

# CVA3

## Notice of supervisor's progress report in 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 1 0 7 8 8 0 5 8

Company name in full MYA Clinics Ltd

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Supervisor's name

Full forename(s) Frazer

Surname Ulrick

### 3 Supervisor's address

Building name/number Devonshire House

Street 32-34 North Parade

Post town Bradford

County/Region West Yorkshire

Postcode B D 1 3 H Z

Country

### 4 Supervisor's name<sup>①</sup>

Full forename(s)

Surname

#### ① Other supervisor

Use this section to tell us about  
another supervisor.

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

Building name/number

Street

Post town

County/Region

Postcode

Country

#### ② Other supervisor

Use this section to tell us about  
another supervisor.

# CVA3

## Notice of supervisor's progress report in voluntary arrangement

### 6 Date of voluntary arrangement

Date 

d	3
---	---

d	1
---	---

m	0
---	---

m	1
---	---

y	2
---	---

y	0
---	---

y	2
---	---

y	0
---	---

### 7 Period of progress report

Date from 

d	3
---	---

d	1
---	---

m	0
---	---

m	1
---	---

y	2
---	---

y	0
---	---

y	2
---	---

y	2
---	---

Date to 

d	3
---	---

d	0
---	---

m	0
---	---

m	1
---	---

y	2
---	---

y	0
---	---

y	2
---	---

y	3
---	---

### 8 Progress report

☒ I attach a copy of the progress report

### 9 Sign and date

Supervisor's signature

Signature

X



X

Signature date

d	2
---	---

d	8
---	---

m	0
---	---

m	3
---	---

y	2
---	---

y	0
---	---

y	2
---	---

y	3
---	---

# CVA3

## Notice of supervisor's progress report in 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

David Hodgson

Company name

Auker Rhodes Accounting Limited

Address

Devonshire House

32-34 North Parade

Post town

Bradford

County/Region

West Yorkshire

Postcode

B D 1 3 H Z

Country

DX

Telephone

01274 299499



### 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)

**MYA CLINICS LTD  
(COMPANY VOLUNTARY ARRANGEMENT)**

**SUPERVISOR'S PROGRESS REPORT**

**THE SUPERVISOR'S THIRD PROGRESS REPORT IN ACCORDANCE WITH  
RULE 2.41 OF THE INSOLVENCY (ENGLAND AND WALES) RULES 2016**

**HIGH COURT OF JUSTICE  
BUSINESS AND PROPERTY COURTS  
OF ENGLAND AND WALES  
INSOLVENCY AND COMPANIES LIST**

**IN THE MATTER OF THE INSOLVENCY ACT 1986  
AND  
IN THE MATTER OF MYA CLINICS LTD**

**28 March 2023**

Presented by:



**Auker Rhodes  
Accounting**

Insolvency Practitioners & Business Advisers

**Devonshire House  
32-34 North Parade  
Bradford  
BD1 3HZ**

**Tel: 01274 299499**

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## APPOINTMENT OF SUPERVISOR

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Date of approval: 31 January 2020

Date of Supervisor's appointment: Robert William Sadler 31 January 2020 to 4 August 2022  
Frazer Ulrick 2 December 2022

Court case number: CR-2019-007637

Creditors should note that:

- The Supervisor was appointed at a meeting of creditors held on 31 January 2020;
- The Supervisor acts as an officer of the Court without personal liability;
- Robert Sadler ceased to practice as an insolvency practitioner with effect from 5 August 2022;
- On 2 December 2022, Frazer Ulrick was appointed Liquidator of the Company by an Order of the Court;
- Frazer Ulrick is licensed by the Insolvency Practitioners Association and is bound by the insolvency Code of Ethics.

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## INTRODUCTION

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The Supervisor's Progress Report<sup>1</sup> provides creditors with an update on the Arrangement since the appointment of the Supervisor on 31 January 2020. The Report covers the period 31 January 2022 to 30 January 2023 ("the Period").

This is the third annual Progress Report in respect of the CVA.

This report is private and confidential and is for the sole purpose of providing creditors of the Company with the information that the Supervisor is required to do by the Act and Rules. No part of this report may be reproduced or quoted from, referred to or used for any other purpose without the express permission of the Supervisor.

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## THE PROPOSAL

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The Proposal, dated 15 January 2020, provided for an estimated dividend to unsecured creditors totalling 69.24 pence in the pound.

The duration of the CVA is 64 months.

