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

CVA3

Notice of supervisor's progress report in voluntary arrangement



For further information, please refer to our guidance at www.gov.uk/companieshouse

	Commonwed Ataile	
1	Company details	Semi-care
Company number	0 7 6 8 5 4 7 5	→ Filling in this form Please complete in typescript or in
Company name in full	Heads Of The Valleys Development Company Limited	bold black capitals. —
2	Supervisor's name	
Full forename(s)	Kevin	
Surname	Lucas	
3	Supervisor's address	
Building name/number	Stanmore House	
Street	64-68 Blackburn Street	_
		_
Post town	Manchester	_
County/Region		_
Postcode	M 2 6 2 J S	
Country		
4	Supervisor's name •	
Full forename(s)		Other supervisor
Surname		 Use this section to tell us about another supervisor.
5	Supervisor's address [®]	
Building name/number		② Other supervisor
Street		 Use this section to tell us about another supervisor.
		_
Post town		_
County/Region		_
Postcode		
Country		_

CVA3
Notice of supervisor's progress report in voluntary arrangement

<u></u>	Data of valuations among among
6	Date of voluntary arrangement
Date	$\begin{bmatrix} \frac{1}{2} & \frac{1}{8} \end{bmatrix}$
7	Period of progress report
Date from	$\begin{bmatrix} \frac{1}{2} & \frac{1}{2} & \frac{1}{0} & \frac{1}{2} & $
Date to	$\begin{bmatrix} 1 & 1 & 1 & 1 & 1 & 1 & 1 & 1 & 1 & 1 $
8	Progress report
	☑ I attach a copy of the progress report
9	Sign and date
Supervisor's signature	Signature X
Signature date	$\begin{bmatrix} 1 & 0 & 0 & 0 \end{bmatrix}$ $\begin{bmatrix} 0 & 0 & 0 & 0 \end{bmatrix}$ $\begin{bmatrix} 0 & 0 & 0 & 0 & 0 \end{bmatrix}$

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	Alison Phillips			
Company name	Lucas Ross Limited			
Address	Stanmore House			
	64-68 Blackburn Street			
Post town	Radcliffe			
County/Region	Manchester			
Postcode	M 2 6 2 J S			
Country				
DX				

1

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.
- $\hfill \square$ 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.

Turther 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

HEADS OF THE VALLEYS DEVELOPMENT COMPANY LIMITED - IN COMPANY VOLUNTARY ARRANGEMENT

Supervisor's Third Annual Progress Report pursuant to Rule 2.41 of the Insolvency (England & Wales)
Rules 2016
For the period from 22 February 2020 to 21
February 2021

1. INTRODUCTION, CREDITORS' RIGHTS AND ABBREVIATIONS

The following abbreviations will be used as appropriate throughout this report:

Act Insolvency Act 1986

Arrangement Company Voluntary Arrangement

Company Heads Of The Valleys Development Company

Limited

Proposals CVA Proposals

Rules or Rule Insolvency Rules 2016

SofA Statement of Affairs signed by the director at the

start of the process

Supervisor Kevin Lucas of Lucas Ross Limited Stanmore

House, 64-68 Blackburn Street, Radcliffe,

Manchester, M26 2JS

Kevin Lucas was appointed as Supervisor on 22 February 2018.

This is the third annual progress report to creditors and covers the period from 22 February 2020 to 21 February 2021 and is issued pursuant to Rule 2.41 of The Rules to provide creditors with an update on the progress of the Arrangement. This report should be read in conjunction with any previous reports.

Creditors' rights

At the end of this report is an extract from the Insolvency Rules 2016 setting out the rights of creditors to request further information and/or challenge the remuneration or expenses within the Arrangement. Creditors may access information setting out creditors' rights in respect of the approval of Supervisor's remuneration free of charge from this office on request

Complaints about Insolvency Practitioners should be made to the office of the relevant Supervisor in the first instance. If you are not satisfied with the response, the Insolvency Service has a central gateway for considering complaints. This gateway can be found at https://www.gov.uk/complain-about-insolvency-practitioner where you will find further information on how you may pursue a complaint.

