

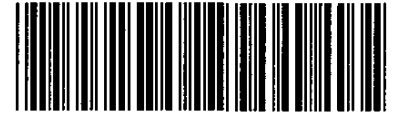
# LIQ03

## Notice of progress report in voluntary winding up



Companies House

FRIDAY



\*A7ZUPR6J\*  
A07 22/02/2019 #116  
COMPANIES HOUSE

### 1 Company details

Company number 0 7 0 6 1 1 2 8  
Company name in full Banham & Co Limited

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

### 2 Liquidator's name

Full forename(s) Darren  
Surname Edwards

### 3 Liquidator's address

Building name/number 40a Station Road  
Street Upminster  
Post town  
County/Region Essex  
Postcode R M 1 4 2 T R  
Country

### 4 Liquidator's name

Full forename(s)  
Surname

● **Other liquidator**  
Use this section to tell us about  
another liquidator.

### 5 Liquidator's address

Building name/number  
Street  
Post town  
County/Region  
Postcode  
Country

● **Other liquidator**  
Use this section to tell us about  
another liquidator.

# LIQ03

Notice of progress report in voluntary winding up


## 6 Period of progress report

From date	2	2	1	2	2	0	1	7
To date	2	1	1	2	2	0	1	8

## 7 Progress report

☒ The progress report is attached

## 8 Sign and date

Liquidator's signature	Signature	X		X
Signature date	d	1	d	9
	m	0	m	2
	y	2	y	0
	y	1	y	9

**The Insolvency Act 1986**

**BANHAM & CO LIMITED – IN CREDITORS' VOLUNTARY LIQUIDATION**

I, Rob Cogan, in the employ of Aspect Plus Limited hereby certify:

That I sent the attached documents to the Registrar of Companies at Companies House by putting the same into the Post Office sack at Aspect Plus Limited, 40a Station Road, Upminster, Essex, RM14 2TR before the hour of 5:00 o'clock on 18 February 2019 and sent by first class mail.

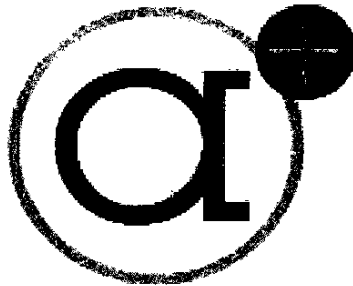
Signature \_\_\_\_\_

Date:

**IN THE MATTER OF  
BANHAM & CO LIMITED - IN LIQUIDATION**

**AND  
THE INSOLVENCY ACT 1986**

**THE LIQUIDATOR'S THIRD ANNUAL PROGRESS REPORT  
PURSUANT TO SECTION 104A OF THE INSOLVENCY ACT 1986  
FOR THE YEAR ENDED 21 DECEMBER 2018**



Aspect Plus Limited  
40a Station Road  
Upminster  
Essex  
RM14 2TR

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- h. Details of progress for period under review
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- j. Investigations
- k. Creditors' rights to request information and their right to challenge the Liquidator's remuneration and expenses
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- m. Next Report

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- 1. Receipts and Payments Account from 22 December 2017 to 21 December 2018 and cumulative for the period 22 December 2015 to 21 December 2018
- 2. Time Analysis for the period 22 December 2017 to 21 December 2018 together with a detailed review of work undertaken to date
- 3. Time Analysis for the period 22 December 2015 to 21 December 2018
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**BANHAM & CO LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION**  
**Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986**  
**18 February 2019**

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**(a) Introduction**

The Company was placed into Liquidation by a Special Resolution of the members followed by a meeting of the creditors convened under Section 98 of the Insolvency Act 1986, on 22 December 2015. This report provides an update on the progress in the Liquidation for the year ended 21 December 2018.

**Rule 18.3: Progress Report**

**(b) Statutory Information**

Company Name: Banham & Co Limited  
Registered Office: 40a Station Road, Upminster, Essex, RM14 2TR  
Company Number: 07061128  
Trading Address: 11 Winstanley Way, Basildon, Essex, SS14 3BP

**(c) Liquidator's Name & Address**

Liquidator Name: Darren Edwards  
Liquidator Firm: Aspect Plus Limited  
Liquidator Address: 40a Station Road, Upminster, Essex RM14 2TR  
Appointment Date: 22 December 2015

**(d) Basis of Liquidator's Remuneration**

*Pre-appointment costs*

The members and creditors previously authorised the payment of a fixed fee of £5,000.00 plus VAT and disbursements for the assistance with the Statement of Affairs and producing and circulating the notices for the meetings of members and creditors prior to my appointment at a meeting held on 22 December 2015.

