

Liquidator's Progress Report

S.192

Pursuant to Sections 92A and 104A and 192
of the Insolvency Act 1986

To the Registrar of Companies

Company Number

03616068

Name of Company

Premier Waste Management Limited

I / We

Jonathan Charles Marston, 1 Sovereign Square, Sovereign Street, Leeds, LS1 4DA

Howard Smith, 1 Sovereign Square, Sovereign Street, Leeds, LS1 4DA

the liquidator(s) of the company attach a copy of my/our Progress Report
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 01/07/2015 to 30/06/2016

Signed



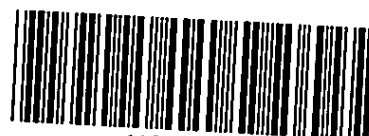
Date

26 August 2016

KPMG LLP
1 Sovereign Square
Leeds
LS1 4DA

Ref PD626D4156/SJ/CMC/LR/SR

WEDNESDAY



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COMPANIES HOUSE

Premier Waste Management Limited
(In Liquidation)
Liquidators' Abstract of Receipts & Payments

Statement of Affairs	From 01/07/2015 To 30/06/2016	From 01/07/2013 To 30/06/2016
ASSET REALISATIONS		
	NIL	74,224 90
Accrued income	NIL	1,949 45
Funds due to third parties	NIL	366 77
Funds due to Supervisor	NIL	226,510 11
231,542 00 Book debts	NIL	29,782 13
19,955 00 Cash at bank	NIL	332,833 36
OTHER REALISATIONS		
	17 75	1,407 49
Bank interest, gross	470 58	960 70
Bank interest, net	NIL	833 91
Sundry refunds	488 33	3,202 10
COST OF REALISATIONS		
	NIL	2,290 00
Statement of affairs work	NIL	6,232 00
Section 98 costs	145,000 00	145,000 00
Liquidator's fees	NIL	19,523 00
Legal fees	NIL	358 50
Legal disbursements	91 73	981 97
Storage costs	NIL	195 00
Re-direction of mail	84 60	631 93
Statutory advertising	NIL	366 77
Funds paid to Supervisor	NIL	593 30
Funds paid to third parties	(145,176 33)	(176,172 47)
UNSECURED CREDITORS		
(331,101 00) Trade & expense	13,950 24	13,950 24
(39,929 00) Employees	637 46	637 46
(339,377 00) HMRC Landfill tax	NIL	NIL
(653 00) Finance lease	4,006 78	4,006 78
(296,888 00) Barclays Mercantile	7,165 92	7,165 92
(185,531 00) Connected companies	5,151 79	5,151 79
(9,394 00) Corp tax etc/nonpref PAYE	NIL	NIL
(97,314 00) Other creditors	NIL	NIL
(158,478 00) Operating lease liabilities	NIL	NIL
(2,500,000 00) Pension Scheme liability	106,557 60	106,557 60
	(137,469 79)	(137,469 79)
DISTRIBUTIONS		
(500,000 00) Ordinary shareholders	NIL	NIL
	NIL	NIL
(4,207,168 00)	(282,157.79)	22,393 20
REPRESENTED BY		
		34,926 45
VAT receivable		17,393 20
Current account		(14,844 96)
VAT payable		(15,081 49)
Floating ch VAT control		



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Premier Waste Management Limited - in Liquidation

Joint Liquidators' progress report for the
period 1 July 2015 to 30 June 2016

26 August 2016

Notice to creditors

This report provides an update on the liquidation of the Company

We have included (Appendix 2) an account of all amounts received and payments made during the period of 1 July 2015 to 30 June 2016, including the cumulative receipts and payments since the date of our appointment

We have also explained our future strategy for the liquidation and how likely it is that we will be able to pay each class of creditor

You will find other important information in this report such as the costs which we have incurred to date

A glossary of the abbreviations used throughout this document is attached (Appendix 5)

Finally, we have provided answers to frequently asked questions and a glossary of insolvency terms on the following website, <http://www.insolvency-kpmg.co.uk/case+KPMG+PD626D4156.html> We hope this is helpful to you