All Licensed Insolvency Practitioners are bound by the Insolvency Code of Ethics when carrying out all professional work. The Insolvency Code of Ethics can be found at https://www.icaew.com/-/media/corporate/files/technical/ethics/insolvency-code-of-ethics.ashx?la=en

2. STATUTORY INFORMATION

Names of Supervisor: Kevin Lucas of Stanmore House, 64-68 Blackburn

Street, Manchester, M26 2JS

Commencement Date: 22 February 2018

Duration: 138 Months

Court Reference Number: Manchester County Court 2125 of 2018

Company Name: Heads of The Valleys Development Company Limited

("the Company")

Registered Number: 07685475

Date of Incorporation: 28 June 2011

Nature of Business: Specialist Construction of Automotive Focussed

Development

Registered Office: 1 Finsbury Circus, London, EC2M 7SH

Principle Trading Address: 1 Finsbury Circus, London, EC2M 7SH

Changes in Office Holder: Elizabeth Manley formerly of Lucas Johnson Limited

was removed as Joint Supervisor in accordance with a Block Transfer Order granted in the High Court of

Justice, Business and Property Courts In

Manchester, Insolvency and Companies Court on 4

November 2020

3. PROGRESS OF THE ARRANGMENT DURING THE PERIOD

Contributions

As detailed in the Proposals, the Company is to commence the contributions into the CVA from the 1 April 2021 which is outside of the reporting period. The Company is due to make contributions as follows:

Year	Total Yearly		
	Contributions		
2021	£3,148,913		
2022	£3,148,913		
2023	£3,148,913		
2024	£4,723,370		
2025	£4,723,370		
2026	£4,723,370		
2027	£4,723,370		
2028	£3,148,913		
Total	£31,489,132		

As at the date of writing this report the initial contribution has not been received as the director has advised that due to the impact of Brexit which has now come into effect along with the global pandemic of Covid 19, he would like to propose a variation to the Arrangement.

The Supervisor will therefore liaise with the director to circulate details of the variation to be proposed with the respective notice of the creditors decision procedure to creditors within 1 month of this report being issued.

Compliance of the Arrangement

To confirm under the terms of the CVA, the Company is also to provide the Supervisor with draft account within 6 months of the financial year end. In the review period, the Supervisor has received the annual accounts and understands that the requirements of the Arrangement are being adhered to.

Future Actions

As detailed above, a variation of the CVA is required due to Brexit and Covid 19 pandemic, the Supervisor will liaise with the director on the terms of the variation to be proposed and once agreed, the relevant details and respective creditors decision procedure notice will be circulated to creditors.

4. COSTS OF THE ARRANGEMENT

A summary of the receipts and payments account is attached for your information, analysed to show activity in the last year and the entire period of the liquidation as appropriate.

It shows actual receipts and actual payments rather than accrued and unrealised/unpaid receipts and payments.

Remuneration of the Supervisor

The basis upon which the Supervisor charges remuneration was agreed by creditors to be fixed by reference to time properly spent by the Supervisor And his staff in attending to matters arising on 22 February 2018.

The Supervisor time costs for the period 22 February 2020 to 21 February 2021 are £2,550.50 and are shown in more detail at the end of this report. This represents 10.9 hours at an average hourly rate of £233.99. Time has been mainly spent on Admin and Planning and Creditors; below is further guidance on the work involved for each category:

Category	Description of work undertaken
Admin & Planning	Dealing with Statutory reporting and filing requirements,
	including annual progress reports to creditors, Registrar
	of Companies and other stakeholders. Time under this
	category has also included the maintenance of records
	& files and completing case strategy reviews as

	required by the Supervisor's authorising regulatory body.
Creditors	Dealing with creditors' queries and correspondence following the Supervisor's appointment and the review of claims received.

The Supervisor total time costs to date since the commencement of the Arrangement are £7,173. This represents 31 hours at an average hourly rate of £231.39.

The Supervisor has drawn no remuneration in the period of this report or since appointment.

Expenses

Expenses are payments from the insolvent estate which are neither an office holder's remuneration nor a distribution to a creditor or member (as appropriate). Expenses include disbursements, which are payments first met by the office holder, and then reimbursed to the office holder from the estate.

