase vehicles and returned these to Barclays Asset Finance. However some plant, namely fusion boxes and moles, have not been returned from their respective sites or were not on the respective vehicles when returned. The Administrators' are currently considering an insurance claim for these assets.

The recovered assets are currently being sold and are expected to realise £11,000 for the benefit of creditors.

The remaining asset of the Company is its debtors. We have instructed Naismiths, Quantity Surveyors, to deal with this matter. Naismiths have reviewed the Company's debtor listing and has contacted each outstanding debtor and advised of our appointment. Each debtor is now preparing a final claim that they may have against the company which they are alleging can be offset against their debt.

At this time, we anticipate debtor realisations in the region of £175,000 to £350,000 and as this is the main asset of the Company, debtor realisations will have a significant impact on the return to unsecured creditors.

As the Company traded profitably in 2001 and 2002, we believe that we can submit a terminal loss claim to the Inland Revenue for the taxation paid during these periods. This claim however can be offset against both Inland Revenue and HM Customs & Excise creditors. Accordingly, whilst there will not be a recovery to distribute, there will be a reduction in the debt to the Crown and therefore an increase in dividend to the remaining unsecured creditors, subject to the debtor realisations mentioned above.

We have discussed the option of a Company Voluntary Arrangement with the Company directors, however as the Company has ceased to trade this option will not be of any benefit to creditors.

The purpose of the Administration was to achieve a better return to creditors than would have been achieved in the event of liquidation. As the Company was placed into immediate Administration, rather than wait the statutory period for liquidation, the Administrators were able to take instant control of the Company assets where possible. Accordingly, the Administrators believe that the purpose has now been achieved and therefore we propose that the Joint Administrators seek the permission of the Court to adjudicate the claims of unsecured creditors and then distribute the funds realised from the sale of the Company assets, when these assets have been realised.

When the asset realisations have been distributed, the Administration will end and the Company will be struck off the company register.

9. ESTIMATED OUTCOME STATEMENT

Please find attached at **Appendix C** the estimated outcome statement for unsecured creditors.

The Company held credit balances at the date of appointment and these funds were used by Barclays Bank in repayment of their loan. Accordingly, the debt under the fixed and floating charge has been paid in full.

As seen from the attached statement, unsecured creditors total £2,356,981 of which £1,623,228 is owed to the Crown. In this Administration, there is no prescribed part for unsecured creditors as there was not an enforceable qualifying floating charge.

Accordingly, we estimate a dividend of approximately 4.8p in the £ based on all known events to date. Additionally, any reduction in the debt to the Crown through a terminal loss claim and any increase in debtor recoveries will improve the estimated dividend.

10. EC REGULATIONS

It is considered that the EC Regulations will not apply. If they do apply, these proceedings will be main proceedings as defined in Article 3 of the EC Regulations because the centre of main interest of the Company are England and Wales.

Date: 22 - 4 - 04



T E Callaghan & M J Wilson
Joint Administrators

Mark John Wilson is licensed to act as an Insolvency Practitioner by the Association of Chartered Certified Accountants under Registration No. 8612

Tracey Elizabeth Callaghan is licensed to act as an Insolvency Practitioner by the Insolvency Practitioners Association under Registration No. 8317

STATUTORY INFORMATION

COMPANY NAME: TEW (Construction) Limited

PRINCIPAL ACTIVITY: General Construction & Civil Engineering

COMPANY NUMBER: 3606747

DATE OF INCORPORATION: 30 July 1998

REGISTERED OFFICE: c/o Baker Tilly
1st Floor
46 Clarendon Road
Watford
Herts
WD17 1JJ

SHARE CAPITAL

AUTHORISED: 100 Ordinary £1 shares

ISSUED: 100 Ordinary £1 shares

SHAREHOLDERS:	No of shares
T Wright	60
A Wright	<u>40</u>
	<u>100</u>

DIRECTORS: Trevor Wright
Ann Wright
Kevin Wright
Peter Baldwin

SECRETARY: Ann Wright

Statement of affairs

Name of Company T E W (Construction) Limited	Company number 3606747
In the High Court of Justice Chancery Division Companies Court [full name of court]	Court case number 1510 of 2004

(a) Insert name and address of registered office of the company

Statement as to the affairs of T E W (Construction) Limited

on the 2 March 2004, the date that the company entered administration.

(b) Insert date

Statement of Truth

I believe that the facts stated in this statement of affairs are a full, true and complete statement of the affairs of the above named company as at 2 March 2004 the date that the company entered administration.

