

WU15

Notice of final account prior to dissolution in a winding up by the court



Companies House

SATURDAY



A18

A6F32RLS

16/09/2017

#289

COMPANIES HOUSE

1 Company details

Company number 0 6 1 0 2 6 8 2

Company name in full Brookson (5746H) Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Laurence

Surname Russell

3 Liquidator's address

Building name/number Lupins Business Centre

Street 1-3 Greenhill

Post town Weymouth

County/Region Dorset

Postcode D T 4 7 S P

Country

4 Liquidator's name ①

Full forename(s)

Surname

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

② Other liquidator

Use this section to tell us about
another liquidator.

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6

Liquidator's release

Did any of the creditors object to the liquidator's release?

☐ Yes

☒ No

7

Date of final account

Date

d1 d2 m0 m9 y2 y0 y1 y7

8

Final account

☒ The final account is attached


9

Sign and date

Liquidator's signature

Signature

X



X

Signature date

d1 d2 m0 m9 y2 y0 y1 y7

Email: scott.kippax@albertgoodman.co.uk
Our Ref: LR/SK/214043/PF7
Your Ref:

When telephoning, please call Scott Kippax on 01305 772458

12 September 2017

PRIVATE AND CONFIDENTIAL

ALL MEMBERS AND CREDITORS



Dear Sir/Madam

BROOKSON (5746H) LIMITED – IN COMPULSORY LIQUIDATION

Previously trading from: 1 Manor Garden, Durrington, Salisbury, Wiltshire SP4 8AG

Company number: 06102682

**Registered office: Lupins Business Centre, 1-3 Greenhill, Weymouth, Dorset DT4 7SP
High Court of Justice No. 8795 of 2011**

I am pleased to advise that the liquidation is now complete and I am able to present an account of my acts and dealings and of the conduct of the winding up.

Please find attached my final receipts and payments account at Appendix 1 and I would confirm that my account has been reconciled with that held by the Secretary of State.

I would comment further as follows:-

1. Receipts

1.1. Cash at bank (estimated to realise £123,157)

An amount of £144,408 was received in respect of the cash held in the company's bank account. This was more than shown in the statement of affairs due to additional funds being paid into the account following the liquidation in respect of pre-liquidation trading activity.

1.2. Office equipment (estimated to realise £25)

My predecessor concluded that it was not economic for an agent to deal with the office equipment given its low residual value and the costs that would have been incurred. Therefore, these items were abandoned.

1.3. Computer equipment (estimated to realise £50)

Similarly, the computer equipment was also abandoned.

1.4. Director's loan account

The Official Receiver's report to creditors showed an outstanding amount due to the director in respect of his loan account of £80,000. However, the company's management accounts revealed that there was a balance due to the company at the date of liquidation of £120,141.

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Albert Goodman is the trading name of Albert Goodman LLP, a limited liability partnership registered in England No.OC 353677
Registered Office: Mary Street House, Mary Street, Taunton TA1 3NW. A full list of members is available at this address.
Laurence Russell is licensed as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales
Registered to carry on audit work in the UK and Ireland and regulated for a range of investment business activities
by the Institute of Chartered Accountants in England and Wales

Praxity
Praxity LLP

Notwithstanding several requests for a reconciliation to be undertaken and either documentary evidence to substantiate the amount purportedly due to him of £80,000 or, in the alternative, repayment proposals in respect of the sum due from him of £120,141, the director did not respond to me or my solicitors.

To progress matters I consulted with the majority creditor, who opted for me to potentially commence legal proceedings against the director to collect any amount due to the company.

My solicitors issued a statutory demand against the director for repayment of the £120,141 shown in the company records as being due, but neither my solicitors nor I received any response.

A 'pre sue' report was also carried out to ascertain if the director was likely to have the means to meet the amount potentially due to the company, which indicated that this may not be the case.

I then consulted further with the majority creditor, who is the sole creditor in the absence of a claim from the director, and it was concluded that no further action should be taken.

1.5. Other receipts

These are shown in the attached receipts and payments account and are self-explanatory.

2. **Payments**

2.1. Legal fees

The amount of £2,000 was paid to solicitors in relation to assisting with the potential recovery of the outstanding balance on the director's loan account, as mentioned in paragraph 1.4 above.

2.2. Legal disbursements

A total of £275 was reimbursed to the solicitors in respect of their disbursements, made up of £145 for the aforementioned 'pre sue' report, £125 for the serving of the statutory demand and £5 for searches.

2.3. Petitioner's costs

An amount of £1,995 was paid to the petitioning creditor in respect of the legal costs they incurred in winding up the company.

2.4. Other payments

Again, these are self-explanatory and all are also shown in the attached receipts and payments account.

3. **Professional advisor**

The following professional advisor has been instructed in this case:-

<u>Advisor</u>	<u>Nature of work</u>	<u>Fee arrangement</u>
Pengillys LLP	Legal fees in relation to assisting with the recovery of the director's loan account	Time costs plus disbursements

They were appointed on the basis of their experience and ability to undertake the work necessary, bearing in mind the complexity and nature of the instruction.

4. Liquidators' fees

My predecessor convened an initial meeting of creditors for 5 July 2012 for the purposes of fixing the basis of the liquidators' remuneration. This meeting was inquorate, and therefore the fee basis defaulted to the Official Receiver's scale.

The liquidators' have drawn remuneration totalling £18,355 on this basis. The calculation of the fee drawn is shown in note 2 of the attached receipts and payments account.

