

Section 94

Form 4.71

**Return of Final Meeting in a  
Members' Voluntary Winding Up**

**Pursuant to Section 94 of the  
Insolvency Act 1986**

To the Registrar of Companies

**S.94**

Company Number

01120417

Name of Company

British Nuclear Associates Limited

I/We Christopher Kim Rayment  
125 Colmore Row  
Birmingham  
B3 3SD

Note The copy account must be  
authenticated by the written signature(s)  
of the Liquidator(s)

give notice that a general meeting of the company was duly ~~held on~~/summoned for 25 April 2013 pursuant to section 94 of the Insolvency Act 1986, for the purpose of having an account (of which a copy is attached) laid before it showing how the winding up of the company has been conducted, and the property of the company has been disposed of and ~~that the same was done accordingly~~ / no quorum was present at the meeting

The meeting was held at 125 Colmore Row, Birmingham, B3 3SD

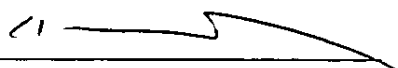
The winding up covers the period from 9 January 2013 (opening of winding up) to the final meeting (close of winding up)

The outcome of the meeting (including any resolutions passed at the meeting) was as follows

- 1 That the Liquidator's report dated 22 March 2013 be approved and adopted
- 2 That the Liquidator be released from office following the final meeting of members on 25 April 2013
- 3 That the Liquidator be authorised to destroy any Company records six years after the Company is dissolved

The member did not vote against the resolutions

Signed



Date 25 April 2013

BDO LLP  
125 Colmore Row  
Birmingham  
B3 3SD

Ref WIMP308/CKR/SPM/AEM

TUESDAY



A05 \*A27DS6TC\* 30/04/2013 #297  
COMPANIES HOUSE

**BRITISH NUCLEAR ASSOCIATES  
LIMITED**  
In Members' Voluntary Liquidation

Liquidator's Final Report to Members pursuant  
to Rule 4.126A of the Insolvency Rules 1986

Taylor Wimpey/Phase 2B/British Nuclear Associates Ltd/  
S94 report and notice of final meeting



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## **BRITISH NUCLEAR ASSOCIATES LIMITED - IN MEMBERS' VOLUNTARY LIQUIDATION**

**Registered No. 1120417**

Registered office situated at 125 Colmore Row, Birmingham, B3 3SD

This report covers the period 9 January 2013 to the date of the final meeting on 25 April 2013

### **1 Introduction**

1.1 This report is addressed to the member of British Nuclear Associates Limited ("the Company") and is prepared in accordance with Section 94 of the Insolvency Act 1986. I am pleased to report on the conclusion of my administration of the above case and this report includes an account of the winding up, notice of a general meeting of the Company for the purpose of presenting the account and a proxy form to enable you to vote at the meeting.

1.2 The member passed a resolution placing the Company into Members' Voluntary Liquidation on 9 January 2013 and appointed Christopher Kim Rayment (insolvency practitioner number 6775) as Liquidator.

### **2 Objective of the Liquidation**

2.1 The objective of liquidation was to ensure an orderly wind down of the Company, which included filing statutory returns at Companies House, advertising for any creditors and finalising the tax affairs of the Company with HM Revenue and Customs ("HMRC"), all of which has been actioned.

### **3 Receipts and Payments Account**

3.1 The enclosed receipts and payments account shows that the Liquidator has given the holding company the right to collect the inter-company debt shown on the declaration of solvency as a distribution in specie.

### **4 Company's Tax Affairs**

4.1 Prior to my appointment, the Company had received confirmation from HMRC that there were no outstanding returns or liabilities due to HMRC. I wrote to HMRC on 14 January 2013, requesting that it revert to me by 28 February 2013 should there be any matters which would preclude my holding the final meeting, and HMRC has confirmed to me that it has no objection to my holding such meeting.

### **5 Distributions**

#### **5.1 Preferential and Secured Creditors**

There were no preferential or secured creditors in this Liquidation with all liabilities having been settled prior to the Liquidation.