Since the proposal was accepted on 31 January 2020, the COVID-19 pandemic has affected the Company's ability to pay contributions in line with the proposal. The Company was unable to trade as expected and experienced difficulties throughout 2020, 2021 and early 2022. At this stage it was envisaged contributions totalling £640,000 should have been received.

During the COVID period, the Company was able to reduce its overheads in accordance with the Proposal and has since begun to make further regular contribution payments. The Supervisor has been in regular contact with the Company to monitor the ability for contributions to be continued during the remaining period of the CVA. It is still hoped that contributions will be made within the original timescale of 64 months, however, if that doesn't happen a variation to the proposal may be considered to extend the period of the CVA to allow for additional contributions to be paid.

The Proposal provided for the following:

- Contributions to be paid into the Arrangement totalling £1,380,000.
- An estimated dividend of 69.24p in the £.
- Connected creditors will subordinate their claims to ordinary creditors.
- Business critical creditors have been paid from the Company's ongoing trading.

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<sup>1</sup> Rule 2.41 of the Insolvency (England and Wales) Rules 2016 ("the Rules")

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## PROGRESS DURING THE PERIOD OF THIS REPORT

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During the reporting period the Supervisor has continued to use his discretion to allow for contributions to be caught up in line with the original proposal.

A total of £105,000 has been received in the reporting period and the Supervisor has continued to liaise with the Company management to ensure the contributions continue. A small number of weekly payments had been missed but reasonable explanations have been provided to give the Supervisor comfort that the CVA will still be successful and in line with the original Proposal.

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## WHAT REMAINS TO BE DONE IN THE CVA

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The Supervisor will continue to monitor the situation in respect of the outstanding contributions and agree creditors' claims on an ongoing basis prior to a first dividend being declared and paid.

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## THE SUPERVISOR'S RECEIPTS AND PAYMENTS ACCOUNT

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Attached at Appendix A is the Supervisor's Receipts and Payments Account covering the Period.

During the Period £105,011 has been received.

Payments shown on the Receipts and Payments account are as follows:

- A payment of £5,000 has been made in respect of the Nominee's remaining balance.
- Supervisor's fees totalling £27,100 have been paid.

The Company is not registered for VAT and, therefore, any VAT incurred will be irrecoverable. The Supervisor's fees do not, however, attract VAT.

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## THE ESTIMATED OUTCOME FOR CREDITORS

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### **Secured creditors:**

I am not aware of any creditors whose claims are secured.

### **Preferential creditors:**

I am not aware of any creditors whose claims are preferential.

### **Unsecured creditors:**

Creditor claims totalling £5,536,098 have been received to date. I believe that further claims are still yet to be received. I would encourage those creditors who have not yet proved for their debts to submit their claims to me as soon as possible. A Notice of Claim form is enclosed for that purpose.

It is expected that an estimated dividend of 69.24p in the £ will be paid to creditors throughout the remainder of the Arrangement.

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## THE SUPERVISOR'S REMUNERATION, EXPENSES & DISBURSEMENTS

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The Company's Proposal set out the basis of the Supervisor's remuneration, which is to be based on time costs properly incurred, to be drawn from time to time as funds permit and at his discretion, restricted to the fee estimate of £50,000. No VAT is chargeable on the Supervisor's remuneration.

The Supervisor has not requested authorisation to recover his disbursements and expenses which include an element of shared or allocated costs (category 2 disbursements).

The sum of £27,100 has been paid to the Supervisor in the Period.

No disbursements have been paid during the Period.

In accordance with Statement of Insolvency Practice 9, attached at Appendix D is a summary of the Supervisor's time costs for the Period and, at Appendix E, to date.

The analysis for the Period shows time costs incurred of £7,830 representing 38.60 hours at an average rate of £203 per hour. Total time costs incurred to date amount to £27,610 representing 136.20 hours at an average rate of £203 per hour.

Auker Rhodes Accounting's charge out rates and disbursements policy can be found at Appendix C. Details of the expenses that the Supervisor has incurred are also attached at Appendix B.

A Creditors Guide to Voluntary Arrangement Fees can be accessed at <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/more/29116/page/1/voluntary-arrangement-a-guide-for-creditors-on-insolvency-practitioner-fees/>. A hard copy of the Guide can be requested from the Supervisor's office.