Full name ANN ELIZABETH WRIGHT

Signed 

Dated 13.04.04

A1 – Summary of Liabilities

	Estimated to realise £
Estimated total assets available for preferential Creditors (carried from page A)	£ 610000
Liabilities	
Preferential creditors:-	
Estimated deficiency/surplus as regards preferential creditors	£ 610000
Estimated prescribed part of net property where applicable (to carry forward)	
Estimated total assets available for floating charge holders	£ 610000
Debts secured by floating charges	
Estimated deficiency/surplus of assets after floating charges	£ 610000
Estimated prescribed part of net property where applicable (brought down)	
Total assets available to unsecured creditors	£ 610000
Unsecured non-preferential claims	£ 2397377
Estimated deficiency after floating charge where applicable (brought down)	£ 2397377
Estimated deficiency/surplus as regards creditors	£ (1787377)
Issued and called up capital	£ 100
Estimated total deficiency/surplus as regards members	£ (1787277)

Signature

[Handwritten Signature]

Date

13.04.04

T. E. W. (Construction) Limited
B - Company Creditors

CA00	Actionsshake Ltd	17 Bishops Rd, Stanford Le Hope, Essex, SS17 7HB	110.25
CA01	Ashtead Plant Hire Co. Ltd	102 Dalton Avenue, Birchwood Park, Birchwood, Warrington	62,382.66
CA02	Ashtead Plant Ipswich	Main Road, Westerfield, Ipswich, IP6 9AB	123.38
CA03	ATS Euromaster Ltd	Payments Centre, Heavens Walk, Doncaster Carr, Doncaster	4,469.39
CA04	A&R Bodyworks	Batemans Farm, Mill Lane, Great Leighs, Chelmsford	64.33
CA05	Aurelia Training Ltd	Aurelia Barn, Heath Road, Ixworth, Bury St Edmunds	575.76
CB00	Beaver 84 Ltd	Beaver House, Crompton Close, Basildon, Essex	3,208.84
CB01	British Telecom	BT UK Business Accounts, Providence Row, Durham, DH11BT	1,453.16
CB02	Blythwood Plant Hire Ltd	Station Road Industrial Estate, Whittlesey, Peterborough, PE7 2ER	488.81
CB03	Biffa Waste Services Ltd	Coronation Road, Cressex, High Wycombe, Bucks	6,748.98
CB04	S Brytz	53 Church Lane, Braintree, Essex	200.00
CC00	Callaway Insurance	56 New Writtle Street, Chelmsford, Essex, CM2 0SE	0.00
CC01	Continental Product Eng Ltd	Prospect House, Loddon Industrial Park, Loddon, Norwich	0.00
CC03	G.N. & R.D. Clarke	6a Norfolk List, London, W2 1QN	937.50
CC04	P F Cusack (Tool Supplies) Ltd	Unit 3, No 2 Garman Road, Tottenham, London	38,332.76
CC05	Chelmsford Plant Hire Ltd	Mayes Lane, Sandon, Chelmsford, Essex	697.07
CC06	Collease Truck Rental Ltd	School Lane, Sprowston, Norwich, NR7 8TL	1,252.71
CC07	Collier Truck Builders Ltd	Unit 15, Blackwater Trading Estate, The Causeway, Maldon	70.50
CC08	C & P Partners	Steeplewick, Stansgate Rd, Steeple, Southminster	411.54
CC09	Clive Barford Ltd	Old Mill Lane, Ayleford, Maidstone, Kent	94.00
CC0A	Continental Product Eng Limite	Prospect House, Loddon Industrial Park, Loddon, Norwich	15,639.62
CC0B	Construction Industry Training	Levy, Grant & Debt Recovery, Bircham Newton, Kings Lynn, Norfolk	0.00
CD00	Degnan Utility Services Ltd	Unit 8, Byfleet Industrial Estate, Olds Approach, Watford	80,422.66
CD01	Day Group Ltd	Transport Avenue, Great West Road, Brentford, Middlesex	5,561.81
CE00	Electro Services Ltd	Units 4 & 5, 29 Clophill Road, Maulden, Bedfordshire	360.73
CF00	Fusion Provida Ltd	Smeckley Wood Close, Chesterfield Trading Estate, Chesterfield, S40 9PZ	40,574.22
CG00	Gwinto	The Business Centre, Edward Street, Redditch, Worcestershire	47.00
CG01	Gap Plant & Tool Hire	Carrick House, 40 Carrick Street, Glasgow, G2 8DA	22,650.90
CG02	G B Digger Hire	Woodland Farm, Shorthorn Road, Stratton Strawless, Norwich	0.00
CH00	A W Hayward	1 The Limes, Hill Road, Kemerton, Nr Tewksbury	0.00
CH01	Hauc Ltd	56 Factory Lane, Croydon, Surrey, CR0 3RL	12,621.27
CH02	Howe & Silver	PO Box 16626, London, N1 1WJ	0.00
CH03	HOST & ARCA Training Centre	82 River Road, Barking, Essex, IG11 0DS	522.86
CH04	Hv-Ram Engineering Co Ltd	Pelham Street, Mansfield, Notts, NG18 2EY	7,209.00
CH05	H Siver Transport Ltd	160 Sydenham Road, London, SE26 5JZ	221.31
CI00	Infallible Asphalt Ltd	Durham Wharf, Riverside, London, SE7 7SS	0.00
CI01	Inviga	9 Candy Street, Bow, London, E3 2LH	6,490.82
CI02	Infinite Recruitment	c/o Back Office Support Servis, P O Box 99, Congleton, Cheshire	1,800.00
			20,057.26

