

CVA4

Notice of termination or full implementation of voluntary arrangement



Companies House

MONDAY



A12 04/07/2022 #84
COMPANIES HOUSE

1 Company details

Company number	0	4	1	7	3	3	6	6
Company name in full	3 Way Building Services Ltd							

→ Filling in this form
Please complete in typescript or in
bold black capitals.

2 Supervisor's name

Full forename(s)	Jonathan
Surname	Philmore

3 Supervisor's address

Building name/number	Yorkshire House
Street	7 South Lane
Post town	Holmfirth
County/Region	West Yorkshire
Postcode	H D 9 1 H N
Country	United Kingdom

4 Supervisor's name ¹

Full forename(s)	
Surname	

→ Other supervisor
Use this section to tell us about
another supervisor.

5 Supervisor's address ²

Building name/number	
Street	
Post town	
County/Region	
Postcode	
Country	

→ Other supervisor
Use this section to tell us about
another supervisor.

CVA4

Notice of termination or full implementation of voluntary arrangement

6 Date voluntary arrangement fully implemented or terminated

Date

3	0	0	6	2	0	2	2
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7 Attachments

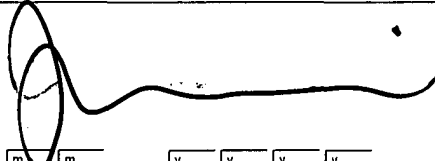
- ☒ I have attached a copy of the notice to creditors
☒ I have attached the supervisor's report

8 Sign and date

Supervisor's signature

Supervisor's signature

X



X

Signature date

d	d	m	m	y	y	y	y
3	0	0	6	2	0	2	2

CVA4

Notice of termination or full implementation of voluntary arrangement



Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Jonathan Paul Philmore

Philmore & Co Ltd

Yorkshire House

Yorkshire House

Holmfirth

West Yorkshire

Postcode

H	D	9		1	H	N
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United Kingdom

DX

01484 461959



Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed and dated the form.



Important information

All information on this form will appear on the public record.



Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.



Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

3 WAY BUILDING SERVICES LTD COMPANY VOLUNTARY ARRANGEMENT

**Final Report of the Supervisor for the period 8 March 2017 to 30 June 2022
in accordance with Rule 2.44 of the Insolvency (England and Wales) Rules 2016**

Name of Supervisor:	Jonathan Paul Philmore
Date of appointment:	8 March 2017
Date of Report To:	30 June 2022
Court Reference:	N/A
Company Number:	04173366

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4. Creditors' claims
5. Dividend prospects
6. Costs and expenses
7. Conclusion

APPENDICES

1. Receipts and payments account for the period ended 30 June 2022
2. Notice of Completion
3. Analysis of time costs
4. Philmore & Co Charge out Rates

1. INTRODUCTION

- 1.1 I refer to my appointment as Supervisor of the above Company's voluntary arrangement at meetings of creditors and members held on 8 March 2017. This report should be read in conjunction with the director's proposals circulated to creditors under cover of my letter dated 17 February 2017, the Chairman's Report which was made available to creditors on 8 March 2017 and my previous Annual Reports.
- 1.2 Pursuant to Rule 2.44 of the Insolvency (England and Wales) Rules 2016 I write to provide you with the Supervisors Final Report on the voluntary arrangement. Please find attached as Appendix 1 my Final Receipts and Payments account.

2. BACKGROUND

Jonathan Paul Philmore and was appointed Supervisor of the Company on 8 March 2017.