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## EU EXIT REGULATIONS

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Part 1 of the Schedule to Regulation 2 of the Insolvency (Amendment) (EU Exit) Regulations 2019 ("EU Exit Regulations") applies to the Company's Liquidation. In accordance with section 4 of Part 1 of the Schedule to Regulation 2 of the EU Exit Regulations, these proceedings are COMI proceedings because they are in the place where the Company conducts the administration of its interests on a regular basis, and which is ascertainable by third parties.

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## OTHER MATTERS

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The Supervisor is bound by the Insolvency Code of Ethics. Creditors are entitled to request details of any threats identified to compliance with the fundamental principles and safeguards applied. Any requests should be made in writing to this office.

Should creditors have any questions arising from this Progress Report they should contact David Hodgson of the Supervisor's office by email at [david.hodgson@aukerrhodesaccounting.co.uk](mailto:david.hodgson@aukerrhodesaccounting.co.uk).



**FRAZER ULRICK**  
Supervisor

**MYA CLINICS LIMITED**  
**(in a Company Voluntary Arrangement)**

**THE SUPERVISOR'S SUMMARY OF RECEIPTS AND PAYMENTS FROM 31 JANUARY 2022 TO 30 JANUARY 2023**

	Statement of Affairs £	From 31/01/20 to 30/01/22 £	From 31/01/22 to 30/01/23 £	Total £
<b>RECEIPTS</b>				
Voluntary contributions	1,380,000.00	20,000.00	105,000.00	125,000.00
Bank interest	-	0.17	11.35	11.52
		<u>20,000.17</u>	<u>105,011.35</u>	<u>125,011.52</u>
<b>PAYMENTS</b>				
Room hire		150.00	-	150.00
Supervisor's bond		1,520.00	-	1,520.00
Petition costs		940.33	-	940.33
Nominee's fee		10,000.00	5,000.00	15,000.00
Supervisor's fee		-	27,100.00	27,100.00
Supervisor's expenses		14.17	-	14.17
Irrecoverable VAT		-	1,220.90	1,220.90
Legal fees		5,000.00	-	5,000.00
		<u>17,624.50</u>	<u>33,320.90</u>	<u>50,945.40</u>
<b>Balance</b>		<u>2,375.67</u>	<u>71,690.45</u>	<u>74,066.12</u>
<b>MADE UP AS FOLLOWS</b>				
Bank current account				74,066.12
				<u>74,066.12</u>



**MYA CLINICS LIMITED**  
(in a Company Voluntary Arrangement)

**EXPENSES INCURRED BY THE LIQUIDATOR**

Expense	Supplier	Category	Incurring in the prior period from 31 January 2020 to 30 January 2022	Incurring in the current period from 31 January 2022 to 30 January 2023	Total incurred to date	Paid in the prior period from 31 January 2020 to 30 January 2022	Paid in the current period from 31 January 2022 to 30 January 2023	Total paid to date	Total outstanding to date
			January 2022	2023	to date	2022	January 2023	date	date
Supervisors' bond premiums	Insolvency Risk Solutions	Category 1	1,520.00	-	1,520.00	1,520.00	-	1,520.00	-
Supervisor's bond premiums	Marsh	Category 1	-	2,980.00	2,980.00	-	-	-	2,980.00
Petition costs	HM Revenue & Customs	Category 1	940.33	-	940.33	940.33	-	940.33	-
Legal fees	Lupton Fawcett	Category 1	5,000.00	-	5,000.00	5,000.00	-	5,000.00	-
Parking	Leeds City Council	Category 1	3.83	-	3.83	3.83	-	3.83	-
Rail fare	Transpennine Express	Category 1	10.34	-	10.34	10.34	-	10.34	-
Mileage	Auker Rhodes Accounting Limited	Category 2	184.95	-	184.95	184.95	-	184.95	-
Legal Fees	Wilkes Partnership	Category 1	-	495.25	495.25	-	-	-	495.25
Room hire	Park Square	Category 1	150.00	-	150.00	150.00	-	150.00	-
			<b>7,809.45</b>	<b>3,475.25</b>	<b>11,284.70</b>	<b>7,809.45</b>	<b>-</b>	<b>7,809.45</b>	<b>3,475.25</b>

## AUKER RHODES ACCOUNTING – EXPENSES & CHARGEOUT RATES

### INTRODUCTION

This note applies where a licensed Insolvency Practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm. Required professional practice<sup>1</sup> states that such charges should be disclosed to those who are responsible for approving his remuneration, together with an explanation of how those charges are made up and the basis on which they are arrived at.