Signature _____

Date _____

T E W (Construction) Limited
B - Company Creditors

CI03	Islington Parking Services	PO Box 16780, London, EC1V 9UD	150.00
CJ00	JMW Ltd	The Calibration House, Harlow, Essex, CM18 7NR	2,760.59
CJ01	J P Jones	41 Worsley Chase, March, Cambs, PE15 9DJ	227.00
CK00	Keyline Builders	PO Box 807, Kirkintilloch, Glasgow, G66 1XL	279.88
CK01	Kear & Son Total Utilities Ltd	5 Kitkatts Road, Canvey Island, Essex, SS8 0DW	0.00
CK03	Kart A Way	Essex Regiment Way, Chelmsford, CM3 3PZ	119.00
CK04	Dr A D Kohn	38c Mount Avenue, Ealing, London, W5 2QJ	0.00
CL00	Lowshire Properties	The Old Brickworks, Church Road, Harold Wood, Romford	596.44
CL01	LSUK Ltd	3 Montrose Road, Dukes Park Industrial Estate, Chelmsford, Essex	0.00
CL02	Lloyd's Register EMEA	Utilities Dept, Hiramford, Middlemarch Office Village, Siskin	543.52
CL03	L & S Engineers Ltd	West Coppice Road, Coppice Side Industrial Estate, Brownhills, Walsall	518.17
CL04	Laforge Aggregates	Bradgate House, Groby, Leicester, LE6 0FA	9,301.30
CM00	Miles Drainage	Great Ashfield, Bury St. Edmunds, Suffolk, IP31 3HB	1,175.00
CM01	Moody International Certificat	Salisbury House, Stephenson's Way, Wyvern Business Park, Derby	1,284.18
CM02	M & R Bodyworks	37 Tallon Road, Luton, Brentwood, Essex	2,784.76
CM03	Morrison Specialist Test Team	Old Station Yard, Station Road, Mootown Caistor, Lincolnshire	1,577.96
CM04	Mawsley Machinery Ltd	Scaldwell Road Industrial Esta, Brixworth, Northants, NN6 9UA	1,035.00
CM05	Miscellaneous Suppliers	Dome Waste Transfer Station, Horn Lane, Greenwich, London	21,620.47
CM06	Murphy's Waste Ltd	Unit 7a, Belbrook Business Park, Uckfield, East Sussex	1,263.11
CN00	National Windscreen	Unit 7a, Belbrook Business Park, Uckfield, East Sussex	8,384.05
CO00	O2 (UK) Ltd	Chester Road, Preston Brook, Runcorn, Cheshire	0.00
CO01	Office Angels	The Triangle, 5 Hammersmith Grove, London, W6 0QQ	223.25
CO02	O'Connell Plant & Groundworks	53B Marsh Gate Lane, Stratford, London, E15 2NG	22,106.59
CP00	PHH	PHH Centre, Windmill Hill, Swindon	116.97
CP01	Pirtek (Greenwich)	Unit 6, Creek Road Industrial Estate, 96-124 Creek Road, London	320.78
CP02	Pirtek - Ipswich	20a Riverside Industrial Park, Rapier Street, Ipswich, IP2 8JX	1,615.23
CP03	Partline Express Ltd	Unit 5, Tollgate Business Centre, Theiford Road, Farnham St. Martin	534.04
CP04	Parkes Products Limited	Burrell Way, Thetford, Norfolk, IP24 3QT	2,714.97
CP05	Plant and Site Services	Beech House, Beech Industrial Centre, Porters Wood, St. Albans, Hertfordshire	412.43
CP06	P Flannery Plant Hire (Oval) L	Flannery House, Third Way, Wembley, HA9 0EL	536.70
CP07	P C Utilities (UK) Ltd	R/O 77-83 Maldon Road, Witham, Essex, CM8 1HP	90.20
CP08	Pearpoint Ltd	47 Woolmers Way, Bordon, Hants, GU35 9QE	377.12
CP09	Pipe Equipment Specialists Ltd	66A Dukesway, Teesdale Industry, Thornaby, Stockton-on-Tees	560.08
CR00	Renveg Traffic Management Ltd	Unit 8, Byfleet Industrial Estate, Old Approach, Watford	716.61
CR01	RMC (UK) Ltd	PO Box 104, Thornaby, Stockton-on-Tees, TS17 6WZ	170.90
CR02	Road Haulage Association Ltd	Roadway House, 35 Monument Hill, Weybridge, Surrey	1,371.76
CR03	Reid Motors	Top Farm, Breadlow, Nr Shefford, Bedfordshire	0.20
CS00	Selwood Ltd	Bourmouth Road, Chandlers Ford, Eastleigh, Hampshire	