This fee represents a fair and reasonable reflection of the work that was carried out prior to appointment.

*Basis of remuneration*

At the first meeting of creditors on 22 December 2015, a resolution was passed approving that the basis of the remuneration of the Liquidator to be fixed by reference to the time properly spent by the Liquidator and his staff in attending to matters arising in the winding-up.

In accordance with the provisions of Statement of Insolvency Practice 9 ("SIP 9"), a schedule of this firm's charge-out rates was issued to creditors at the time the basis of the Liquidator's remuneration was approved.

*Staff allocation and the use of subcontractors*

The general approach to this firm's 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 Administrator and an Administrator. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and additional staff may be allocated to meet the demands of the case. I have not utilised the services of any subcontractors in this case.



**(e) Liquidator's remuneration**

This firm's time costs for the year under review are £1,086.50. This represents 5.60 hours at an average rate of £194.02 per hour. I attach at Appendix 2 a Time Analysis which provides details of the activity during the year, analysed by staff grade.

The total time costs during the period of appointment amount to £13,585.50 representing 70.70 hours at an average hourly rate of £192.16. These time costs are disclosed in Appendix 3.

The Liquidator has drawn no remuneration on account of these time costs.

To view an explanatory note concerning Liquidators' remuneration issued by the Joint Insolvency Committee, please contact this office to arrange for a hard copy to be sent to you. Alternatively, you may view the guide to Liquidators' guide to fees online by copying the link below to your web browser:

<http://www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees>

A copy of this firm's charge out rates and disbursement policy is attached at Appendix 4.

I can advise that R3, the Association of Business Recovery Professionals have a website for creditors which provides information to assist those creditors who are unfamiliar with the insolvency process. Please copy the following link in your web browser to access information: -

[www.creditorinsolvencyguide.co.uk](http://www.creditorinsolvencyguide.co.uk)

Included in the work undertaken by me and my staff in the previous year is the following:-

- Carrying out all necessary investigations, including the examination of the Company's statutory books and books of accounts and records in order to enable me to prepare and submit a Liquidator's report on the conduct of the Directors pursuant to the requirements of the Company Directors Disqualification Act 1986;
- Correspondence with the Company's bankers, Barclays Bank Plc, which included investigations into possible antecedent transactions relating to the period prior to my appointment;
- Reviewing potential recovery actions;
- Instructing solicitors Trainer Shepherd Phillips Melin Haynes LLP to provide advice and assistance in relation to potential claims against the Directors in respect of preference payments made prior to Liquidation;
- General statutory and administrative tasks; and
- Preparation of my annual reports to creditors.

**(f) Liquidator's expenses**

Expenses incurred in the Liquidation are explained at (g) below in my comments on the Receipts and Payments Accounts

At present, Category 2 disbursements have not been fully reconciled and no payments have been made in this regard. These will include costs which are directly referable to the Liquidation but are not paid to an independent third party and will include shared or allocated costs such as photocopying, internal room hire and business mileage.



Category 1 disbursements relate to specific expenditure directly referable to the Liquidation and paid to an independent third party, such as statutory advertising, storage costs and postage. I can advise that the sum of £338.40 has been incurred and not paid in respect statutory advertising.

I can advise that this firm utilises an IT system in which to maintain records and information regarding the Liquidation. A one off fee of £110.00 per case is charged by the IT provider for the use of this software which has been incurred but not paid to date.

In addition to the above, I am required to obtain a specific bond insurance, based on the level of realisations expected to be realised, as required by the Insolvency Practitioners Regulations 2005. This cost has been incurred in the sum of £70.00 and has been paid.

This firm uses a commercial archiving company for storage facilities for the Company's records and papers. This is recharged at the rate of £5 per box per annum for storage and on a time costs basis at £37.50 per hour for contents listing together with a small charge to cover the administration costs of archiving and retrieval of documents. I am also required to keep my working papers for 6 years from the conclusion of the Liquidation.

**(g) Other professional costs**

**Legal Advisers**

I can advise that Solicitors Trainer Shepherd Phillips Melin Haynes LLP have been instructed to provide advice and assistance to potential claims against the Directors in respect of the payments made to them prior to Liquidation.

Trainer Shepherd Phillips Melin Haynes LLP have agreed to work under a Conditional Fee Agreement and will only be paid from any successful recovery.

**(h) Details of progress for the period under review**

A Receipts and Payments Account is attached at Appendix 1, which is further explained below. It should be noted that all figures in the Receipts and Payment Account are shown net of VAT.

