

# CVA3

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



Companies House

THURSDAY



A23

\*A6IV9G6R\*

09/11/2017

#271

COMPANIES HOUSE

### 1 Company details

Company number 0 6 9 2 4 5 0 7

Company name in full TS People Limited

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

### 2 Supervisor's name

Full forename(s) Michelle Anne

Surname Weir

### 3 Supervisor's address

Building name/number Lameys, First Floor, Envoy House

Street Longbridge Road

Post town Plymouth

County/Region Devon

Postcode P L 6 8 L U

Country UK

### 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	0	d	9	m	0	m	9	y	2	y	0	y	1	y	3
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

### 7 Period of progress report

Date from 

d	0	d	9	m	0	m	9	y	2	y	0	y	1	y	6
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

  
Date to 

d	0	d	8	m	0	m	9	y	2	y	0	y	1	y	7
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

### 8 Progress report

☒ I attach a copy of the progress report

### 9 Sign and date

Supervisor's signature

Signature

X 

X

Signature date

d	0	d	6	m	1	m	1	y	2	y	0	y	1	y	7
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

**TS PEOPLE LIMITED**  
**COMPANY VOLUNTARY ARRANGEMENT**  
**SUPERVISOR'S ANNUAL REPORT TO CREDITORS**  
**FOR THE PERIOD 9 SEPTEMBER 2016 TO**  
**8 SEPTEMBER 2017**

## **CONTENTS**

- 1 Introduction
- 2 Supervisor's comments
- 3 Creditors
- 4 Supervisor's remuneration
- 5 Distributions

## **APPENDICES**

- A Receipts & payments account for the year ended 8 September 2017 as well as for the whole period of the arrangement.
- B Time analysis for the period from 9 September 2016 to 8 September 2017 and cumulative analysis for period of arrangement to date.
- C Additional information in relation to supervisor's fees and expenses.
- D Statement of claim form

## 1 Introduction

You will recall that I was appointed supervisor of the CVA on 9 September 2013. This report now provides an update on the progress in the CVA in accordance with Rule 2.41 of the Insolvency (England and Wales) Rules 2016. At appendix A I have provided an account of my receipts and payments for the year ended 8 September 2017 with a comparison to the director's proposal.

By way of reminder, the CVA provided in the main for contributions of £15,000 per month for 5 years and operates in conjunction with voluntary arrangements made by 3 other connected parties. All 4 voluntary arrangements are operating as interlocking voluntary arrangements. The interlocking voluntary arrangements are as follows:

- Taylor Street Solicitors LLP (company voluntary arrangement) ("LLP")
- TS People Limited (company voluntary arrangement) ("TSP")
- PS Holdings Limited (company voluntary arrangement) ("Holdings")
- Philip John Street (individual voluntary arrangement) ("PJS-IVA")

As all the debts within the 4 voluntary arrangements have been incurred directly or indirectly as a result of the trading performance of Taylor Street Solicitors LLP, all the voluntary arrangements provide for an equal return to all creditors within the arrangements

Due to the interlocking nature of the 4 voluntary arrangements, if 1 fails, the other 3 will also fail. When considering this report, creditors will need to make reference to the other 3 reports (copies enclosed) and ensure that the implications of those are also considered.

Definitions of terms and abbreviations used in this document are as follows:

<b>"the Arrangement"</b>	This company voluntary arrangement. Due to the interlocking nature of the voluntary arrangements the term "the Arrangement" may be used to refer to the voluntary arrangement for the LLP, TSP, Holdings, PJS-IVA or all four arrangements as a whole.
<b>"the Act"</b>	The Insolvency Act 1986 (as amended)
<b>"the Company"</b>	Taylor Street Solicitors LLP
<b>"CVA"</b>	Company voluntary arrangement
<b>"the Director"</b>	Philip John Street
<b>"the Effective Date"</b>	9 September 2013
<b>"Holdings"</b>	PS Holdings Limited
<b>"the LAA"</b>	the Legal Aid Agency
<b>"the LLP"</b>	Taylor Street Solicitors LLP
<b>"PJS"</b>	Philip John Street
<b>"the Rules"</b>	The Insolvency (England and Wales) Rules 2016
<b>"Secured Creditor"</b>	Any creditor of the Company whose claim is secured against any assets of the Company.