Please also note that an important legal notice about this report is attached (Appendix 6)




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1 Executive summary

- This progress report covers the period from 1 July 2015 to 30 June 2016
- Asset realisations in the period relate to interest received (Section 2 - Progress to date)
- We are not aware of any secured claims against the Company (Section 3 - Dividend prospects and dividends paid)
- We are not aware of any preferential claims against the Company (Section 3 - Dividend prospects and dividends paid)
- A first and final dividend to unsecured creditors of 3.48p in the pound was declared on 18 November 2015 and paid during the period (Section 3 - Dividend prospects and dividends paid)
- Please note you should read this report in conjunction with any previous reports issued to the Company's creditors
- Unless stated otherwise, all amounts in this report and appendices are stated net of VAT



Howard Smith
Joint Liquidator

2 Progress to date

This report covers the period from 1 July 2015 to 30 June 2016. However, please refer to previous reports where information has previously been disclosed.

This section updates you on our strategy for the liquidation and on our progress to date. It follows the information provided in our previous reports.

2.1 Strategy and progress to date

As you are aware, I was appointed Joint Liquidator of the Company together with Mark Firmin at the meetings of the Company's members and creditors held on 1 July 2013. The Company was part of a group, with Durham County Waste Management Company Limited being its parent company. I was also appointed Joint Liquidator of DCWM together with Mark Firmin on 1 July 2013.

Prior to the CVLs, both companies were subject to CVAs which were interlocking and conditional on the approval of one another.

Please note that on 29 July 2016 an order was made in the High Court appointing Jonathan Charles Marston as Joint Liquidator of the Company in place of Mark Granville Firmin, following Mr Firmin's resignation from KPMG LLP.

In accordance with the order, creditors were given notice of the replacement of Mr Firmin, as Joint Liquidator, by advertisement in the London Gazette.

2.2 Asset realisations

Realisations during the period are set out in the attached receipts and payments account (Appendix 2).

Summaries of the most significant realisations during the period are provided below.

Interest received

No assets have been realised in the period other than bank interest of £488. To date, total gross interest of £2,368 has been received on funds held in the Liquidators' bank accounts.

2.3 Costs

Payments made in this period are set out in the attached receipts and payments account (Appendix 2).

Liquidator's fees

The Joint Liquidators have drawn fees of £145,000, during the period of this report, in relation to time costs incurred, as detailed in Section 4 of this report.

Other costs

In addition, storage costs of £92 have been paid during the period for storing the Company's books and records, and £85 has been paid in relation to statutory advertising.



2.4 Schedule of expenses

We have detailed the costs incurred during the period, whether paid or unpaid, in the schedule of expenses attached (Appendix 3)

Summaries of the most significant expenses, which have been incurred in the period but have not yet been paid, are provided below

Joint Liquidators' remuneration

We have accrued time costs of £20,668 during the period, which have not been drawn

Storage costs

In addition to the storage costs incurred above, we have accrued £100 in relation to estimated further costs for storing the Company's books and records during the period



3 Dividend prospects and dividends paid

3.1 Secured creditors

We are not aware of any secured claims against the Company

3.2 Preferential creditors

Claims from employees in respect of (1) arrears of wages up to a maximum of £800 per employee, (2) unlimited accrued holiday pay and (3) certain pension benefits, rank preferentially

As previously reported we are not aware of any preferential claims against the Company

3.3 Unsecured creditors

The Director's Statement of Affairs estimated that unsecured creditors totalled £3,958,665

As you are aware, the CVA Proposal stated that the distribution to creditors in the CVA will be in full and final settlement of 80% of each creditor's claim, allowing the creditors of the CVL to vote and prove for the remaining 20% in the liquidation

On 18 November 2015 a first and final dividend to unsecured creditors of 3.48p in the pound, totalling £137,470, was declared. In accordance with the CVA Proposal the distribution in the CVL was calculated on 20% of claim value.

Claims admitted totalled £19,566,352, which is £3,950,281 at 20% of the claim value.

One claim remains yet to be agreed and will be progressed once it has been resolved in the CVA.

Based on current estimates, we anticipate that there will not be sufficient funds to enable a further dividend to the unsecured creditors.