**Receipts**

**Bank interest gross**

Interest earned on the funds in hand amounts to £0.76.

**Payments**

**Bank Charge**

This payment relates to a fee charged by the bank for the use of its services.

**(i) Details of any assets that remain to be realised and outstanding matters**

Futher investigation are required into payments made to the Directors prior to Liquidation. This matter has now been referred to solicitors and therefore, matters in this regard are currently ongoing.

Subject to the above and prior to finalising the Liquidation, the final tax position is to be confirmed and statutory matters concluded.



**(j) Investigations**

In accordance with the Company Directors Disqualification Act 1986 a report/return on the conduct of the Directors of the Company has been submitted to the Department for Business Innovation & Skills. As this is a confidential report/return, the Liquidator is not able to disclose the contents.

Shortly after appointment, an initial assessment was made of whether there could be any matters that might lead to recoveries for the estate and what further investigations may be appropriate. This assessment took into account information provided by creditors either at the initial meeting or as a response to my request to complete an investigation questionnaire. These investigations have highlighted potential claims against the Directors, as reported above.

**(k) Creditors' rights to request information and their right to challenge the Liquidator's remuneration and expenses**

Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provides further information about his remuneration or expenses which have been itemised in this progress report.

Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that the basis fixed for the Liquidator's remuneration, the remuneration charged or the expenses incurred by the Liquidator as set out in this progress report are excessive.

**(l) Any other relevant information:**

**Prescribed Part**

As Liquidator, I have a duty to advise whether the prescribed part applies in respect of the amount of funds available for unsecured creditors. This provision only applies where the Company has granted a floating charge to a secured creditor on or after 15 September 2003. Whilst I am required to create a fund out of the Company's net floating charge property for unsecured creditors, based on present information, I do not anticipate having the funds to make a distribution under the Company's floating charge.

**Secured creditors**

The Company granted a fixed and floating charge to Barclays over the undertaking and all property and assets present and future. This charge was duly registered at Companies House on 16 March 2013. The amount outstanding to Barclays at the date of the appointment was £19,000.00.

**Preferential creditors**

As per the Statement of Affairs there were estimated preferential creditors totalling £4,000.00. To date, no employee claims have been received.

**Unsecured creditors**

Unsecured creditors' claims in the sum of £42,671.89 have been received and noted.

Based on current information, there are insufficient funds to make a distribution to any class of creditor.



**BANHAM & CO LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION**  
**Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986**  
**18 February 2019**

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**(m) Next report**

I am required to provide a further report on the progress of the Liquidation within two months of the end of the next anniversary of the Liquidation, unless I have concluded matters prior to this date and issued my final account.

**COMPLAINTS**

Every endeavour will be made to try to resolve any issues that may arise, however, if any matter is not dealt with to your satisfaction your complaint should be made to the Insolvency Service whose website address for complaints is <http://www.bis.gov.uk/insolvency/contact-us/IP-Complaints-Gateway>. Alternatively you may contact the Insolvency Service in writing, by email or by telephone as follows: -

By Email [ip.complaints@insolvency.gsi.gov.uk](mailto:ip.complaints@insolvency.gsi.gov.uk)

By Post The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds  
LS11 9DA;

By telephone [0845 602 9848](tel:08456029848) - calls are charged at between 1p and 10.5p per minute from a land line; for mobiles, between 12p and 41p per minute if you're calling from the UK.

I trust you will find this report adequate for your purposes but should you require any further information, please do not hesitate to contact in the first instance Robert Cogan at this office.



**Darren Edwards**  
Liquidator of Banham & Co Limited

Date: 18 February 2019



Aspect Plus Limited

**Banham & Co Limited - In Creditors Voluntary Liquidation**  
**Liquidator's Abstract of Receipts & Payments**

From 22 December 2017 To 21 December 2018

Statement of Affairs £		From 22/12/17 To 21/12/18 £	Total £
<b>ASSET REALISATIONS</b>			
12,000.00	Book Debts	NIL	2,826.74
1,975.00	Cash at Bank	NIL	151.49
	Bank Interest Gross	0.76	1.51
13,975.00		0.76	153.00
<b>COST OF REALISATIONS</b>			
	Specific Bond	NIL	(70.00)
	Pre Appointment Costs	NIL	(2,875.00)
	Bank Charges	(20.00)	(20.00)
		(20.00)	(2,965.00)
<b>PREFERENTIAL CREDITORS</b>			
	Trade Creditor	NIL	NIL
		NIL	NIL
<b>UNSECURED CREDITORS</b>			
	Trade Creditor	NIL	NIL
		NIL	NIL
		(19.24)	14.74