#### **5.2 Unsecured Creditors**

An advertisement for claims was placed in the London Gazette on 22 January 2013. No claims have been received in the Liquidation

#### **5.3 Shareholders**

At the time of the Liquidator's appointment, the issued share capital of the Company was 350 Ordinary £1 shares. On 22 March 2013, I wrote to the holding company advising

that it could collect the inter-company debt as a distribution in specie. This amounted to a return of capital of 100p per £1 share.

## **6 Liquidator's Remuneration**

- 6.1 In accordance with Rule 4.127 of the Insolvency Rules 1986, the basis of remuneration has to be fixed either as a percentage of the value of the property being dealt with, by reference to time spent by the Liquidator and his staff in attending to matters in this Liquidation, as a set amount, or as a combination of these.
- 6.2 It was agreed at a General Meeting of the Company, held on 9 January 2013, that the Liquidator's remuneration would be fixed as a set amount of £1,000 plus VAT and disbursements.
- 6.3 An invoice for our agreed fee and disbursements for the six companies in Phase 2B which were placed into Liquidation on 9 January 2013 will be raised and forwarded to Taylor Wimpey UK Limited.

## **7 Disbursements**

- 7.1 Where disbursements are recovered in respect of precise sums expended to third parties there is no necessity for these costs to be authorised. These are known as category 1 disbursements. The disbursements for these six Phase 2B companies total £1,135.00, which amounts to £189.17 for five of the companies and £189.15 for one company.
- 7.2 Some Liquidators recharge expenses for, for example, postage, stationery, photocopying charges, telephone and fax costs, which cannot economically be recorded in respect of each specific case. Such expenses, which are apportioned to cases, require the approval of the creditors, before they can be drawn, and these are known as category 2 disbursements. With the exception of mileage costs, it is not the policy of BDO LLP to charge any category 2 disbursements. I can confirm that no mileage costs have been incurred during the course of this Liquidation.
- 7.3 I provide at the end of this report, at Appendix 2, an extract from the Insolvency Rules 1986 setting out the rights of members to request further information and/or challenge the remuneration or fees within the Liquidation.

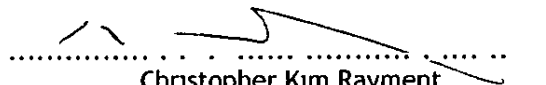
## **8 Resolutions**

- 8.1 As stated above, the purpose of this report is to convene a final meeting of the Company, pursuant to Section 94 of the Insolvency Act 1986. The resolutions to be proposed at the final meeting in the Liquidation (notice of which is given below) are as follows: -
  - 1. That the Liquidator's report dated 22 March 2013 be approved and adopted.
  - 2. That the Liquidator be released from office following the final meeting of members on 25 April 2013.
  - 3. That the Liquidator be authorised to destroy any Company records one year after the Company is dissolved, and his own records six years after the Company is dissolved.
- 8.2 Notice is hereby given pursuant to Section 94 of the Insolvency Act 1986 that a meeting of shareholders will be held at these offices on 25 April 2013 at 10.55 hrs for the purposes of having an account laid before the meeting and to receive the Liquidator's report showing how the winding-up of the Company has been conducted, and of hearing any explanation that might be given by the Liquidator. A form of general/special proxy is attached should it be required. This meeting is purely formal and a report similar to that outlined above will be provided at that meeting.

**9 Dissolution**

- 9.1 Following the final meeting, a return will be filed at Companies House. The Company will be struck from the register three months after the final meeting. The Directors remain in office until the Company is dissolved.

Should you have any queries regarding this report or the Liquidation in general, please do not hesitate to contact me. Please advise this office if you propose to attend the meeting.