<b>"the SMP"</b>	Monthly payments received from the LLA in relation to lower crime work, being the Standard Monthly Payment.
<b>"the Supervisor"</b>	Michelle Anne Weir, licensed insolvency practitioner of Lameys, Envoy House, Longbridge Road, Plymouth, PL6 8LU.
<b>"TSP"</b>	TS People Limited
<b>"Unsecured Creditor"</b>	Any person other than a secured creditor, or a preferential creditor who has or claims to have any claim against the Company arising out of or having its origin in any matter occurring out of or prior to the Effective Date or arising out of any transaction act or omission of the Company on or before the Effective Date whether the claim be present, future, or contingent, or prospective, or whether liquidated, or for damages, and whether in contract or tort howsoever arising.

The main provisions of the Arrangement are as follows:

#### **Payments into the Arrangement**

TSP does not have any assets which can be made available to its unsecured creditors. The basis of TSP's CVA is therefore that it will receive dividend payments from the LLP under the terms of the LLP's CVA. The payments received from the LLP will facilitate the payment of costs of TSP's CVA and also a dividend payment to unsecured creditors of TSP's CVA which is equal to the dividend distribution being received by the Unsecured Creditors of the LLP's CVA. For further details of the LLP's CVA, creditors are advised to read the LLP's annual report which is enclosed with this report.

#### **Claim in the LLP's CVA**

The overriding principle of the Arrangement is that all Unsecured Creditors will receive the same dividend irrespective of which legal entity their debt is actually due from. This is because the financial affairs of the various entities (the LLP, TSP, Holdings and PJS) are considered to be inextricably linked and, therefore, to treat the Unsecured Creditors of the different entities differently would be unavoidably unfair. The Arrangement was therefore drafted to provide for all Unsecured Creditors in all 4 voluntary arrangements to benefit equitably from the contributions made by the LLP. The terms of the Arrangement, therefore, provide for TSP to submit a claim in the LLP's CVA but that the claim in the LLP's CVA will be restricted to the amount required to facilitate the same distribution to TSP's Unsecured Creditors as will be achieved for creditors of the LLP's CVA.

#### **Joint and several liabilities**

The LLP is jointly and severally liable for some of TSP's liabilities. These mainly relate to guarantees provided in relation to some of the LLP's finance agreements. These joint Unsecured Creditors will receive their dividend under the terms of the LLP's CVA

## **2. Supervisor's comments**

#### **Dividend payments from the LLP**

No dividends have been received from the LLP, for the period of this report. I can confirm this complies with the terms of the Arrangement, as varied.

**Postage**

During the period of this report I have paid disbursements for postage.

**Other matters**

Following the variation of the Arrangement, the Arrangement is fully compliant and creditors' claims are in line with original estimates

**3. Creditors****Preferential Creditors**

Preferential creditors which relates to employee claims for unpaid holiday pay and unpaid wages, were agreed and were paid in full on 13 June 2014

**Unsecured Creditors**

With the exception of employees, to date I have not received, adjudicated or admitted any claims from unsecured creditors whose debts were estimated to amount to £19,594.

Several creditors have not submitted claims yet. Please note, I will be declaring another dividend when funds permit (see note 5). Therefore, I enclose a statement of claim form at appendix D, if any creditor has not yet submitted a claim, I would urge them to submit it now. Alternatively, I should be obliged if you would inform me if you have no claim in the Voluntary Arrangement

**4. Supervisor's remuneration**

The Arrangement provides that the Supervisor's remuneration will be based according to the time costs incurred by myself and my staff in administering the CVA.

The Supervisor's time costs for the year ended 8 September 2017 total £800. This represents 8 hours at an average rate of £100 per hour. Total time costs for the whole period of the CVA to 8 September 2017 are £6,690 representing 53 hours at an average rate of £126.23 per hour. In the period covered by this report, no supervisor's fees have drawn on account

Attached as Appendix B is a Time Analysis in accordance with the provisions of Statement of Insolvency Practice 9 (SIP9), providing details of the activity costs incurred by staff grade, for the year ended 8 September 2017 as well as for the period of the Arrangement to date.