4 Joint Liquidators' remuneration and disbursements

At a meeting of creditors held on 1 July 2013 the creditors passed a resolution providing approval that

- our remuneration will be drawn on the basis of time properly given by us and the various grades of our staff according to the charge-out rates included in Appendix 4,
- disbursements for services provided by KPMG (defined as Category 2 disbursements in Statement of Insolvency Practice 9) will be charged in accordance with KPMG's policy as set out in Appendix 4,
- that the charge out rates applied during the liquidation be the KPMG LLP standard charge out rates with a 20% reduction applied

Time costs

During the period from 1 July 2015 to 30 June 2016 we have incurred time costs of £20,668, this is inclusive of the 20% reduction in the KPMG LLP standard charge out rates. This represents 88 hours at an average rate of £235 per hour

Remuneration

During the period, we have drawn remuneration of £145,000

Disbursements

During the period, we have not incurred any disbursements

Additional information

We have attached (Appendix 4) an analysis of the time spent, the charge-out rates for each grade of staff and the expenses paid directly by KPMG for the period from 1 July 2015 to 30 June 2016. We have also attached our charging and disbursements policy

5 Future strategy

5.1 Future conduct of the liquidation

The following matters are still ongoing in the liquidation

- the CVL must remain open until all assets of the CVA have been realised and the funds distributed. The CVA has been extended to allow the Company to pursue a landfill tax claim,
- processing and payment of the first and final dividend on the unsecured claim not yet agreed,
- payment of final liquidation costs and Liquidator's fees, and
- closure formalities

5.2 Future reporting

We will report again on the progress of this liquidation by 30 August 2017 or in the draft final report if matters have been concluded earlier



Appendix 1 Statutory information

Company information

Company name	Premier Waste Management Limited
Previous company names if applicable	Capitol Waste Management Limited
Date of incorporation	14 August 1998
Company registration number	03616068
Previous registered office	Prospect House, Aykely Heads Business Centre, Aykely Heads, Durham, DH1 5TS
Present registered office	KPMG LLP, Quayside House, 110 Quayside, Newcastle-upon-Tyne, NE1 3DX
Trading address	Prospect House, Aykely Heads Business Centre, Aykely Heads, Durham, DH1 5TS
Nature of business	Waste Management

Liquidation information

Appointed by	Members and creditors pursuant to Section 98 of the Insolvency Act 1986
Date of appointment	1 July 2013
Joint Liquidators' details	Jonny Marston and Howard Smith
Joint Liquidators' address	KPMG LLP, 1 Sovereign Square, Sovereign Street, Leeds, LS1 4DA
EC Regulations	EC Regulations apply and these proceedings will be the Main Proceedings as defined in Article 3 of the EC regulations



Appendix 2 Joint Liquidators' receipts and payment account

Premier Waste Management Limited - in Liquidation

Abstract of receipts & payments

Statement of affairs (£)		From 01/07/2015 To 30/06/2016 (£)	From 01/07/2013 To 30/06/2016 (£)
ASSET REALISATIONS			
	Accrued income	NIL	74,224 90
	Funds due to third parties	NIL	1,949 45
	Funds due to Supervisor	NIL	366 77
231,542 00	Book debts	NIL	226,510 11
19,955 00	Cash at bank	NIL	29,782 13
		NIL	332,833 36
OTHER REALISATIONS			
	Bank interest, gross	17 75	1,407 49
	Bank interest, net	470 58	960 70
	Sundry refunds	NIL	833 91
		488 33	3,202 10
COST OF REALISATIONS			
	Statement of affairs work	NIL	(2,290 00)
	Section 98 costs	NIL	(6,232 00)
	Liquidator's fees	(145,000 00)	(145,000 00)
	Legal fees	NIL	(19,523 00)
	Legal disbursements	NIL	(358 50)
	Storage costs	(91 73)	(981 97)
	Re-direction of mail	NIL	(195 00)
	Statutory advertising	(84 60)	(631 93)
	Funds paid to Supervisor	NIL	(366 77)
	Funds paid to third parties	NIL	(593 30)
		(145,176 33)	(176,172 47)
UNSECURED CREDITORS			
(331,101 00)	Trade & expense	(13,950 24)	(13,950 24)
(39,929 00)	Employees	(637 46)	(637 46)
(339,377 00)	HMRC Landfill tax	NIL	NIL
(653 00)	Finance lease	(4,006 78)	(4,006 78)
(296,888 00)	Barclays Mercantile	(7,165 92)	(7,165 92)
(185,531 00)	Connected companies	(5,151 79)	(5,151 79)
(9,394 00)	Corp tax etc/nonpref PAYE	NIL	NIL
(97,314 00)	Other creditors	NIL	NIL