Date

Signature

T E W (Construction) Limited
B - Company Creditors

Code	Company Name	Address	Amount
CS01	S & B Commercial	Start Hill, Bishops Stortford, Hertfordshire, CM22 7DW	3,307.40
CS02	Staples UK Ltd	PO Box 8422, Birmingham, B19 3RT	3,820.25
CS03	Steve Vick	Unit 4, Pinesway, Ivo Peters Road, Bath	158.86
CS04	Stationary/Art	104-105 High Street, Tewkesbury, Gloucestershire, GL20 5JZ	43.95
CS05	Speedy Space Limited	York House, York Street, Wigan, WN3 4BY	2,445.22
CS06	Suffolk County Council	St. Edmund House, County Hall, Ipswich, Suffolk	1,240.00
CS07	S.A.S.I. Ltd	Leaddon Stables, Orridges Street, Haripur, Gloucestershire	658.00
CS08	Sage (UK) Ltd	Sage House, Benton Park Road, Newcastle-upon-Tyne, NE7 7LZ	2,589.71
CS09	S. G. Smith (Motors) Forest	Hill Ltd, 812 Old Kent Road, London, SE15 1NH	558.60
CS0A	Speedy Hire Centres (Southern)	Northern Way, Bury St. Edmunds, Suffolk, IP32 6NL	9,700.42
CS0B	Speedy Spaces Ltd	York House, York Street, Wigan, WN3 4BY	0.00
CS0C	St Edmundsbury Boro' Council	Finance Dept, PO Box 122, St Edmundsbury Hou, Western Way, Bury St Edmunds	3,012.66
CT00	Travis Perkins	Sales Ledger, PO Box 5221, Northampton, NN5 7ZA	33,257.49
CT01	TLS	Orbit House, Albert Street, Eccles, Manchester	0.00
CT02	T.E.W. Civil Engineering Ltd	Batemans Farm, Batemans Lane, Gt. Leighs, Chelmsford, Essex	305.50
CT03	Toilet Hire UK	Fleet House, Pe Close, Haydock, WA11 9SH	2,021.77
CT04	Trading Spaces	Godbolts Nursery, Coggeshall Road, Marks Tey, Colchester, Essex	111.20
CT05	Tarmac Southern	Churchwood House, Kemble Drive, Swindon, SN2 2TA	125.00
CT06	Transport for London	Congestion Charging, PO Box 2984, Coventry, CV7 8YR	181,671.12
CT07	TEW (Civil Engineering) Limite	2nd Floor Offices, 128 High Street, Tewkesbury, Glos	888.30
CU00	U Mole Ltd	Unit 11, Hardwick Industrial Park, Great Gransden, Cambridgeshire	3,759.10
CU01	Utility Plant Hire	R. Barnett, 154 Elm Road, March, Cambridgeshire	7,839.50
CU02	Utilise Training & Development	Royston Road, Deans Industrial Estate, Livingstone, W Lothian	0.00
CW00	T. Wallace	1 Pekin Street, Poplar, London, E14 6EZ	40,656.69
CW01	K V Wright	53 Peel Road, Chelmsford, Essex, CM2 6AL	458.26
CW02	Wernick Hire Ltd	Molineux House, Russell Gardens, Wickford, Essex	1.18
CW03	M.W. Wright	40 Lister Tye, Chelmsford, Essex, CM2 9LS	416.56
CW04	Wolsey Centers Ltd	PO Box 21, Boroughbridge Road, Ripon, North Yorkshire	9,736.43
CW05	Willhire Vehicle Rentals	The Maitings, Barton Mills, Bury St. Edmunds, Suffolk	1,345.38
CW06	T Wallace	1 Pekin Street, Poplar, London, E14 6EZ	0.00
EB00	Mr Peter Baldwin	2 Street Farm Lane, Ixworth, Suffolk, IP31 2JE	0.00
EB01	Mr Stephen Barker	6 Manor Road, Southminster, Essex CM0 7UG	0.00
EB02	Mr Paul Ballard	34 Morello Close, Norwich, Norfolk, NR4 7NF	0.00
EB03	Mr Alister Bartsch	4 Widford Road, Chelmsford, Essex CM2 9AR	0.00
EL00	Ms Charlene Larnham	25a Broadstreet, March, Cambs PE15 8TP	0.00
ER00	Mr David Russell	The Forge, Chain Bridge, Elm Road, March Cambs PE15 0BH	0.00
ES00	Mr Alfred Seward	31 Newmoor Crescent, Southminster, Essex CM0 7DJ	0.00
EW00	Mr Trevor Wright	27 Telford Place, Chelmsford, Essex CM1 7QZ	0.00