During the period covered by this report the work carried out by myself and my staff has consisted of:-

- = Necessary administration and planning of the case, case reviews and general management.
- = Cashiering and preparation of receipts and payments accounts.
- = Preparation of reports to creditors and all other statutory duties
- = Liaising and dealing with calls and correspondence from creditors, employees etc.
- = Setting up a PAYE scheme in respect of the tax payable to HMRC on the dividend distribution to the employees.
- = Duly paying over the tax to HMRC for the three dividend distributions made over the whole period of the CVA

Set out below are details of the expenses incurred during the period covered by this report.

<u>Nature of expense</u>	<u>Amount</u>
Postage (Lameys)	£0.53

Other than a nominal amount of postage, there are no accrued costs outstanding.

Attached, as Appendix C is additional information in relation to Lameys policy on staffing, the use of sub-contractors and re-charging of disbursements. Creditors may obtain the guidance note "Voluntary Arrangements – A Creditors guide to Insolvency Practitioners Fees (effective from 6 April 2017)" at <http://tinyurl.com/bqoaopu> or upon request to myself.

## 5. Distributions

### **Preferential creditors**

Preferential creditor claims have been agreed and were paid in full on 9 June 2014.

### **Unsecured creditors**

Those unsecured creditor claims which have been submitted and agreed, have been paid the following dividend:

09/06/2014	4p in the £
23/12/2014	2.3p in the £
19/02/2016	12.4p in the £

At present, I have funds of approximately £64,185 in the LLP. The proposal states:

*"We propose that dividends be paid by the Supervisor at 6 monthly intervals (so long as sufficient funds are available for the payment of at least 5p in the £) and at the end of the Arrangement."*

Under the terms of the Arrangement a dividend to unsecured creditors is due on the anniversary of the Arrangement (9 September 2016 and 9 September 2017). However, due to the variation of the arrangement the funds available in the arrangement have not been sufficient to meet the 5p in the £ requirement. The balance at bank of the LLP needs to be in the region of £80,000 to achieve the minimum dividend amount. Therefore, I will consider the viability of another dividend in March 2018, at which point I will have received further contributions.

Should you require further information at any time, please do not hesitate to contact Simon Hicks of this office.



**MICHELLE WEIR**  
**SUPERVISOR**

Enc.



**TS PEOPLE LIMITED**  
**COMPANY VOLUNTARY ARRANGEMENT**

**RECEIPTS & PAYMENTS ACCOUNT**  
**09 SEPTEMBER 2013 TO 08 SEPTEMBER 2017**

Estimated to realise per proposal £		09.09.2016 to 08.09.2017 £	Total to date £
	<b>RECEIPTS</b>		
51,229	Dividends from Taylor Street Solicitors LLP CVA	-	13,090.00
0	VAT refund	-	100.00
0	Interest	0.09	5.71
<b>51,229</b>		<b>0.09</b>	<b>13,195.71</b>
	<b>PAYMENTS</b>	£	£
	Preferential distribution (100p in the £ paid on 13/06/2014)	-	1,688.42
	Unsecured dividend (note 2)	-	883.57
	Meeting room hire	-	100.00
	Nominee's fee	-	3,000.00
	Adjournment fee	-	1,000.00
	Supervisor's remuneration	-	5,700.48
	Companies House searches	-	4.00
	Postage	0.53	40.06
	Statutory bonding	-	120.00
	Legal costs	-	611.00
		<b>0.53</b>	<b>13,147.53</b>
	Balance at bank		<b>48.18</b>

## Notes:

1. Receipts & payments are stated gross of VAT
2. Unsecured dividends paid: -
 

13/06/2014	4p in the £
23/12/2014	2 3p in the £
11/03/2016	12.4p in the £

**TS PEOPLE LIMITED  
COMPANY VOLUNTARY ARRANGEMENT**

**APPENDIX B**

**Time Cost Analysis Summary**

**Period of Time Costs**

From: 09 September 2013

To: 08 September 2017

Description of Work	Senior		Administrators	Assistants & Support Staff		Total Hours	Total Cost	Average Rate £/hr
	Partner	Manager		Manager	Support Staff			
Administration and Planning	1.00	7.80	0.00	0.00	26.00	34.80	£4,228.00	£121.49
Investigations	0.00	0.00	0.00	0.00	3.20	3.20	£288.00	£90.00
Creditors	0.20	6.10	0.00	1.00	6.80	14.10	£2,093.00	£148.44
Tax/VAT	0.00	0.00	0.00	0.00	0.90	0.90	£81.00	£90.00
<b>Total Hours</b>	<b>1.20</b>	<b>13.90</b>	<b>0.00</b>	<b>1.00</b>	<b>36.90</b>	<b>53.00</b>	<b>£6,690.00</b>	<b>£126.23</b>

