

# The PENSIONS Advisory Service

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**PLEASE REPLY TO::**

The Coach House  
Ridgeway Road  
DORKING  
Surrey  
RH4 3EY

Dear Mr Davis,

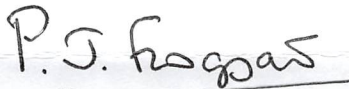
10 October 2016

**TPAS CASE No: 162660**  
**MCH HOLDINGS LIMITED DIRECTORS PENSION SCHEME**  
**Mr R Stewart**

I refer to my letters dated 30 July and 3 September (copies attached). It is really quite unacceptable that you have not provided either an acknowledgement or any response over more than the last two months. Unless you respond before the end of October I shall have no alternative but to close our TPAS Case file and refer the complaint to the Pensions Ombudsman who is empowered to make a legally binding decision. Your failure to respond will clearly influence his decision. The whole purpose of my involvement with TPAS is to endeavour to seek a mutually acceptable resolution to resolve the dispute, but without your cooperation this cannot possibly be achieved.

I hope therefore that you will let me have your detailed response as soon as ever possible.

Yours sincerely,



**P J FROGGATT**  
**(TPAS ADVISER)**

cc: Mr R Stewart



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Registered Office as shown.

Advice given by the Pensions Advisory Service is an opinion given in good faith on the basis of the documents and information made available but The Pensions Advisory Service cannot be held responsible in law for opinions expressed, nor should any such opinion be regarded as grounds for legal action.

11 Belgrave Road, London SW1V 1RB  
Telephone 020 7630 2250 Fax 020 7592 7000  
Helpline 0300 123 1047  
[www.pensionsadvisoryservice.org.uk](http://www.pensionsadvisoryservice.org.uk)

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COPY

Dear Mr Davis,

X 3 September 2016 X

**TPAS CASE No: 162660**  
**MCH HOLDINGS LIMITED DIRECTORS PENSION SCHEME**  
**Mr R Stewart**

I refer to my letter dated 30 July (copy attached) and shall be obliged if you can let me have a detailed response as soon as possible. There does appear to be some serious inconsistencies relating to Mr Stewart's status as both a member and Trustee of the above Pension Scheme.

Yours sincerely,



**P J FROGGATT**  
**(TPAS ADVISER)**

cc: Mr R Stewart

**FREE**  
INFORMATION  
& GUIDANCE



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Dear Mr Davis,

30 July 2016

**TPAS CASE No: 162660**  
**MCH HOLDINGS LIMITED DIRECTORS PENSION SCHEME**  
**Mr R Stewart**

Thank you for your letter dated 11 July.

I am somewhat surprised and concerned with your response as I have copies of letters and EMailS from 2009 and 2010 which appear to contradict your assertion.

In particular I have written evidence that the Company's accountants (Johal & Company) based in Hornchurch, Essex and represented by Jasvinder Sagoo met with your colleague (Gavin McCloskey), together with Nick Parry and Mr Stewart, and agreed to establish a SSAS by a definitive Trust Deed & Rules dated 26 August 2009. The principal reasons were to save Corporation Tax and provide retirement benefits for the equal benefit of the two (50% each) shareholders. This is confirmed by your letter dated 3 August 2009

I also have copies of an "Application for Membership" in Mr Stewart's name and a "Deed of Appointment of Trustee" to include Mr Stewart as a Trustee of the above Pension Scheme. Both these documents were prepared and issued by PensionPractitioner.com.

Can you please advise, as a matter of urgency why you consider that Mr Stewart is not entitled to benefits equating to 50% of the current fund value? Please also provide copies of the most recent annual HMRC and Pensions Regulator returns filed by the Scheme Administrator.

Yours sincerely,

**P J FROGGATT**  
**(TPAS ADVISER)**

cc: Mr R Stewart

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