Expenses are split into those that do not need approval before they are charged to the estate (category 1) and those that do (category 2):

- Category 1 expenses are payments to persons providing the service to which the expense relates who are not an associate of the office holder and may be paid without prior approval.
- Category 2 expenses are payments to associates or which have an
 element of shared costs. Before being paid, category 2 expenses require
 approval in the same manner as an office holder's remuneration.
 Category 2 expenses require approval whether paid directly from the
 estate or as a disbursement.

Any expenses paid during the reporting period are shown on the receipts and payments account at the end of this report.

All expenses incurred to date:

Expense Incurred	Incurred in prior period £	Incurred in this period £	Paid to end of period £	Total anticipated period end cost £
Category 1				
Specific Bond	2,100.00	_	_	2,100.00

A copy of 'A Creditors' Guide to Supervisors' Fees' which provides guidance on creditors' rights on how to approve and monitor a Supervisor's remuneration and on how the remuneration is set is available from the Supervisor on request at no cost.

5. PROSPECTS FOR CREDITORS

Secured Creditors

The following security has been given by the Company and registered at Companies House:

Charge holder	Created	Security Type
Name		
Santander UK	28 November 2012	Debenture providing a fixed and floating
PLC		charge over the assets of the Company
The Welsh	20 December 2012	Debenture providing a fixed and floating
Ministers		charge over the assets of the Company
The Welsh	18 July 2014	Debenture providing a fixed and floating
Ministers	-	charge over the assets of the Company

In accordance with the terms of the Proposals the secured creditors are expected to be settled in full

Preferential Creditors

There are no preferential creditors.

Unsecured Creditors

The SofA detailed unsecured creditors of £31,425,283. As at the date of this report claims have been received totalling £26,173,724. There are currently a further 37 creditors who are yet to submit their claims in the Arrangement.

As detailed in the proposals, the estimated dividend rate for unsecured creditors was 100p in the £ over the course of the arrangement and is estimated to be paid as follows.

Year	Unsecured
	p in £
2022	10
2023	10
2024	15
2025	15
2026	15
2027	15
2028	10
Total	100

As detailed earlier in this report, the director is requesting a variation to the CVA and the terms of which the Supervisor is awaiting. An update will be provided in the next progress report.

Next Report to Creditors

The next report to creditors will be sent out to creditors following the next anniversary of the Arrangement.

If you require any further information please contact us via help@lucasross.co.uk.

Kevin Lucas Supervisor

19 April 2021

Creditors' and members' requests for further information in administration, winding up and bankruptcy 18.9.

(1) The following may make a written request to the office-holder for further information about remuneration

or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—

- (a)a secured creditor;
- (b)an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
- (c)members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;
- (d)any unsecured creditor with the permission of the court; or
- (e)any member of the company in a members' voluntary winding up with the permission of the court.
- (2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.
- (3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—
 - (a)providing all of the information requested;
 - (b)providing some of the information requested; or
 - (c)declining to provide the information requested.
- (4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—
 - (a)the time or cost of preparation of the information would be excessive; or
 - (b)disclosure of the information would be prejudicial to the conduct of the proceedings;
 - (c)disclosure of the information might reasonably be expected to lead to violence against any person; or
 - (d) the office-holder is subject to an obligation of confidentiality in relation to the information.
- (5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.
- (6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—
 - (a)the office-holder giving reasons for not providing all of the information requested; or
 - (b)the expiry of the 14 days within which an office-holder must respond to a request.
- (7) The court may make such order as it thinks just on an application under paragraph (6).

Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive

18.34.

- (1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—
 - (a)the remuneration charged by the office-holder is in all the circumstances excessive;
 - (b)the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
 - (c)the expenses incurred by the office-holder are in all the circumstances excessive.
- (2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable—
 - (a)a secured creditor,

- (b)an unsecured creditor with either-
 - (i)the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
 - (ii)the permission of the court, or
- (c)in a members' voluntary winding up-
 - (i)members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or
 - (ii) a member of the company with the permission of the court.
- (3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").