Signature _____ Date _____

T E W (Construction) Limited
B - Company Creditors

EW01	Mr Kevin Wright	53 Peel Road, Chelmsford, Essex CM2 6AL	0.00
EW02	Mr Keith Whitby	35 Elizabeth Terrace, Wisbech, Cambs, PE13 2AQ	0.00
EW04	Mr Samuel Wicks	37 Pines Road, Chelmsford, Essex CM1 2EY	0.00
EW05	Mr Kevin Whitbread	37 Daffodil Way, Springfield, Chelmsford, Essex CM1 6XB	0.00
EW06	Ms Ann Wright	Northcliffe, Westmancote, Glos GL20 7ES	0.00
EW07	Mr Matt Woodman	10 Main Street, Sedgeberrow, Evesham, Worc. WR11 6UF	0.00
		120 Entries Totalling	731,418.01

Signature _____ Date _____

**TEW (Construction) Limited
In Administration**

Estimated Outcome Statement as at 2 March 2004	Book Value (£)	Estimated Realisable (£)
Motor Vehicles Subject to Finance	235,782	212,800
Less: Estimated Liability	(218,439)	(218,439)
	17,343	(5,639)
Volvo Diggers Subject to Finance	129,631	129,631
Less: Liability	(122,839)	(129,631)
	6,792	0
Motor Vehicles	40,110	14,000
Plant and Machinery	131,170	11,000
Fixtures and Fittings	24,558	5,125
Estimated Debtors	771,472	175,000
Cash at Bank	4,082	4,082
Goodwill	250,000	0
Estimated Realisations	1,245,527	203,568
Less:		
Baker Tilly Pre Appointment Remuneration	0	(5,479)
Administrators Remuneration	0	(40,000)
Administrators Disbursements (including wages)	0	(12,500)
Other Professional Fees	0	(22,000)
Estimated Realisations Available to Preferential Creditors	1,245,527	123,589
Estimated Preferential Employee Entitlements	0	(10,000)
Estimated Realisations Available to Unsecured Creditors	1,245,527	113,589
Trade Creditors	(715,614)	(715,614)
Finance Creditors	0	(5,639)
Estimated HM Customs & Excise/Inland Revenue	(1,623,228)	(1,623,228)
Estimated Employee Entitlements	0	(12,500)
Total Creditors	(2,338,842)	(2,356,981)
Estimated Dividend to Unsecured Creditors (p/£)		0.048

Estimated Professional Fees to be paid by the Administrators

	(£)
Debtor Collection	17,500
Agent's Fees	2,500
Legal Fees	2,000
	22,000

1 Introduction

1.1 When a company goes into administration the costs of the proceedings are paid out of its assets. The creditors, who hope eventually to recover some of their debts out of the assets, therefore have a direct interest in the level of costs, and in particular the remuneration of the insolvency practitioner appointed to act as administrator. The insolvency legislation recognises this interest by providing mechanisms for creditors to determine the basis of the administrator's fees. This guide is intended to help creditors be aware of their rights under the legislation to approve and monitor fees and explains the basis on which fees are fixed.

2 The nature of administration

2.1 Administration is a procedure which places a company under the control of an insolvency practitioner and the protection of the court in order to achieve one or more of the following statutory purposes:

- the survival of the company and its business in whole or in part;
- the approval of a company voluntary arrangement;
- the sanctioning of a scheme under section 425 of the Companies Act 1985;
- a better realisation of assets than would be possible in a liquidation.

Administration may be followed by a company voluntary arrangement or liquidation.