  
.....  
Christopher Kim Rayment  
Liquidator

*Christopher Kim Rayment is authorised by the Institute of Chartered Accountants in England and Wales to act as an Insolvency Practitioner*

**BRITISH NUCLEAR ASSOCIATES LIMITED**  
**In Members' Voluntary Liquidation**

**Receipts and Payments from 9 January 2013 to 25 April 2013**

Notes	Declaration of Solvency	Actual Realisations/ Payments
	£	£
<b>RECEIPTS</b>		
Inter-Company Debtors	350	350
<b>Total</b>	<u>350</u>	<u>350</u>
<b>COSTS OF REALISATIONS</b>		
No costs	-	-
<b>Total</b>	<u>350</u>	<u>350</u>
<b>Available to Shareholders</b>	<u>350</u>	<u>350</u>
<b>Distribution to Shareholder</b>		
1 Distribution in specie made on 22 March 2013	-	<u>(350)</u>
<b>Balance</b>		-

- 1 The Liquidator gave the holding company the right to collect the inter-company debt as a distribution in specie. This amounted to a return of capital of 100p in the £

BDO LLP  
125 Colmore Row  
Birmingham  
B3 3SD

C K Rayment  
Liqudator

22 March 2013

**4.148C Members' claim that remuneration is excessive**

- (1) 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 any member with the permission of the court, may apply to the court for one or more of the orders in paragraph (6) on the grounds that—

- (a) the remuneration charged by the liquidator,
- (b) the basis fixed for the liquidator's remuneration under Rule 4.148A, or
- (c) expenses incurred by the liquidator,

is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate

- (2) Application must, subject to any order of the court under Rule 4.49E(5), be made no later than 8 weeks (or 4 weeks when the liquidator has resigned in accordance with Rule 4.142) after receipt by the applicant of the report or account which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")
- (3) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application; but it must not do so unless the applicant has had the opportunity to attend the court for a hearing of which the applicant has been given at least 5 business days' notice but which is without notice to any other party.
- (4) If the application is not dismissed under paragraph (3), the court must fix a venue for it to be heard and give notice to the applicant accordingly.
- (5) The applicant must at least 14 days before the hearing send to the liquidator a notice stating the venue and accompanied by a copy of the application and of any evidence which the applicant intends to adduce in support of it.
- (6) 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 liquidator was entitled to charge;
  - (b) an order fixing the basis of remuneration at a reduced 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 liquidation;
  - (e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify,

and may make any other order that it thinks just; but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report.

- (7) 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 liquidation.



**Rule 8.1 Insolvency Act 1986**

**Proxy (Members' or Creditors' Voluntary Liquidation)**

\*Insert the name of the company

**IN THE MATTER OF BRITISH NUCLEAR ASSOCIATES LIMITED  
and**

**IN THE MATTER OF THE INSOLVENCY ACT 1986**

Notes to help completion of the form

Please give full name and address for communication

Name of member      Taylor Wimpey PLC

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please insert name of person (who must be 18 or over) or the "Chairman of the Meeting" (see note below) If you wish to provide alternative proxy-holders in the circumstances that your first choice is unable to attend please state the name(s) of the alternatives as well

Name of proxy-holder \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please delete words in brackets if the proxy-holder is only to vote as directed ie he has no discretion

I appoint the above person to be my / the creditor's proxy-holder at the meeting of creditors / members to be held on 25 April 2013, or at any adjournment of that meeting. The proxy-holder is to propose or vote as instructed below (and in respect of any resolution for which no specific instruction is given, may vote or abstain at his / her discretion)

Any other resolutions which the proxy-holder is to propose or vote in favour of or against should be set out in numbered paragraphs in the space provided below paragraph 1

If more room is required please use the other side of this form

1. That the Liquidator's final report dated 22 March 2013 be approved and adopted

Approved/Rejected

- 2 That the Liquidator be released from office following the final meeting of members on 25 April 2013

Approved/Rejected

- 3 That the Liquidator be authorised to destroy any Company records one year after the Company is dissolved, and his own records six years after the Company is dissolved

Approved/Rejected

This form must be signed

Signature \_\_\_\_\_ Date \_\_\_\_\_

Name in CAPITAL LETTERS \_\_\_\_\_

Only to be completed if the creditor /member has not signed in person

Position with creditor / member or relationship to creditor or other authority for signature

\_\_\_\_\_

**Please note that if you nominate the chairman of the meeting to be your proxy-holder he will either be a director of the company or the current Liquidator.**

Remember: there may be resolutions on the other side of this form