Applications under rules 18.34 and 18.35 where the court has given permission for the application 18.36.

- (1) This rule applies to applications made with permission under rules 18.34 and 18.35.
- (2) Where the court has given permission, it must fix a venue for the application to be heard.
- (3) The applicant must, at least 14 days before the hearing, deliver to the office-holder a notice stating the venue and accompanied by a copy of the application and of any evidence on which the applicant intends to rely.
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
 - (a)an order reducing the amount of remuneration which the office-holder is entitled to charge;
 - (b)an order reducing any fixed rate or amount;
 - (c)an order changing the basis of remuneration;
 - (d)an order that some or all of the remuneration or expenses in question is not to be treated as expenses of the administration, winding up or bankruptcy;
 - (e)an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by
 - (i)the administrator or Supervisor or the administrator's or Supervisor's personal representative to the company, or
 - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;

(f)any other order that it thinks just.

- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration, winding up or bankruptcy.

Applications under rule 18.34 where the court's permission is not required for the application 18.37.

- (1) On receipt of an application under rule 18.34 for which the court's permission is not required, the court may, if it is satisfied that no sufficient cause is shown for the application, dismiss it without giving notice to any party other than the applicant.
- (2) Unless the application is dismissed, the court must fix a venue for it to be heard.
- (3) The applicant must, at least 14 days before any hearing, deliver to the office-holder a notice stating the venue with a copy of the application and of any evidence on which the applicant intends to rely.
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
 - (a)an order reducing the amount of remuneration which the office-holder is entitled to charge;

- (b)an order reducing any fixed rate or amount;
- (c)an order changing the basis of remuneration;
- (d)an order that some or all of the remuneration or expenses in question be treated as not being expenses of the administration or winding up or bankruptcy;
- (e)an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by
 - (i)the administrator or Supervisor or the administrator's or Supervisor's personal representative to the company, or
 - (ii)the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;

(f)any other order that it thinks just.

- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration or as winding up or bankruptcy.

OFFICE HOLDER'S FEES AND DISBURSEMENTS POLICY

Fees based on Time Properly Given and the Estimation of Fees

Each member of staff involved with the case will time charge on an individual basis. The hourly cost of each member of staff shall be calculated in accordance with their experience and resultant grade within the practice.

Recording of Fees

Time is formally recorded in prescribed categories in units of 6 minutes. All units of time properly spent, shall be recorded on a formal time management system and retained throughout appointment, irrespective of the basis of fees.

Charge Out Rates

Hourly charge out rates from 3 December 2020 are:

Charges for usual cases	(£)
Partner/Director/Consultant	395
Manager/Senior Manager	280-325
Assistant Manager	260
Administrator/Senior Administrator	170-225
Cashier ^(#)	150
Junior and Support Staff	125

(#) Please note that time charged by our cashiers relates only to accounting matters relevant to the case.

The basis upon which the Office Holder determines the appropriate charge out rate on the complexity of the case is detailed in the respective independent creditors' guides to fees, available to download from our company website or by email from this office.

The Office Holder reserves the right to uplift both the hourly rates and category 2 disbursements periodically without further recourse to the creditors. By law, such increases must be disclosed to creditors within each statutory report. Where such increases affect the total fees incurred and take these over the totality of any fee resolution proposed previously, an additional fee resolution will be sent to creditors for their consideration.

Support Staff

In an effort to minimise costs to the case, it is necessary to use support staff to undertake certain matters. Support staff time is charged in the same manner as technical staff on the rates outlined above.

VAT

Services provided by Insolvency practitioners are subject to VAT, except when acting as Nominee or Supervisor of an estate.

Our fees will be subject to VAT at the appropriate rate.

Where the case is not registered for VAT, VAT shall be shown as an irrecoverable expense of the estate.

Expenses and Disbursements

Every case dealt with will incur expenses in addition to fees. These expenses will often also be referred to as disbursements.

Expenses will cover a number of areas, such as advertising, insolvency practitioner insurance and legal fees.

Where the Office Holder or his firm pays these out of their own funds (e.g. the firm's office account) these will be classed as Disbursements. The Office Holder is required to explain the amount and nature of such disbursements whenever a formal abstract of accounts is produced.