Premier Waste Management Limited - in Liquidation

Abstract of receipts & payments

Statement of affairs (£)		From 01/07/2015 To 30/06/2016 (£)	From 01/07/2013 To 30/06/2016 (£)
(158,478 00)	Operating lease liabilities	NIL	NIL
(2,500,000 00)	Pension Scheme liability	(106,557 60)	(106,557 60)
		(137,469 79)	(137,469 79)
DISTRIBUTIONS			
(500,000 00)	Ordinary shareholders	NIL	NIL
		NIL	NIL
(4,207,168 00)		(282,157 79)	22,393 20
REPRESENTED BY			
	VAT receivable		34,926 45
	Current account		17,393 20
	VAT payable		(14,844 96)
	Floating ch VAT control		(15,081 49)
			22,393 20



Appendix 3 Schedule of expenses

Schedule of expenses (01/07/2015 to 30/06/2016)

Expenses (£)	Incurred and paid in the period (£)	Incurred in the period not yet paid (£)	Total (£)
Cost of realisations			
Liquidator's fees	145,000 00	20,668 00	165,668 00
Storage costs	91 73	100 00	191 73
Statutory advertising	84 60	0 00	84 60
TOTAL	145,176 33	20,768.00	165,944 33

Requests for further information and right to challenge our remuneration and expenses

Creditors' requests for further information

If you would like to request more information about our remuneration and expenses disclosed in this report, you must do so in writing within 21 days of receiving this report

Requests from unsecured creditors must be made with the concurrence of at least 5% in value of unsecured creditors (including the unsecured creditor making the request) or with the permission of the Court

Creditors' right to challenge our remuneration and expenses

If you wish to challenge the basis of our remuneration, the remuneration charged, or the expenses incurred during the period covered by this report, you must do so by making an application to Court within eight weeks of receiving this report

Applications by unsecured creditors must be made with concurrence of at least 10% in value of unsecured creditors (including the unsecured creditor making the challenge) or with the permission of the Court

The full text of the relevant Rules can be provided on request by writing to Clare McCain at KPMG LLP, KPMG LLP, Quayside House, 110 Quayside, Newcastle upon Tyne, NE1 3DX



Appendix 4 Joint Liquidators' charging and disbursements policy

Joint Liquidators' charging policy

The time charged to the liquidation is by reference to the time properly given by us and our staff in attending to matters arising in the liquidation. This includes work undertaken in respect of tax, VAT, employee, pensions and health and safety advice from KPMG in-house specialists.

Our policy is to delegate tasks in the liquidation to appropriate members of staff considering their level of experience and requisite specialist knowledge, supervised accordingly, so as to maximise the cost effectiveness of the work performed. Matters of particular complexity or significance requiring more exceptional responsibility are dealt with by senior staff or us.

A copy of "A Creditors' Guide to Joint Liquidators' Fees" from Statement of Insolvency Practice 9 ('SIP 9') produced by the Association of Business Recovery Professionals is available at <https://www.r3.org.uk/what-we-do/publications/professional/fees/liquidators-fees>

If you are unable to access this guide and would like a copy, please contact Clare McCain on 0191 4013867

Hourly rates

Set out below are the relevant charge-out rates per hour worked for the grades of our staff actually or likely to be involved on this liquidation. Time is charged by reference to actual work carried out on the liquidation.

All staff who have worked on the liquidation, including cashiers and secretarial staff, have charged time directly to the liquidation and are included in the analysis of time spent. The cost of staff employed in central administration functions is not charged directly to the liquidation but is reflected in the general level of charge-out rates.