**REPRESENTED BY**

Banham & Co Limited

14.74

14.74



**Darren Edwards**  
**Liquidator**

**Liquidator's Remuneration Schedule**  
**Banham & Co Limited**  
**Between 22 December 2017 and 21 December 2018**

Classification of work function	Partner/Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	1.10	0.60	0.90	1.40	4.00	776.50	194.13
Investigations	0.40	0.00	1.20	0.00	1.60	310.00	193.75
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
Creditors	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total hours</b>	1.50	0.60	2.10	1.40	5.60		
<b>Time costs</b>	487.50	150.00	323.00	126.00		1,086.50	
<b>Average hourly rate</b>	325.00	250.00	153.81	90.00			194.02

Description	Total Incurred £	Total Recovered £
Specific Bond	70.00	70.00
Statutory Advertising	253.80	0.00
Insolv IT	110.00	0.00
<b>Totals</b>	<b>433.80</b>	<b>70.00</b>

**Summary of Fees**

Time spent in administering the Assignment	Hours	5.60
Total value of time spent to 21 December 2018	£	1,086.50
Total Liquidator's fees charged to 21 December 2018	£	0.00

**BANHAM & CO LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION**  
**Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986**  
**18 February 2019**

**Appendix 2**

**Detailed list of work undertaken for Banham & Co Limited in Creditors' Voluntary Liquidation for the review period 22 December 2017 to 21 December 2018**

Below is detailed information about the tasks undertaken by the Liquidator.

<b>General Description</b>	
<b>Statutory and General Administration</b>	
<b>Statutory/advertising</b>	Filing of documents to meet statutory requirements including annual receipts and payments accounts Annual corporation tax returns Quarterly VAT returns
<b>Document maintenance/file review/checklist</b>	Filing of documents Periodic file reviews documenting strategy Maintenance of statutory and case progression task lists/diaries Updating checklists
<b>Bank account administration</b>	Requesting bank statements Bank account reconciliations Correspondence with bank regarding specific payments Maintenance of the estate cash book
<b>Planning / Review</b>	Discussions regarding strategies to be pursued
<b>Reports</b>	Preparing annual progress report, investigation, meeting and general reports to creditors
<b>Investigations</b>	
<b>SIF 2 Review</b>	Correspondence to request information on the company's dealings, making further enquiries of third parties Review of specific transactions and liaising with directors regarding certain transactions



**Liquidator's Remuneration Schedule**  
**Banham & Co Limited**  
**Between 22 December 2015 and 21 December 2018**

Classification of work function	Partner/Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	6.10	4.00	18.20	9.50	37.80	7,054.50	186.63
Investigations	0.40	4.10	9.00	0.00	13.50	2,641.00	195.63
Realisation of Assets	0.40	3.40	9.80	0.40	14.00	2,830.00	202.14
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	1.90	2.30	0.00	4.20	880.00	209.52
Case Specific Matters	0.00	0.00	1.20	0.00	1.20	180.00	150.00
<b>Total hours</b>	<b>6.90</b>	<b>13.40</b>	<b>40.50</b>	<b>9.90</b>	<b>70.70</b>		
<b>Time costs</b>	<b>2,187.50</b>	<b>3,350.00</b>	<b>7,115.00</b>	<b>933.00</b>		<b>13,585.50</b>	
<b>Average hourly rate</b>	<b>317.03</b>	<b>250.00</b>	<b>175.68</b>	<b>94.24</b>			<b>192.16</b>

Description	Total Incurred £	Total Recovered £
Specific Bond	70.00	70.00
Statutory Advertising	253.80	0.00
Insolv IT	110.00	0.00
<b>Totals</b>	<b>433.80</b>	<b>70.00</b>

**Summary of Fees**

Time spent in administering the Assignment	Hours	70.70
Total value of time spent to 21 December 2018	£	13,585.50
Total Liquidator's fees charged to 21 December 2018	£	0.00

**Aspect Plus Ltd Disbursement Policy**

**Charge-out rates**

Work undertaken by staff is recorded in 6 minute units in an electronic time recording system. Time properly incurred on cases is charged at the hourly rate of the grade of staff undertaking the work that applies at the time the work is done. Details of charge-out rates effective from 1 January 2019, together with those previously charged are as follows:

<b>Charge Out Rates from 01/01/2019</b>		<b>Charge Out Rates Prior to 01/01/2019</b>	
Partners	£400	Partners	£325
Managers	£300	Managers	£250
Senior Administrators	£240	Senior Administrators	£190
Administrators	£190	Administrators	£150
Junior Administrators	£100	Junior Administrators	£90

**Expenses**

Below is an outline of the expenses that may be incurred during the assignment.