Regulations require that we separate Category 1 and 2 disbursements for your information. An explanation of which is as follows:

Category 1 Disbursements:

Category 1 disbursements are expenses directly attributable to the case, where exact costs can be ascertained and recharged without profit. These can, but are not limited to, include insolvency bonds, advertising, company searches, post redirection orders, postage, external room hire, external storage as well as public transport and accommodation costs incurred by staff whilst attending to the administration of the estate.

Category 2 Disbursements

Category 2 disbursements are additional overheads that relate to the estate but are either not directly attributable to it, or the exact cost is not ascertainable and therefore cannot be precisely recharged. These expenses include, inter alia, stationery, photocopying and storage costs.

Any authorised category 2 disbursements which have been charged shall be shown in the statutory abstract of accounts.

The following is a current schedule of category 2 disbursements which may (*) be charged by Lucas Ross Limited

- Mileage shall be recharged at 50pence per mile;
- Storage of books and records at £30 per box per annum;
- Fixed charge to cover all and any circulars/correspondence at £10 per relevant party (creditors, employees, directors, members) per annum;
- Internal meeting room (where required) charged at £50 per hour or part thereof.
- (*) Lucas Ross Limited does not ordinarily recover all category 2 disbursements, but reserves the right to do so, where such disbursements are substantial and appropriate sanction has been obtained.

The following items of expenditure will normally be treated as general office overheads by the Office Holder and will not be charged to the case:

- · Telephone and facsimile;
- Printing and photocopying;
- Stationery;
- Email addresses or telephone numbers set up and used exclusively for the case;

Voluntary Arrangement of Heads Of The Valleys Development Company Limited Supervisor's Summary of Receipts & Payments

Statement of Affairs		From 22/02/2020 To 21/02/2021	From 22/02/2018 To 21/02/2021
£		£	£
	SECURED CREDITORS		
(2,250,000.00)	Santander	NIL	NIL
(11,461,000.00)	Welsh Government	NIL	NIL
,		NIL	NIL
	ASSET REALISATIONS		
31,489,134.00	Voluntary Contributions	NIL	NIL
	•	NIL	NIL
	UNSECURED CREDITORS		
(8,124,825.00)	Connected Creditors	NIL	NIL
(10,073,353.00)	Contingent Creditors	NIL	NIL
(809,617.00)	HM Revenue & Customs - PAYE/NIC	NIL	NIL
(150,000.00)	HM Revenue & Customs - VAT	NIL	NIL
(12,267,488.52)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
(13,647,149.52)	REPRESENTED BY	NIL	NIL
			NIL

Supervisor

Time Entry - SIP9 Time & Cost Summary

H0035 - Heads Of The Valleys Development Company Limited All Post Appointment Project Codes From: 22/02/2020 To: 21/02/2021

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	3.80	2.70	0.00	4.00	10.50	2,455.50	233.86
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.20	0.20	0.00	0.40	95.00	237.50
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pre Appointment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	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
Total Hours	3.80	2.90	0.20	4.00	10.90	2,550.50	233.99
Total Fees Claimed						0.00	
Total Disbursements Claimed						0.00	

Time Entry - SIP9 Time & Cost Summary

H0035 - Heads Of The Valleys Development Company Limited All Post Appointment Project Codes To: 21/02/2021

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	7.80	2.70	8.00	6.80	25.30	5,873.00	232.13
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.80	0.20	4.10	0.60	5.70	1,300.00	228.07
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pre Appointment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	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
Total Hours	8.60	2.90	12.10	7.40	31.00	7,173.00	231.39
Total Fees Claimed						0.00	
Total Disbursements Claimed						0.00	

Time Entry - SIP9 Time & Cost Summary All Disbursements

H0035 - Heads Of The Valleys Development Company Limited To: 21/02/2021

Other amounts paid or payable to the office holders firm or to party in which the office holder or his firm or any associate has an interest.

Transaction Date	Type and Purpose	Disbursement Category	Amount
22/02/2018	Specific Bond: Bond - Marsh Ltd	Category 1	2,100.00
		Total	2,100.00