Charge-out rates (£) for: Restructuring

Grade	From 01 Oct 2014 £/hr	From 01 Oct 2015 £/hr
Partner	595	595
Director	535	535
Senior Manager	485	485
Manager	405	405
Senior Administrator	280	280
Administrator	205	205
Support	125	125

Please note, as stated in Section 4 the charge out rates applied during the liquidation will be the KPMG LLP standard charge out rates shown above with a 20% reduction applied.

The charge-out rates used by us might periodically rise (for example to cover annual inflationary cost increases) over the period of the liquidation. In our next statutory report, we will inform creditors of any material amendments to these rates.



Policy for the recovery of disbursements

Where funds permit the officeholders will seek to recover both Category 1 and Category 2 disbursements from the estate. For the avoidance of doubt, such expenses are defined within SIP 9 as follows

Category 1 disbursements These are costs where there is specific expenditure directly referable to both the appointment in question and a payment to an independent third party. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses, and equivalent costs reimbursed to the officeholder or his or her staff

Category 2 disbursements These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage

Category 2 disbursements charged by KPMG Restructuring include mileage. This is calculated as follows

Mileage claims fall into three categories

- Use of privately-owned vehicle or car cash alternative – 45p per mile
- Use of company car – 60p per mile
- Use of partner's car – 60p per mile

For all of the above car types, when carrying KPMG passengers an additional 5p per mile per passenger will also be charged where appropriate

We have not incurred any disbursements during the period

SIP 9 - Disbursements					
Disbursements	Category 1		Category 2		Totals (£)
	Paid (£)	Unpaid (£)	Paid (£)	Unpaid (£)	
Total	NIL		NIL		NIL

We have the authority to pay Category 1 disbursements without the need for any prior approval from the creditors of the Company

Category 2 disbursements have been approved in the same manner as our remuneration

Narrative of work carried out for the period 1 July 2015 to 30 June 2016

The key areas of work have been

Statutory and compliance	<ul style="list-style-type: none">■ preparing statutory receipts and payments accounts,■ ensuring compliance with all statutory obligations within the relevant timescales
Strategy documents, Checklist and reviews	<ul style="list-style-type: none">■ dealing with queries arising during the appointment,■ reviewing matters affecting the outcome of the liquidation,■ complying with internal filing and information recording practices, including documenting strategy decisions
Cashiering	<ul style="list-style-type: none">■ preparing and processing vouchers for the payment of post-appointment invoices,■ creating remittances and sending payments to settle post-appointment invoices,■ ensuring compliance with appropriate risk management procedures in respect of receipts



	and payments
Tax	<ul style="list-style-type: none"> ■ working initially on tax returns relating to the periods affected by the liquidation, ■ analysing VAT related transactions, ■ reviewing the Company's duty position to ensure compliance with duty requirements, ■ dealing with post appointment tax compliance
General	<ul style="list-style-type: none"> ■ reviewing time costs data and producing analysis of time incurred which is compliant with Statement of Insolvency Practice 9, ■ drawing remuneration in accordance with the basis which has been approved by unsecured creditors,
Creditors and claims	<ul style="list-style-type: none"> ■ creating and updating the list of unsecured creditors, ■ responding to enquiries from creditors regarding the liquidation and submission of their claims, ■ reviewing completed forms submitted by creditors, recording claim amounts and maintaining claim records, ■ agreeing unsecured claims, ■ arranging distributions to the unsecured creditors, ■ drafting our report

Time costs

SIP 9 –Time costs analysis (01/07/2015 to 30/06/2016)			
	Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & planning			
Cashiering			
General (Cashiering)	6 40	1,688 50	263 83
Reconciliations (& IPS accounting reviews)	2 10	608 50	289 76
General			
Fees and WIP	7 50	2,315 00	308 67
Statutory and compliance			
Appointment and related formalities	0 50	102 50	205 00
Checklist & reviews	5 95	1,758 25	295 50
Statutory receipts and payments accounts	0 90	252 00	280 00
Strategy documents	1 90	532 00	280 00
Tax			
Post appointment corporation tax	8 60	2,716 75	315 90
Post appointment VAT	1 85	461 75	249 59
Creditors			
Creditors and claims			
Agreement of unsecured claims	16 72	6,189 10	370 16
General correspondence	6 70	1,883 50	281 12
Payment of dividends	14 10	2,950 50	209 26
Statutory reports	10 30	3,117 00	302 62
Employees			
Correspondence	4 50	1,260 00	280 00