Creditors may, within 21 days of receipt of this report, make a request in writing for further information about the remuneration and expenses set out in it. Such a request may be made by either of the following:-

- (a) a secured creditor, or
- (b) an unsecured creditor with either the concurrence of at least 5% in value of unsecured creditors including that creditor or the permission of the Court.

A secured creditor, or an unsecured creditor with either the concurrence of at least 10% in value of unsecured creditors including that creditor or the permission of the Court, may apply to Court for an order on the grounds that:-

- (a) the remuneration charged by the liquidators, or
- (b) the basis fixed for the liquidators' remuneration, or
- (c) the expenses incurred by the liquidators

is or are, in all the circumstances, excessive or, in the case of an application under subparagraph (b), inappropriate.

A Guide to Liquidators' Fees can be downloaded at https://www.r3.org.uk/media/documents/publications/professional/Guide_to_Liquidators_Fees_Nov2011.pdf and is also available free of charge on request from this office.

5. Creditors' claims

5.1. Preferential creditors

There are no preferential creditors in this case.

5.2. Unsecured creditors

I have agreed one unsecured claim from HM Revenue and Customs for £203,049.

The statement of affairs of the company showed three unsecured creditors totalling £184,985.

One of these creditors listed as being owed £2,000 in respect of a company credit card had the amount due to them paid by set-off against the company's cash held by the same bank and therefore did not claim in the liquidation.

Another was the potential claim from the director of £80,000 as mentioned above. A notice of intention to pay a first and final dividend was issued to the director, with the last date for proving being 19 May 2017. No claim was received and, therefore, this creditor has been excluded for dividend purposes.

The agreed claim from HM Revenue and Customs of £203,049 was higher than the £102,985 shown in the statement of affairs and comprised PAYE / NIC of £17,698 for the period from 2008 to liquidation, corporation tax of £74,087 for the years ended 31 March 2009 and 31 March 2010, VAT of £107,823 including a surcharge of £12,221 and accrued interest on all of these of £3,441 up to the date of liquidation.

I can advise that a first and final dividend was paid to the sole unsecured creditor of 48.12p in the £ totalling £97,697 on 7 July 2017.

5.3. Prescribed part fund for unsecured creditors

Where a company has granted a floating charge after 15 September 2003 and funds are available under that floating charge, the liquidator must make part of the company's net property available for the satisfaction of unsecured debts.

As there is no floating charge in this case, this provision does not apply.

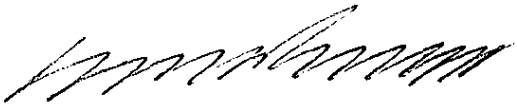
6. Release from office

I have not received an objection to my release and therefore my release shall be effective from the date I file this final account in Court and with the Registrar of Companies.

Should you have any queries regarding this report, please do not hesitate to contact this office.

Further information about insolvency processes is available at www.creditorinsolvencyguide.co.uk

Yours faithfully
For and on behalf of
Brookson (5746H) Limited



LAURENCE RUSSELL (IP No. 9199)
Liquidator

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Appendix 1

BROOKSON (5746H) LIMITED - IN COMPULSORY LIQUIDATION

FINAL RECEIPTS AND PAYMENTS ACCOUNT

	As per statement of affairs £	At 25/10/2016 £	In period from 26/10/2016 to closure £	Total to closure £
Receipts				
Cash at bank	123,157	144,408	-	144,408
Office furniture	25	-	-	-
Computer equipment	50	-	-	-
Director's loan account	-	-	-	-
Petitioner's deposit	-	1,165	-	1,165
Interest	-	2,379	122	2,501
	<u>123,232</u>	<u>147,951</u>	<u>122</u>	<u>148,073</u>
Payments				
Legal fees	-	-	(2,000)	(2,000)
Legal disbursements	-	-	(275)	(275)
Tracing agents' fee	-	(35)	-	(35)
Official Receiver's debit balance	-	(2,236)	-	(2,236)
Secretary of State fees	-	(24,306)	(15)	(24,320)
Liquidators' remuneration	-	(12,970)	(5,385)	(18,355)
Petitioner's costs	-	(1,995)	-	(1,995)
Insolvency bond	-	-	(104)	(104)
Statutory advertising	-	-	(55)	(55)
Insolvency Service banking fees	-	(432)	(69)	(501)
Corporation tax	-	(476)	(24)	(500)
	<u>123,232</u>	<u>105,502</u>	<u>(7,805)</u>	<u>97,697</u>
Less: unsecured creditors	<u>(184,986)</u>	<u>-</u>	<u>(97,697)</u>	<u>(97,697)</u>
	<u>(61,754)</u>	<u>105,502</u>	<u>(105,502)</u>	<u>-</u>
Dividend re unsecured creditors		0%	48.12%	48.12%

Note 1

The figures on the receipts and payments account are net of VAT.

Note 2

Liquidators' remuneration is calculated based on the Official Receiver's scale as follows:-

Realisation scale:	£146,908.30
£5,000 @ 20%	£1,000.00
£5,000 @ 15%	£750.00
£90,000 @ 10%	£9,000.00
£46,908.30 @ 5%	£2,345.42
Fee drawn	<u>£13,095.42</u>

Distribution scale:	£97,697.17
£5,000 @ 10%	£500.00
£5,000 @ 7.5%	£375.00
£87,697.17 @ 5%	£4,384.86
Fee drawn	<u>£5,259.86</u>

Total fee drawn	<u>£18,355.28</u>
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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.

Contact name	Scott Kippax
Company name	Albert Goodman LLP
Address	Lupins Business Centre
	1-3 Greenhill
Post town	Weymouth
County/Region	Dorset
Postcode	D T 4 7 S P
Country	
DX	
Telephone	01305 772458



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 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