

# CVA4

## Notice of termination or full implementation of voluntary arrangement



Companies House

For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number	0	5	7	3	9	5	4	5
Company name in full	Alken Construction Services Limited							

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

### 2 Supervisor's name

Full forename(s)	Martyn James
Surname	Pullin

### 3 Supervisor's address

Building name/number	1st Floor 34 Falcon Court
Street	
Post town	Preston Farm Business Park
County/Region	Stockton on Tees
Postcode	T S 1 8 3 T X
Country	

### 4 Supervisor's name <sup>①</sup>

Full forename(s)	David Antony
Surname	Willis

① **Other supervisor**  
Use this section to tell us about  
another supervisor.

### 5 Supervisor's address <sup>②</sup>

Building name/number	1st Floor
Street	34 Falcon Court
Post town	Preston Farm Business Park
County/Region	Stockton on Tees
Postcode	T S 1 8 3 T X
Country	

② **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 

<sup>d</sup>	<sup>d</sup>	<sup>m</sup>	<sup>m</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>
2	3	0	8	2	0	2	2

### 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

<sup>d</sup>	<sup>d</sup>	<sup>m</sup>	<sup>m</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>
2	3	0	8	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.

Contact name Lianne Maidman

Company name FRP Advisory Trading Limited

Address 1st Floor

34 Falcon Court

Post town Preston Farm Business Park

County/Region Stockton on Tees

Postcode T S 1 8 3 T X

Country

DX cp.teesside@frpadvisory.com

Telephone 01642 917555



### 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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)

## TO ALL MEMBERS AND CREDITORS

Your Ref:

Our Ref: A1965TEE/CVA054A/LR/LMN

Please Contact: Lianne Maidman

Telephone Number: 01642 917555

Email Address: Lianne.Maidman@frpadvisory.com

Date: 23 August 2022

Dear Sirs

## **ALKEN CONSTRUCTION SERVICES LIMITED (UNDER A VOLUNTARY ARRANGEMENT) ("CVA") ("THE COMPANY") NOTICE OF PREMATURE TERMINATION OF COMPANY VOLUNTARY ARRANGEMENT**

I was appointed joint supervisor of the above Company Voluntary Arrangement ("CVA") on 12 March 2020 and I now give my final report in accordance with the Insolvency (England and Wales) Rules 2016 ("the Insolvency Rules"), and give notice, in accordance with the Insolvency Rules that the CVA for the above Company, agreed on 12 March 2020, was terminated prematurely on 18 August 2022.

### **PURPOSE OF THE CVA AND THE COMPANY'S ADHERENCE TO ITS TERMS**

Under the terms of the Company's proposals, as modified and approved by creditors, the CVA was to last for 5 years and its purpose was to allow the Company to continue to trade, thereby allowing monthly contributions to be paid into the Arrangement, to enable a return to creditors. In the event that the Company was to cease to trade, creditors' dividend prospects in a Liquidation scenario were significantly reduced.

Over the period of the CVA, the Company was required to pay 60 contributions of no less than £2,750 a month into the Arrangement. The proposal, as modified, also provided for the Company's contributions to increase to £7,750 each quarter. Total contributions throughout the duration of the Arrangement were therefore expected to amount to £265,500. However, as confirmed in a letter to creditors dated 11 April 2022, the Company was unable to maintain contributions as required and only £69,000 was paid during the arrangement. The Company was unable to rectify a breach of the CVA terms, within the timescale set out in a Notice of Default, and the Arrangement has therefore failed.

### **RECEIPTS AND PAYMENTS**

A copy of the Supervisors' receipts and payments account for the period from appointment to 18 August 2022, the date that the CVA was prematurely terminated, is attached at **Appendix A**.

### **DISTRIBUTIONS**

On 7 June 2022, the Joint Supervisors declared and paid a first and final dividend to unsecured creditors. This distribution totalled £44,934.72 and was equivalent to 10.14 pence in the pound.

No further distributions will be paid to creditors in this matter.

## **SUPERVISORS' REMUNERATION AND DISBURSEMENTS**

Creditors also approved the proposal that the Supervisors' fees were to be calculated on a time cost basis, with total fees over the period of the Arrangement estimated at £37,500. Supervisors' fees of £15,000 plus disbursements were drawn on 14 March 2022, with a further £750 being drawn on 16 August 2022. No further fees will be drawn in this matter.