Agents and Valuers	There will be a fixed fee for valuations estimated from £150 to £1,000 plus VAT. Marketing will be on a percentage basis from 2% to 20%. Costs incurred will depend on the size and complexity of the assets to be realised
Debt collection Agents	It is anticipated that the agent will be paid a percentage of debtor realisations. This percentage will vary from approximately 5% to 25% depending upon the age and complexity of the debt
Solicitors	If Solicitors are instructed then this will normally be on a time costs basis which will be monitored by the office holder and disclosed to creditors in future progress reports. Where possible, "no win, no fee" type arrangements will be sought to minimise risk to the assignment.
ERA specialists	Time cost basis which would be monitored by the office holder and disclosed to creditors in future progress reports

**Disbursements**

Category 1 disbursements are payments to independent third parties where there is specific expenditure directly referable to the case. Specific approval from creditors to draw these expenses incurred is not required and the amount recharged to the case is the exact amount incurred.

Examples of Category 1 disbursements include postage, case advertising, specific bond insurance, company search fees, travel and properly reimbursed expenses incurred by personnel in connection with the case. Also included will be services specific to the case where these cannot practically be provided by Aspect Plus Limited, such as printing and room hire.

Category 2 disbursements are expenses that are directly referable to an insolvency assignment but not paid to an independent third party and include elements of shared or allocated costs incurred by Aspect Plus Limited and recharged to the estate. Category 2 disbursements may be drawn if they have been approved in the same manner as an office holder's remuneration. Examples of Category 2 disbursements are photocopying, all business mileage, internal room hire and internal storage.



**BANHAM & CO LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION**  
**Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986**  
**18 February 2019**

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**Further information**

To view an explanatory note concerning Office Holder's remuneration issued by the Joint Insolvency Committee, please contact this office to arrange for a hard copy to be sent to you. Alternatively, you may view a guide to fees online by copying the link below to your web browser:

<http://www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees>



Aspect Plus Limited

## OPTING OUT OF RECEIVING DOCUMENTS

### The consequences of opting-out

As previously advised, most future documents will not be sent to creditors by post. Nevertheless, the Liquidator is required to inform creditors of their rights to opt out of receiving documents.

Creditors have the right to elect to opt out of receiving further documents about the Liquidation unless:

- (i) the Insolvency Act 1986 requires a document to be delivered to all creditors without expressly excluding opted-out creditors;
- (ii) it is a notice relating to a change in the office-holder or the office-holder's contact details; or
- (iii) it is a notice of a dividend or proposed dividend or a notice which the court orders to be sent to all creditors or all creditors of a particular category to which the creditor belongs.

Opting-out will not affect the creditor's entitlement to receive dividends should any be paid to creditors.

Unless the Insolvency (England & Wales) Rules 2016 provide to the contrary, opting-out will not affect any right the creditor may have to vote in a decision procedure or a participate in a deemed consent procedure in the proceedings although the creditor will not receive notice of it.

A creditor who opts out will be treated as having opted out in respect of any consecutive insolvency proceedings of a different kind in respect of the same company.

### How to opt out

A creditor may at any time elect to be an opted-out creditor.

The creditor's election to opt out must be by a notice in writing authenticated and dated by the creditor.

The creditor must deliver the notice to the Liquidator (details below).

### How to opt back in

The creditor may at any time revoke the election to opt out by a further notice in writing, authenticated and dated by the creditor and delivered to the Liquidator (details below).

### Contact details

The Liquidator's contact details are as follows:

<b>Names of Liquidator(s):</b>	Darren Edwards
<b>Address of Liquidator(s):</b>	40a Station Road, Upminster, Essex, RM14 2TR
<b>Email Address</b>	rob@aspectplus.co.uk
<b>Telephone Number</b>	01708 300170

**FORM TO OPT-OUT OF RECEIVING FURTHER CORRESPONDENCE**

**BANHAM & CO LIMITED - IN LIQUIDATION**

Date of Liquidation: 22 December 2015

Name of creditor: .....

I/We confirm that we no longer wish to receive no further information of documents concerning the Liquidation of the Company.

Signed: .....

Date: .....

# LIQ03

## Notice of progress report in voluntary winding up

### 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.

Darren Edwards

Aspect Plus Limited

40a Station Road

Upminster

Essex

Postcode

R

M

1

4

2

T

R

DX

0800 988 1897

### 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](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)