

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

2244486

Name of Company

Bryant Retirement Homes 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 09 October 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 25 June 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

There was no quorum at the meeting

Signed

Date 09 October 2013

BDO LLP
125 Colmore Row
Birmingham
B3 3SD

Ref BRY9004/CKR/SPM/AEM

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COMPANIES HOUSE

BRYANT RETIREMENT HOMES LIMITED
In Members' Voluntary Liquidation

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

Taylor Wimpey/Phase 2C/Bryant Retirement Homes Ltd
/S94 notice of final meeting and final report



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BRYANT RETIREMENT HOMES LIMITED - IN MEMBERS' VOLUNTARY LIQUIDATION

Registered No. 02244486

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

This report covers the period 25 June 2013 to the date of the final meeting on 9 October 2013

1 Introduction

1.1 This report is addressed to the members of Bryant Retirement Homes 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 members passed a resolution placing the Company into Members' Voluntary Liquidation on 25 June 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")

3 Receipts and Payments Account

3.1 I enclose a receipts and payments account, which shows that I have given the members the right to collect the inter-company debt due to the Company 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 15 July 2013, requesting that it revert to me by 20 August 2013 should there be any matters which would preclude my holding the final meeting. I received a response from HMRC on 31 July 2013, confirming that it had 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 5 July 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 500,000 Ordinary £1 shares. On 5 September 2013, I wrote to the shareholders

advising that they could collect the inter-company debt as a distribution in specie, and this amounted to a return of capital of 71.11p 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 25 June 2013, that the Liquidator's remuneration would be fixed as a set amount of £1,000 00 plus VAT and disbursements.
- 6.3 An invoice for our agreed fee and disbursements for the three companies, being Wimpey Unox Limited, George Wimpey Manufactured Housing Limited and Bryant Retirement Homes Limited 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. During the period of the Liquidation the sum of £742 50 has been incurred in respect of the three companies placed into Liquidation on 25 June 2013, and this equates to £247 50 for each company. The total of £742.50 relates to £637 50 for statutory advertising and £105 00 for statutory insurance.
- 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. I can confirm that no category 2 disbursements 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 6 September 2013 be approved and adopted
 - 2 That the Liquidator be released from office following the final meeting of members on 9 October 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 9 October 2013 at 10.30 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.

Date: 6 September 2013

.....
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

BRYANT RETIREMENT HOMES LIMITED
In Members' Voluntary Liquidation

Receipts and Payments from 25 June 2013 to 9 October 2013

Notes	Declaration of Solvency £	Actual Realisations/ Payments £
RECEIPTS		
Inter-Company Debtors	355,593	355,593
Total	<u>355,593</u>	<u>355,593</u>
COSTS OF REALISATIONS		
No costs	-	-
Total	<u>355,593</u>	<u>355,593</u>
Available to Shareholders	<u>355,593</u>	<u>355,593</u>
Distribution to Shareholders		
1 Distribution in specie made on 5 September 2013	-	<u>(355,593)</u>
Balance		-

1 The Liquidator gave the shareholder the right to collect the inter-company debt as a distribution in specie. This amounted to a return of capital of 71 11p in the £

BDO LLP
125 Colmore Row
Birmingham
B3 3SD

C K Rayment
Liqudator
6 September 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