The Supervisors remuneration is based on computerised records of all time spent on the administration of this case. Matters dealt with during the assignment are dealt with by different members of staff depending on the level of complexity and experience required. Time is charged to the case in maximum of six-minute units. Charge-out rates are based on individual expertise, qualification and grade. The costs of the firm's support staff are not directly charged to the estate unless dealing with directly identifiable case specific matters. Charge out rates are reviewed at least annually, details of FRP Advisory Trading Limited charge out rates together with a breakdown of the time costs incurred during the period of this report and cumulatively, in accordance with Statement of Insolvency Practice 9 are attached at appendix B.

The Supervisors' disbursements are a recharge of actual costs incurred by the Supervisors in dealing with this matter. Mileage payments made for expenses relating to the use of private vehicles for business travel, which is directly attributable to the insolvency estate, are paid by FRP Advisory at the HMRC approved mileage rate prevailing at the time the mileage was incurred.

## **CEASING TO ACT AS SUPERVISOR**

I shall be filing a copy of this report with both the Court and the Registrar of Companies following which I shall cease to act as Supervisor of the Company Voluntary Arrangement.

Yours faithfully



**Martyn James Pullin**  
**Joint Supervisor**

Licensed in the United Kingdom by the Insolvency Practitioners Association and bound by the Insolvency Code of Ethics

**Voluntary Arrangement of  
Alken Construction Services Limited  
Joint Supervisors' Summary of Receipts & Payments**

Statement of Affairs £		From 12/03/2022 To 23/08/2022 £	From 12/03/2020 To 23/08/2022 £
	<b>HIRE PURCHASE</b>		
26,000.00	Plant & Machinery Subject to Finance	NIL	NIL
(37,149.00)	Close Brothers Asset Finance	NIL	NIL
102,000.00	Plant & Machinery Subject to Finance	NIL	NIL
(143,485.00)	Hitach Capital Business Finance	NIL	NIL
		NIL	NIL
	<b>ASSET REALISATIONS</b>		
	Bank Interest Gross	4.02	13.99
68,476.00	Book Debts	NIL	NIL
13,000.00	Motor Vehicles	NIL	NIL
3,100.00	P&M, Office Furniture & Equipment	NIL	NIL
NIL	Stock	NIL	NIL
	Voluntary Contributions	NIL	69,000.00
		4.02	69,013.99
	<b>COST OF REALISATIONS</b>		
	Court Fees	NIL	50.00
	Nominee's Fees	NIL	8,000.00
	Supervisor's Disbursements	279.27	279.27
	Supervisor's Fees	15,750.00	15,750.00
		(16,029.27)	(24,079.27)
	<b>PREFERENTIAL CREDITORS</b>		
(12,800.00)	Preferential Creditors	NIL	NIL
		NIL	NIL
	<b>UNSECURED CREDITORS</b>		
(44,000.00)	Associated Creditor	3,531.00	3,531.00
(2,400.00)	Employees' Unsecured Claims	NIL	NIL
(237,746.00)	HM Revenue & Customs	17,419.49	17,419.49
(236,483.00)	Trade & Expense Creditors	23,984.23	23,984.23
		(44,934.72)	(44,934.72)
	<b>DISTRIBUTIONS</b>		
(400.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(501,887.00)		(60,959.97)	0.00
	<b>REPRESENTED BY</b>		
			NIL