SIP 9 –Time costs analysis (01/07/2015 to 30/06/2016)

	Hours	Time Cost (£)	Average Hourly Rate (£)
Total in period	88 02	25,835 35	293 52
Brought forward time (appointment date to SIP 9 period start date)	482 45	162,935 50	
SIP 9 period time (SIP 9 period start date to SIP 9 period end date)	88 02	25,835 35	
Carry forward time (appointment date to SIP 9 period end date)	570 47	188,770 85	

All staff who have worked on this assignment, including cashiers and secretarial staff, have charged time directly to the assignment and are included in the analysis of time spent. The cost of staff employed in central administration functions is not charged directly to the assignment but is reflected in the general level of charge out rates.

All time shown in the above analysis is charged in units of six minutes.



Appendix 5 Glossary

Company	Premier Waste Management Limited - in Liquidation
CVA	Company Voluntary Arrangement
CVL	Creditors Voluntary Liquidation
DCWM	Durham County Waste Management Company Limited
Joint Liquidators/we/our/us	Jonny Marston and Howard Smith
KPMG	KPMG LLP
period	1 July 2015 to 30 June 2016
Proposal	The CVA Proposal approved by creditors on 12 February 2013

Any references in this report to Sections, Paragraphs and Rules are to Sections, Paragraphs and Rules in the Insolvency Act 1986, Schedule B1 of the Insolvency Act 1986 and the Insolvency Rules 1986 respectively

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Appendix 6 Notice About this report

This progress report has been prepared by Jonny Marston and Howard Smith, the Joint Liquidators of Premier Waste Management Limited (the 'Company'), solely to comply with their statutory duty under the Insolvency Act and Rules 1986 to provide members and creditors with an update on the progress of the liquidation of the estate, and for no other purpose

This report is not suitable to be relied upon by any other person, or for any other purpose or in any other context including any decision in relation to the debt of or any financial interest in the Company. Any person that chooses to rely on this report for any purpose or in any context other than under the Insolvency Act and Rules 1986 (as amended) does so at their own risk. Any estimated outcomes for creditors included in this report are illustrative only and cannot be relied upon as guidance as to the actual outcomes for individual creditors.

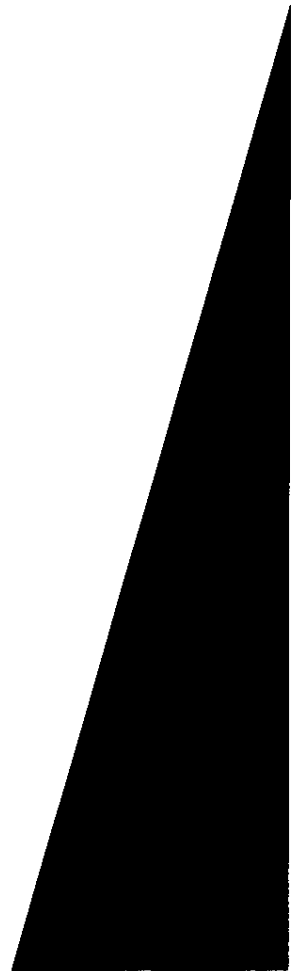
Jonathan Charles Marston is authorised to act as an insolvency practitioner by the Institute of Chartered Accountants in England & Wales.

Howard Smith is authorised to act as an insolvency practitioner by the Insolvency Practitioners Association.

We are bound by the Insolvency Code of Ethics.

The appointments of the Joint Liquidators are personal to them and, to the fullest extent permitted by law, KPMG LLP does not assume any responsibility and will not accept any liability to any person in respect of this Report or the conduct of the liquidation.





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