

CVA3

Notice of supervisor's progress report in voluntary arrangement



Companies House

TUESDAY



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12/04/2022

#86

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 Paul
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.

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6**Date of voluntary arrangement**

Date	0	8	0	3	2	0	1	7
------	---	---	---	---	---	---	---	---

7**Period of progress report**

Date from	0	8	0	3	2	0	2	1
Date to	0	7	0	3	2	0	2	2

8**Progress report**☒ I attach a copy of the progress report**9****Sign and date**

Supervisor's signature

Signature

X



X

Signature date

08

04

20

20

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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

7 South Lane

Holmfirth

West Yorkshire

Postcode

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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

Report of the Supervisor

In accordance with Rule 2.41 of the Insolvency (England and Wales) Rules 2016

Name of Supervisor

Jonathan Paul Philmore

Date of appointment 8 March 2017

Date of Report To: 7 March 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 7 March 2022
2. Analysis of time costs for the period ended 7 March 2022

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 2.41 of the Insolvency (England and Wales) Rules 2016 I write to provide you with the Supervisors report on the voluntary arrangement. Please find attached as Appendix 1 an up to date 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.

I can confirm that dividends totalling 30.65p in £ have been paid to date.

I propose to pay a final distribution at the end of April 2022 following receipt of the arrears discussed above.

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 is fixed on a time cost basis as per the director's proposal. Attached at Appendix 2 is an analysis of my time costs for the period covered by this report. You will note that my time costs for the period total £3,145.50 representing 14.80 hours at an average hourly rate of £212.53. During the period under review I have not drawn any remuneration.

The work undertaken during the period covered by this report includes collecting contributions, liaising with the director regarding arrears, assisting HMRC with its enquiries and preparing the annual progress report.

- 6.3 My total time costs since the date of my appointment total £19,182.50 against which I have drawn the sum of £7,000.00. Whilst there is still further work to do before the arrangement can be concluded I do not propose to draw my remuneration in full. It is my intention to draw a further £5,000.00 bringing my total remuneration to £12,000.00. This will ensure that the estimated dividend to unsecured creditors under the proposal of 54p in £ can be fully achieved. The balance of my time costs will be written off.

7. CONCLUSION

- 7.1 I am satisfied that the arrangement is proceeding satisfactorily. I will continue to liaise with the director regarding the arrears and hope to be in a position to pay a final dividend shortly and conclude the arrangement.
- 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 Abstract of Receipts & Payments**

From 08 March 2021 to 07 March 2022

S of A £		From 08/03/21 To 07/03/22	From 08/03/17 To 07/03/22
ASSET REALISATIONS			
102,000.00	Voluntary Contributions	25,000.00	94,000.00
NIL	Bank Interest Gross	NIL	17.53
NIL	Sundry Refund	NIL	750.00
102,000.00		25,000.00	94,767.53
COST OF REALISATIONS			
	Specific Bond	NIL	(780.00)
	Office Holders Expenses	NIL	(254.07)
	Bank Charges	(4.80)	(95.28)
	Nominee Remuneration	NIL	(2,500.00)
	Supervisor Remuneration	NIL	(7,000.00)
	Accountancy Fees	NIL	(2,000.00)
	Travel	NIL	(45.00)
	Case Management Fee	NIL	(185.00)
	Irrecoverable VAT	NIL	(400.00)
		(4.80)	(13,259.35)
PREFERENTIAL CREDITORS			
(5,000.00)	National Insurance Fund	NIL	(85.55)
(5,000.00)		NIL	(85.55)
UNSECURED CREDITORS			
(36,275.00)	National Insurance Fund	NIL	(2,432.66)
(79,256.00)	HM Revenue & Customs	NIL	(25,022.18)
(72,854.00)	Trade Creditors (25)	NIL	(20,285.24)
(10,000.00)	Landlord	NIL	NIL
(198,385.00)		NIL	(47,740.08)
		24,995.20	33,682.55

REPRESENTED BY

J P Philmore Supervisor of 3 Way Building Services Ltd

33,682.55

33,682.55



Jonathan Paul Philmore
Supervisor

Appendix 2

Supervisor's Remuneration Schedule 3 Way Building Services Ltd Between 08 March 2021 and 07 March 2022

Classification of work function	Partner/Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	0.80	3.20	5.50	3.30	12.80	2,660.50	207.85
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.50	0.00	0.00	0.00	0.50	130.00	260.00
Creditors	0.50	1.00	0.00	0.00	1.50	355.00	236.67
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	1.80	4.20	5.50	3.30	14.80		
Time costs	468.00	945.00	1,237.50	495.00		3,145.50	
Average hourly rate	260.00	225.00	225.00	150.00			212.53

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

Summary of Fees

Time spent in administering the Assignment	Hours	14.80
Total value of time spent to 07 March 2022	£	3,145.50
Total Supervisor's fees charged to 07 March 2022	£	7,000.00