3 The creditors' committee

3.1 The creditors have the right to appoint a committee with a minimum of 3 and a maximum of 5 members. One of the functions of the committee is to determine the basis of the administrator's remuneration. The committee is established at the meeting of creditors which the administrator is required to hold within 3 months of the administration order to consider his proposals. The administrator must call the first meeting of the committee within 3 months of its establishment, and subsequent meetings must be held either at specified dates agreed by the committee, or when a member of the committee asks for one, or when the administrator decides he needs to hold one. The committee has power to summon the administrator to attend before it and provide such information as it may require.

4 Fixing the administrator's fees

4.1 The basis for fixing the administrator's remuneration is set out in Rule 2.47 of the Insolvency Rules 1986, which states that it shall be fixed either:

- as a percentage of the value of the property which the administrator has to deal with, or
- by reference to the time properly given by the administrator and his staff in attending to matters arising in the administration.

It is for the creditors' committee (if there is one) to determine on which of these bases the remuneration is to be fixed, and if it is fixed as a percentage fix the percentage to be applied. Rule 2.47 says that in arriving at its decision the committee shall have regard to the following matters:

- the complexity (or otherwise) of the case;
- any responsibility of an exceptional kind or degree which falls on the administrator;
- the effectiveness with which the administrator appears to be carrying out, or to have carried out, his duties;
- the value and nature of the property which the administrator has to deal with.

4.2 If there is no creditors' committee, or the committee does not make the requisite determination, the administrator's remuneration may be fixed by a resolution of a meeting of creditors having regard to the same matters as the committee would. If the remuneration is not fixed in any of these ways, it will be fixed by the court on application by the administrator.

5 What information should be provided by the administrator?

5.1 When seeking fee approval

5.1.1 When seeking agreement to his fees the administrator should provide sufficient supporting information to enable the committee or the creditors to form a judgement as to whether the proposed fee is reasonable having regard to all the circumstances of the case. The nature and extent of the supporting information which should be provided will depend on:

- the nature of the approval being sought;
- the stage during the administration of the case at which it is being sought; and
- the size and complexity of the case.

5.1.2 Where, at any creditors' or committee meeting, the administrator seeks agreement to the terms on which he is to be remunerated, he should provide the meeting with details of the charge-out rates of all grades of staff, including principals, which are likely to be involved on the case.

5.1.3 Where the administrator seeks agreement to his fees during the course of the administration, he should always provide an up to date receipts and payments account. Where the proposed fee is based on

time costs the administrator should disclose to the committee or the creditors the time spent and the charge-out value in the particular case, together with, where appropriate, such additional information as may reasonably be required having regard to the size and complexity of the case. The additional information should comprise a sufficient explanation of what the administrator has achieved and how it was achieved to enable the value of the exercise to be assessed (whilst recognising that the administrator must fulfil certain statutory obligations that might be seen to bring no added value for creditors) and to establish that the time has been properly spent on the case. That assessment will need to be made having regard to the time spent and the rates at which that time was charged, bearing in mind the factors set out in paragraph 4.1 above. To enable this assessment to be carried out it may be necessary for the administrator to provide an analysis of the time spent on the case by type of activity and grade of staff. The degree of detail will depend on the circumstances of the case, but it will be helpful to be aware of the professional guidance which has been given to insolvency practitioners on this subject. The guidance suggests the following areas of activity as a basis for the analysis of time spent:

- Administration and planning
- Investigations
- Realisation of assets
- Trading
- Creditors
- Any other case-specific matters

The following categories are suggested as a basis for analysis by grade of staff:

- Partner
- Manager
- Other senior professionals
- Assistants and support staff

The explanation of what has been done can be expected to include an outline of the nature of the assignment and the administrator's own initial assessment, including the anticipated return to creditors. To the extent applicable it should also explain:

- Any significant aspects of the case, particularly those that affect the amount of time spent.
- The reasons for subsequent changes in strategy.
- Any comments on any figures in the summary of time spent accompanying the request the administrator wishes to make.
- The steps taken to establish the views of creditors, particularly in relation to agreeing the strategy for the assignment, budgeting, time recording, fee drawing or fee agreement.
- Any existing agreement about fees.
- Details of how other professionals, including subcontractors, were chosen, how they were contracted to be paid, and what steps have been taken to review their fees.

It should be borne in mind that the degree of analysis and form of presentation should be proportionate to the size and complexity of the case. In smaller cases not all categories of activity will always be relevant, whilst further analysis may be necessary in larger cases.

5.1.4 Where the fee is charged on a percentage basis the administrator should provide details of any work which has been or is intended to be sub-contracted out which would normally be undertaken directly by an administrator or his staff.