Total Time Costs (£)

£6,690.00

## ADDITIONAL INFORMATION IN RELATION TO SUPERVISOR'S FEES

## PURSUANT TO STATEMENT OF INSOLVENCY PRACTICE 9 (SIP9)

## 1 Policy

*Detailed below is Lameys policy in relation to -*  
 Staff allocation and the use of sub-contractors  
 Professional advisors  
 Disbursements

## 1.1 Staff allocation and the use of sub-contractors

Lameys general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case

The constitution of the case team will usually consist of a Partner, Manager, Senior and Administrator. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and on larger, more complex cases, several Seniors/Assistants may be allocated to meet the demands of the case

It is my policy as Supervisor to delegate the routine administration of the Voluntary Arrangement to senior staff in order to maximise the cost effectiveness of the work performed. These staff are overseen by the Supervisor. Any matter of particular complexity or significant that require responsibility of exceptional kind will be dealt with by the Supervisor or a Partner

In common with all professional firms, the Supervisor's scale rates increase from time to time over the period of the administration of each Insolvency case. Lameys or any successor firm reserves the right to change the rates and grade structure

Lameys does not utilise the services of any sub-contractors

## 1.2 Professional advisors

On this assignment I have not used any professional advisors

## 1.3 Disbursements

Expenses and disbursements incurred by Lameys on dealing with the administration of the Arrangement are discharged as a practice overhead out of fee income. This means that there are no hidden costs for recharging the use of internal meeting rooms, document storage and other services provided in-house by the firm

For the avoidance of doubt, direct costs relating to the administration of the Arrangement are recovered if funds permit. These include, where applicable, statutory insurance, postage, advertising, travel expenses and expenses claims by Lameys staff where they are obliged to work away from the office. Furthermore, Lameys only seeks to recover the costs of printing, document storage and room hire when provided by external suppliers

## 2. Charge out rates

A schedule of Lameys charge-out rates was issued to creditors with the Proposal. Time is recorded in 8 minute units. There have been no material increases in charge-out rates since that date

The current charge-out rates are as follows -

Partner	£250 per hour
Senior Manager	£210 per hour
Assistant Manager	£170 per hour
Administrators	£150 per hour
Assistants & Support Staff	£90 per hour

Creditors may obtain the guidance note 'Voluntary Arrangements – A Creditors guide to Insolvency Practitioners Fees (effective from 6 April 2017)' at <http://tinyurl.com/bgoaopu> or upon request to myself.

**TS PEOPLE LIMITED**

**CREDITOR'S STATEMENT OF CLAIM**

Name and Address of Creditor:

---

---

---

---

Amount claimed in the Arrangement:-  
(Including VAT)

---

---

Signature of Creditor:

---

Name of Creditor:

---

Telephone:

---

Fax:

---

Email:

---

Date:

---

Please provide appropriate documentation in support of your claim.

If you are registered for VAT the amount claimed should include VAT even if VAT bad debt relief has been claimed under the Value Added Tax Act 1994

Please return this form when you have completed it to Lameys, Envoy House, Longbridge Road, Plymouth, PL6 8LU.

---

Creditors registered for VAT may be able to claim VAT bad debt relief in accordance with Section 35 Value Added Tax Act 1994. In broad terms relief is available when the debt is six months old and "written off" by the creditor entering it on his VAT refunds-for-bad-debts-account

Claims lodged in the Arrangement should be gross, including any VAT element. If/when dividends are paid, creditors who have claimed VAT bad debt relief must apportion the dividend between VAT and the net element of their claim and account to HM Revenue & Customs for the VAT element through their VAT Return.

Insolvency Practitioners have no role in administering VAT bad debt relief under the Value Added Tax Act 1994. Creditors who are uncertain how to claim should contact their VAT office or take professional advice