### DEFINITIONS

Required professional practice classifies expenses into two broad categories:

- ❑ *Category 1 expenses (approval not required)* – specific expenditure that is directly related to a specific insolvency case, where the cost of the expense incurred is referable against an independent external supplier's invoice or published tariff of charges; and
- ❑ *Category 2 expenses (approval required)* – all other items of expenditure:
  - which cannot, or cannot easily, be directly related to a specific insolvency case because there is an element of shared or allocated cost; and / or
  - where the cost of the expense incurred is an estimated, utilised cost with the estimate based on external costs or opportunity cost.

### EXPENSES

- ❑ *Category 1 expenses (approval not required)* – except for any items referred to below, all such items are re-charged to the case as they are incurred.
- ❑ *Category 2 expenses (approval required)*
  - (A) The following items of expenditure are re-charged as described:
    - Internal meeting room usage for the purpose of statutory meetings of creditors is re-charged at the rate of £100 per meeting;
    - Car mileage is re-charged at the rate of 45 pence per mile;
    - Storage of books and records (when not rechargeable as a *Category 1 expense*) is re-charged on the basis of £5 per box per year.
  - (B) The following items of expenditure will normally be treated as general office overheads not subject to a re-charge:
    - Telephone and facsimile
    - Printing and photocopying
    - Stationery

A re-charge may be made, however, where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 expense*.

### STANDARD CHARGEOUT RATES AND CHARGING POLICY

The rates applying as at the date of this report are as follows:

Grade of staff	Chargeout rate (£ per hour)
Officeholder	250
Consultant	225
Manager	200
Senior Administrator	150
Administrator	125
Admin / support staff	75 – 125

Time spent by support staff for carrying out shorter tasks, such as typing or dealing with post, is not charged to cases but is carried as an overhead. Only where a significant amount of time is spent at one time on a case is a charge made for support staff.

Time is recorded in units of six minutes.

<sup>1</sup>Statement of Insolvency Practice 9 (SIP 9) effective from 1 December 2015.

# APPENDIX D

## MYA CLINICS LIMITED (in a Company Voluntary Arrangement)

### TIME COST SUMMARY FOR THE PERIOD 31 JANUARY 2022 TO 30 JANUARY 2023

Classification of work	Officeholder	Manager	Other senior professional	Assistants & support staff	Total hours	Time cost (£)	Average hourly rate (£)
Case administration	2.70	26.20	-	0.60	29.50	5,975.00	202.54
Case specific matters	-	-	-	-	-	-	-
Closure	-	-	-	-	-	-	-
Creditors & shareholders	0.10	8.20	-	-	8.30	1,665.00	200.60
Employees	-	-	-	-	-	-	-
Investigations	-	-	-	-	-	-	-
Realisation of assets	0.60	0.20	-	-	0.80	190.00	237.50
Trading	-	-	-	-	-	-	-
<b>Total hours</b>	<b>3.40</b>	<b>34.60</b>	<b>-</b>	<b>0.60</b>	<b>38.60</b>	<b>7,830.00</b>	<b>202.85</b>
<b>Total fees drawn in the period</b>						<b>27,100.00</b>	

## APPENDIX E

**MYA CLINICS LIMITED**  
(in a Company Voluntary Arrangement)

**TOTAL TIME COST SUMMARY**  
**31 JANUARY 2020 TO 30 JANUARY 2023**

Classification of work	Officeholder	Manager	Other senior professional	Assistants & support staff	Total hours	Average	
						Time cost (£)	hourly rate (£)
Case administration	18.90	68.30	0.40	0.60	88.20	18,505.00	209.81
Case specific matters	0.90	-	-	-	0.90	225.00	250.00
Closure	-	-	-	-	-	-	-
Creditors & shareholders	1.40	32.40	0.40	7.60	41.80	7,680.00	183.73
Employees	-	0.70	-	-	0.70	140.00	200.00
Investigations	0.30	-	0.10	-	0.40	90.00	225.00
Realisation of assets	2.60	1.60	-	-	4.20	970.00	230.95
Trading	-	-	-	-	-	-	-
<b>Total hours</b>	<b>24.10</b>	<b>103.00</b>	<b>0.90</b>	<b>8.20</b>	<b>136.20</b>	<b>27,610.00</b>	<b>202.72</b>
<b>Total fees drawn</b>						<b>27,100.00</b>	