The Company's registered office is Hollinwood Business Centre Ltd, Albert Street, Oldham, OL8 3QL

Reasons for Seeking a Company Voluntary Arrangement

The director attributes the failure of the Company to the following;

- Becoming liable to pay a former director for loss of office
- An unprofitable contract
- Cash flow problems caused by the above
- A downturn in the market place
- Employee costs

3. ASSET REALISATIONS

- 3.1 The director's proposal envisaged that the Company would continue to trade and make available payments from net profits as determined in the proposal.
- 3.2 The proposal provides that the Company makes contributions of £2,000.00pm in year 5 of the arrangement. I can confirm that the sum of £25,000.00 has been received during the period and the required contributions under the terms of the arrangement are currently £4,000.00 in arrears. The director has confirmed that the arrears of £4,000.00 will be paid by the end of April 2022 at which time I will be in a position to pay a final dividend to creditors and conclude the arrangement.
- 3.3 The proposal states that the Company will also contribute 50% of any net profit generated within the period. I have reviewed the statutory filed accounts for the period ended 31 March 2021 which show a net asset position of £12,068.00. However given the difficult trading conditions over the last two years following the onset of the Covid 19 pandemic I do not propose to pursue an additional payment from the Company. To do so would not make a material difference to the overall distribution to unsecured creditors and could, in my view cause the Company financial difficulty going forward.

4. CREDITORS' CLAIMS

- 4.1 The claim received from HMRC for voting purposes totalled £79,256. I have subsequently received a final claim totalling £81,649.89.
- 4.2 Unsecured creditor claims have now been agreed at £155,866.80. The last date for proving was 4 January 2019.

5. DIVIDEND PROSPECTS

- 5.1 The proposal envisaged that a minimum dividend of 54p in £ would be payable to unsecured creditors over the five year term of the arrangement after costs.

A first interim dividend of 9.14p in £ was declared and paid on 8 March 2019.

A second interim dividend of 9.63p in £ was declared and paid on 16 December 2019.

A third interim dividend of 5.46p in the £ was declared and paid on 16 March 2020.

A fourth interim dividend of 6.42p in £ was declared and paid on 1 September 2020.

A fifth & final dividend of 23.51p in £ was declared and paid on 26 May 2022.

Dividends totalling 54.16p in £ have been paid to unsecured creditors. No further dividends will be paid. The proposal (as amended) is now fully implemented.

6. COSTS AND EXPENSES

- 6.1 My fee for acting as nominee was fixed at £2,500 and I have drawn this sum in full.

- 6.2 My remuneration for acting as Supervisor was fixed on a time cost basis as per the director's proposal. Attached at Appendix 2 is an analysis of my time costs since the date of my appointment. You will note that my total time costs to 30 June 2022 total £22,656.00 representing 128.00 hours at an average hourly rate of £177.00. I agreed to limit my remuneration to £12,000.00 to ensure that the estimated dividend to unsecured creditors could be achieved and to ensure the full implementation of the CVA.

- 6.3 The balance of my time costs has been written off.

7. CONCLUSION

- 7.1 The CVA is now fully implemented. I am pleased to enclose a Notice of Completion. A copy of my Final Report and Notice of Completion will be filed with the Registrar of Companies as required. I will then be released from office as Supervisor.

- 7.2 If you have any queries regarding the contents of this report then please contact Diane Kinder of my office on 01484 461959.



Jonathan Paul Philmore
Supervisor

Appendix 1

**3 Way Building Services Ltd - In Company Voluntary Arrangement
Supervisor's Final Abstract of Receipts & Payments**

From 08 March 2017 To 30 June 2022

S of A £		£	£
	ASSET REALISATIONS		
102,000.00	Voluntary Contributions	102,000.00	
NIL	Bank Interest Gross	17.53	
NIL	Sundry Refund	750.00	
102,000.00			102,767.53
	COST OF REALISATIONS		
	Specific Bond	(780.00)	
	Office Holders Expenses	(298.57)	
	Bank Charges	(102.78)	
	Nominee Remuneration	(2,500.00)	
	Supervisor Remuneration	(12,000.00)	
	Accountancy Fees	(2,000.00)	
	Travel	(45.00)	
	Case Management Fee	(185.00)	
	Irrecoverable VAT	(400.00)	
			(18,311.35)
	PREFERENTIAL CREDITORS		
(5,000.00)	National Insurance Fund	(85.55)	
(5,000.00)			(85.55)
	UNSECURED CREDITORS		
(36,275.00)	National Insurance Fund	(4,299.21)	
(79,256.00)	HM Revenue & Customs	(44,221.41)	
(72,854.00)	Trade Creditors (25)	(35,850.01)	
(10,000.00)	Landlord	NIL	
(198,385.00)			(84,370.63)