5.2 After fee approval

Where a resolution fixing the basis of fees is passed at any creditors' meeting held before he has substantially completed his functions, the administrator should notify the creditors of the details of the resolution in his next report or circular to them. In all subsequent reports to creditors the administrator should specify the amount of remuneration he has drawn in accordance with the resolution. Where the fee is based on time costs he should also provide details of the time spent and charge-out value to date and any material changes in the rates charged for the various grades since the resolution was first passed. He should also provide such additional information as may be required in accordance with the principles set out in paragraph 5.1.3. Where the fee is charged on a percentage basis the administrator should provide the details set out in paragraph 5.1.4 above regarding work which has been sub-contracted out.

5.3 Expenses and disbursements

There is no statutory requirement for the committee or the creditors to approve the drawing of expenses or disbursements. However, professional guidance issued to insolvency practitioners requires that, where the administrator proposes to recover costs which, whilst being in the nature of expenses or disbursements, may include an element of shared or allocated costs (such as room hire, document storage or communication facilities provided by the administrator's own firm), they must be disclosed and be

authorised by those responsible for approving his remuneration. Such expenses must be directly incurred on the case and subject to a reasonable method of calculation and allocation.

6 What if a creditor is dissatisfied?

6.1 If a creditor believes that the administrator's remuneration is too high he may, if at least 25 per cent in value of the creditors (including himself) agree, apply to the court for an order that it be reduced. If the

court does not dismiss the application (which it may if it considers that insufficient cause is shown) the applicant must give the administrator a copy of the application and supporting evidence at least 14 days before the hearing. Unless the court orders otherwise, the costs must be paid by the applicant and not as an expense of the administration.

7 What if the administrator is dissatisfied?

7.1 If the administrator considers that the remuneration fixed by the creditors' committee is insufficient he may request that it be increased by resolution of the creditors. If he considers that the remuneration fixed by the committee or the creditors is insufficient, he may apply to the court for it to be increased. If he decides to apply to the court he must give at least 14 days' notice to the members of the creditors' committee and the committee may nominate one or more of its members to appear or be represented on the application. If there is no committee, the administrator's notice of his application must be sent to such of the company's creditors as the court may direct, and they may nominate one or more of their number to appear or be represented. The court may order the costs to be paid as an expense of the administration.

8 Other matters relating to fees

8.1 Where there are joint administrators it is for them to agree between themselves how the remuneration payable should be apportioned. Any dispute arising between them may be referred to the court, the creditors' committee or a meeting of creditors.

8.2 If the administrator is a solicitor and employs his own firm to act on behalf of the company, profit costs may not be paid unless authorised by the creditors' committee, the creditors or the court.

TEW (Construction) Limited
237736/700 TEW (Construction) Limited

HOURS SPENT	Partners	Managers	Administrators	Assistants	Total Hours	Total Time Costs
Administration and Planning	3.0	36.9	19.3	14.2	73.4	£8,055.50
Realisation of Assets	3.0	7.7	32.5	0.0	43.2	£4,883.50
Creditors	0.0	10.8	8.6	0.0	19.4	£1,973.00
Case Specific Matters	6.0	14.0	33.3	0.0	53.3	£6,345.50
No Comment / No Activity	0.0	0.0	0.0	0.0	0.0	£0.00
Total hours (post 31/12/2002 - 29/05/2003)	12.0	69.4	93.7	14.2	189.3	£21,257.50
Total time cost (post 31/12/2002 - 29/05/2003)	£3,180.00	£9,022.00	£8,345.50	£710.00	£21,257.50	£21,257.50
Total hours (pre 31/12/2002)						
Total time cost (pre 31/12/2002)						
TOTAL HOURS	1.0	69.4	93.7	14.2	178.3	£21,257.50
TOTAL TIME COST	£3,180.00	£9,022.00	£8,345.50	£710.00	£21,257.50	£21,257.50

**Resolutions to be put forward to the meeting of creditors of TEW
(Construction) Limited held on Friday 7 May 2004.**

1. That the proposed exit route of Administration be approved and the Administrators will then seek the permission of the Court to distribute the Company's asset realisations to unsecured creditors when they are realised.
2. That the remuneration of the Administrators be approved and paid on a time cost basis to a maximum of £40,000 from the realisations of the Company assets.
3. That the outstanding pre appointment time costs of the Administrators totalling £5,479 be paid from the realisations of the Company assets.