**Alken Construction Services Limited (In Voluntary Arrangement)**

Time charged for the period 12 March 2022 to 23 August 2022

	Total Hours	Total Cost £	Average Hrlly Rate £
<b>Administration and Planning</b>	<b>22.45</b>	<b>5,354.50</b>	<b>238.51</b>
A&P - Admin & Planning	3.10	965.00	311.29
A&P - Strategy and Planning	5.70	1,379.00	241.93
A&P - Case Accounting - Gen	0.40	98.00	245.00
A&P - Case Accounting	3.75	576.50	153.73
A&P - Case Control and Review	7.90	2,126.00	269.11
A&P - Fee and WIP	0.50	90.00	180.00
A&P - General Administration	1.10	120.00	109.09
<b>Statutory Compliance</b>	<b>4.40</b>	<b>1,037.00</b>	<b>235.68</b>
STA - Bonding/ Statutory Adv	0.10	28.00	280.00
STA - Statutory Compliance - General	0.40	72.00	180.00
STA - Statutory Reporting/ Meetings	3.90	937.00	240.26
<b>Investigation</b>	<b>5.00</b>	<b>825.00</b>	<b>165.00</b>
INV - IT – Investigations	5.00	825.00	165.00
<b>Creditors</b>	<b>16.00</b>	<b>3,325.00</b>	<b>207.81</b>
CRE - Unsecured Creditors	15.80	3,261.00	206.39
CRE - TAX/VAT - Pre-appointment	0.20	64.00	320.00
<b>Grand Total</b>	<b>47.85</b>	<b>10,541.50</b>	<b>220.30</b>

Time charged from the start of the case to 23 August 2022

	Total Hours	Total Cost £	Average Hrlly Rate £
<b>Administration and Planning</b>	<b>61.70</b>	<b>14,515.00</b>	<b>235.25</b>
A&P - Admin & Planning	9.10	2,447.00	268.90
A&P - Strategy and Planning	7.40	1,877.50	253.72
A&P - Case Accounting - General	2.20	512.00	232.73
A&P - Case Accounting	11.30	1,696.00	150.09
A&P - Case Control and Review	28.00	7,051.00	271.19
A&P - Fee and WIP	0.70	136.00	194.29
A&P - General Administration	5.00	795.50	159.10
<b>Statutory Compliance</b>	<b>19.55</b>	<b>4,706.75</b>	<b>240.75</b>
STA - Appointment Formalities	4.95	1,366.75	276.11
STA - Bonding/ Statutory Advertising	0.10	28.00	280.00
STA - Statutory Compliance - General	2.30	509.00	221.30
STA - Tax/VAT - Post appointment	2.60	553.00	212.69
STA - Statutory Reporting/ Meetings	9.60	2,250.00	234.38
<b>Asset Realisation</b>	<b>10.10</b>	<b>2,323.00</b>	<b>230.00</b>
ROA - Asset Realisation	10.10	2,323.00	230.00
<b>Trading</b>	<b>0.70</b>	<b>161.00</b>	<b>230.00</b>
TRA - Case Accounting - Trading	0.10	23.00	230.00
TRA - Trading forecasting/ Monitoring	0.60	138.00	230.00
<b>Investigation</b>	<b>5.00</b>	<b>825.00</b>	<b>165.00</b>
INV - IT – Investigations	5.00	825.00	165.00
<b>Creditors</b>	<b>25.50</b>	<b>5,117.50</b>	<b>200.69</b>
CRE - Unsecured Creditors	24.10	4,836.00	200.66
CRE - TAX/VAT - Pre-appointment	0.90	236.50	262.78
CRE - HP/ Leasing	0.50	45.00	90.00
<b>Grand Total</b>	<b>122.55</b>	<b>27,648.25</b>	<b>225.61</b>

**Disbursements for the period  
12 March 2022 to 23 August 2022**

	Value £
<b>Category 1</b>	
Computer Consumables	40.10
Land Registry Charges	3.00
<b>Grand Total</b>	<b>43.10</b>

Mileage is charged at the HMRC rate  
prevailing at the time the cost was incurred

**FRP Charge out rates**

Grade	From	
	1st May 2016	1st May 2022
Appointment taker / Partner	320-345	340-370
Managers / Directors	230-320	250-310
Other Professional	135-210	140-230
Junior Professional & Support	75-105	80-110

**THE INSOLVENCY ACT 1986**

**Alken Construction Services Limited**

**COMPANY VOLUNTARY ARRANGEMENT**

**CERTIFICATE OF NON-COMPLIANCE**

I hereby confirm that Alken Construction Services Limited has not complied with the terms of the Proposal agreed by the requisite majority of creditors as it has failed to:

- Pay monthly contributions to the CVA as agreed in the Proposals

I further confirm that David Antony Willis and I shall now cease to act as Joint Supervisors of this Voluntary Arrangement, with effect from 23 August 2022.

Signed 

Name Martyn James Pullin  
Joint Supervisor

FRP Advisory Trading Limited  
1st Floor 34 Falcon Court  
Preston Farm Business Park  
Stockton on Tees  
TS18 3TX

Date 23.08.2022