NIL

REPRESENTED BY

NIL



**Jonathan Paul Philmore
Supervisor**

THE INSOLVENCY ACT 1986

COMPANY VOLUNTARY ARRANGEMENT

3 WAY BUILDING SERVICES LIMITED

NOTICE OF COMPLETION

I hereby confirm that 3 Way Building Services Limited has complied with the terms of the proposal (as amended) agreed by the requisite majority of creditors on 8 March 2017.

I further confirm that I am now ceasing to act as supervisor of this voluntary arrangement.

Signed:

A handwritten signature in black ink, appearing to read 'Jonathan Paul Philmore', with a long, wavy horizontal line extending to the right.

Jonathan Paul Philmore
Supervisor

Dated: 30 June 2022

Appendix 3

Supervisor's Remuneration Schedule
3 Way Building Services Ltd
Between 08 March 2017 and 30 June 2022

Classification of work function	Partner/ Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	17.40	19.40	20.40	22.80	80.00	14,159.00	176.99
Investigations	0.00	0.00	3.00	0.30	3.30	690.00	209.09
Realisation of Assets	1.30	0.00	0.00	0.00	1.30	298.00	229.23
Creditors	5.90	17.20	0.00	20.30	43.40	7,509.00	173.02
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Retention of Title	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Shareholders	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total hours	24.60	36.60	23.40	43.40	128.00		
Time costs	5,431.00	7,306.00	4,586.50	5,332.50		22,656.00	
Average hourly rate	220.77	199.62	196.00	122.87			177.00

Description	Total Incurred £	Total Recovered £
	0.00	0.00
Totals	0.00	0.00

Summary of Fees

Time spent in administering the Assignment	Hours	128.00
Total value of time spent to 30 June 2022	£	22,656.00
Total Supervisor's fees charged to 30 June 2022	£	12,000.00

Appendix 4

Philmore & Co

Charge out rates from 1 April

	2017/2018	2019	2020	2021	2022
Grade	(£) Rate per Hour	(£) Rate per Hour	(£) Rate per Hour	(£) Rate per Hour	(£) Rate per Hour
Directors	210.00	230.00	230.00	260.00	260.00
Managers	185.00	195.00	195.00	225.00	225.00
Technical Staff	140.00	150.00	150.00	150.00	150.00
Support Staff	45.00	50.00	50.00	75.00	75.00

Time is charged in 6 minute units

Category 1 and Category 2 Disbursements

Category 1 disbursements relate to external services provided to third parties which are directly attributable to the case.

Category 2 disbursements relate to internal charges made for items such as postage, faxes, room hire and mileage. Creditor approval is required for Category 2 disbursements to be charged as an expense of the case in accordance with best practice guidelines as set out in Statement of Insolvency Practice 9 (as amended December 2015).

The rates at which these charges are made are listed below and in my opinion are in line with the cost of external provision of these charges.

Disbursement	Charge p/£
Postage – First Class (Circulars only, per copy depending on size)	50p - £1.50
Postage – Second Class (Circulars only, per copy depending on size)	40p – £1.00
Photocopying (Circulars only per page)	15p
Faxes (incoming and outgoing per page)	25p
Virtual Meeting Charge	£50.00
Room Hire (per hour)	£25.00
Mileage (per mile)	15p – 45p
Records Storage (per box, per annum) Charged Pro Rata	£5.00
Bank Account opening Charge	£50.00