T E W (Construction) Limited
(In Administration)

Income And Expenditure Account
To 19/04/2004

	Total
INCOME	£
Motor Vehicles	14,000.00
Cash at Bank	4,082.41
	<hr/>
	18,082.41
	<hr/>
EXPENDITURE	
Repairs & Maintenance	320.00
Stationery, Postage & Photocopying	161.00
Statutory Advertising	85.95
Contracting Fees	1,100.00
Wages & Salaries	6,328.29
PAYE & NI	4,888.07
Bank Charges	20.00
	<hr/>
	12,903.31
	<hr/>
BALANCE	5,179.10
	<hr/> <hr/>
MADE UP AS FOLLOWS	
Vat Receivable	(2,350.78)
Bank 2 Current	7,529.88
	<hr/>
	5,179.10
	<hr/> <hr/>

Notice of a meeting of creditors

Name of Company
TEW (Construction) Limited - In Administration

Company number
3606747

In the High Court of Justice
Chancery Division
Companies Court

Court case number
1510 of 2004

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

Notice is hereby given by Tracey Elizabeth Callaghan and Mark Wilson of Baker Tilly of First Floor, 46 Clarendon Road, Watford, Herts WD17 1JJ

(b) Insert full name and address of registered office of the company

that a meeting of the creditors of TEW (Construction) Limited – In Administration of 1st Floor, 46 Clarendon Road, Watford WD17 1JJ

(c) Insert details of place of meeting

is to be held at Watford Moat House, 30-40 St Alban's Road, Watford, Hertfordshire WD17 1RN

on Friday 7 May 2004 at 10am.

(d) Insert date and time of meeting

The meeting is:

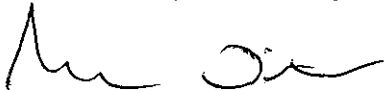
an initial creditors' meeting under paragraph 51 of Schedule B1 to the Insolvency Act 1986 ("the Schedule");

*Delete as applicable

I invite you to attend the above meeting.

A proxy form is enclosed which should be completed and returned to me by the date of the meeting if you cannot attend and wish to be represented.

In order to be entitled to vote under Rule 2.38 at the meeting you must give to me, not later than 12.00 hours on the business day before the day fixed for the meeting, details in writing of your claim.

Signed  _____
Joint Administrator

Dated 22-4-04

* Delete as applicable

A copy of the proposals is attached

Proxy (Administration)
No.8.2 (Rule 8.1)
Notes to help with
completion of the form.

**IN THE MATTER OF TEW (CONSTRUCTION) LIMITED
IN ADMINISTRATION**

AND

IN THE MATTER OF THE INSOLVENCY ACT 1986

(1) Please give full name
and address for
communication.

(1) Name of creditor

Address

(2) Please insert name of
person (who must be 18
or over) or the
"chairman of the
meeting". If you wish to
provide for alternative
proxy-holders in the
circumstances that your
first choice
is unable to attend please
state the name(s) of the
alternatives as well.

(2) Name of proxy-holder

1

2

3

(3) Please delete words
in brackets if the proxy-
holder is only to vote as
directed ie. he has no
discretion.

I appoint the above person to be my/the creditor's proxy-holder at the meeting of creditors to be held on Friday 7 May 2004, or at any adjournment of that meeting. The proxy holder is to propose or vote as instructed below (3) (and in respect of any resolution for which no specific instruction is given, may vote or abstain at his/her discretion).

(4) Please delete as
appropriate.

Voting instructions for resolutions

1. For the **acceptance/rejection** of the administrator's proposals as circulated
2. For the appointment of
of
representing
as a member of the creditors' committee.
3. For the **acceptance/rejection** of the Administrators' Fees on a time cost basis as detailed in the proposal.

(5) This form must be
signed.

(5) Signature

Date

20

Name in CAPITAL LETTERS

(6) Only to be completed
if the Creditor has not
signed in person.

**(6) Position with creditor or relationship to creditor or other authority
for signature**

Remember: there may be resolutions on the other side of this form.

PROOF OF DEBT - GENERAL FORM

In the matter of **TEW (CONSTRUCTION)LIMITED**
In Administration
and in the matter of The Insolvency Act 1986

Date of Administration Order 2 MARCH 2004

1.	Name of Creditor	
2.	Address of Creditor	
3.	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation (see note)	£
4.	Details of any document by reference to which the debt can be substantiated. [Note the liquidator may call for any document or evidence to substantiate the claim at his discretion]	
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 box 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)	Category Amount(s) claimed as preferential £
9.	Particulars of how and when debt incurred.	
10.	Particulars of any security held, the value of the security, and the 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

£

Date

Administrator

Admitted preferentially for

£

Date

Administrator

Admitted non-preferentially for

£

Date

Administrator