

Rule 4 34 - CVL

**The Insolvency Act 1986
Statement of Company's Affairs**

**Pursuant to section 95/99 of
the Insolvency Act 1986**

S95/99

To the Registrar of Companies

For Official Use

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Company Number

03627731

Name of Company

Mackellar Architecture Limited

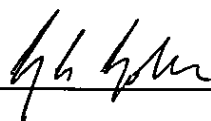
I / We

Gordon Smythe Goldie
Bulman House
Regent Centre, Gosforth
Newcastle upon Tyne
NE3 3LS

Allan David Kelly
Bulman House
Regent Centre
Gosforth
Newcastle upon Tyne
NE3 3LS

the liquidator(s) of the above named company attach a statement of the company affairs
as at 28/11/12

Signed



Date

26 November 2012

Tait Walker
Bulman House
Regent Centre, Gosforth
Newcastle upon Tyne
NE3 3LS

Ref 11212/GSG/ADK/KP/CL/CH

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COMPANIES HOUSE

Statement of Affairs

Statement as to affairs of

Mackellar Architecture Limited

on the 23 November 2012 the date of the resolution for winding up

Statement of truth

I believe that the facts stated in this Statement of Affairs are true.

Full Name

NEIL ANTHONY BARKER

Signed

N Barker


Dated

23RD NOVEMBER 2012

Mackellar Architecture Limited
Statement Of Affairs as at 23 November 2012

A - Summary of Assets

Assets	Book Value £	Estimated to Realise £
Assets subject to fixed charge:		
Goodwill	5,667 00	NIL
HSBC Bank plc		(69,366 05)
Deficiency c/d		(69,366 05)
Assets subject to floating charge:		
Leasehold Property (1)	9,109 00	
Furniture & Equipment	4,448 00	1,360 00
Work in progress	67,021 00	6,702 10
Book Debts	113,739 30	23,313 57
Prepayments	15,094 00	
Uncharged assets.		
Estimated total assets available for preferential creditors		31,375.67

Signature  Date 23rd November 2012

Mackellar Architecture Limited
Statement Of Affairs as at 23 November 2012

A1 - Summary of Liabilities

	Estimated to Realise £
Estimated total assets available for preferential creditors (Carried from Page A)	31,375 67
Liabilities	
Preferential Creditors -	
Employee Arrears/Hol Pay	17,888.44
	<u>17,888 44</u>
Estimated deficiency/surplus as regards preferential creditors	13,487 23
Debts secured by floating charge pre 15 September 2003	
Other Pre 15 September 2003 Floating Charge Creditors	<u>NIL</u>
	<u>13,487 23</u>
Estimated prescribed part of net property where applicable (to carry forward)	<u>5,697 45</u>
Estimated total assets available for floating charge holders	7,789 78
Debts secured by floating charges post 15 September 2003	
Deficiency b/d	69,366.05
	<u>69,366 05</u>
Estimated deficiency/surplus of assets after floating charges	(61,576 27)
Estimated prescribed part of net property where applicable (brought down)	<u>5,697 45</u>
Total assets available to unsecured creditors	5,697 45
Unsecured non-preferential claims (excluding any shortfall to floating charge holders)	
Trade & Expense Creditors	81,989.53
Employees-Piln/Redundancy	137,781 39
Directors Loan Accounts	302,992 20
HM Revenue & Customs PAYE/NIC	2,764 27
HM Revenue & Customs VAT	28,018 89
Leasedirect Finance Limited	2,500 00
Bondcare	5,734 00
Margaret Barker	14,100 00
	<u>575,880 28</u>
Estimated deficiency/surplus as regards non-preferential creditors (excluding any shortfall in respect of F.C's post 14 September 2003)	(570,182 83)
Shortfall in respect of F C's post 14 September 2003 (brought down)	<u>61,576 27</u>
Estimated deficiency/surplus as regards creditors	(631,759 10)
Issued and called up capital	
Preference Shareholders	300,000 00
Ordinary Shareholders	12,000 00
	<u>312,000 00</u>
Estimated total deficiency/surplus as regards members	(943,759 10)

Signature  Date 23rd November 2012

Mackellar Architecture Limited
Schedule of Secured Creditors
Schedule B

Creditor	Claim £
HSBC Bank plc N Lincs & Doncaster Commercial Centre 55 Victoria Street Grimsby DN31 1UX	69,366 05

Debenture dated 11 October 2004 and registered on 12 October 2004 secured on all monies due or to become due from the company to the chargee on any account whatsoever, granting fixed and floating charges over the undertaking and all property and assets present and future including goodwill, bookdebts, uncalled capital, buildings, fixtures, fixed plant and machinery

Mackellar Architecture Limited
Schedule of Preferential Creditors
Schedule C

Creditor	Claim £
Employee claims, address(es) withheld	17,888 44

Signature  Date 23rd November 2012

Mackellar Architecture Limited
Schedule of Unsecured Non-Preferential Creditors
Schedule D

Creditor	Claim £
Barker & Burns, c/o 2 Bankside, The Watermark, Gateshead, Tyne & Wear, NE11 9SY	19,886 08
Bite Design Limited, Springfield House, 2 Mullicent Road, Trent Bridge, Nottingham, NG2 7LD	244 50
BSI, 289 Chiswick High Road, London, W4 4AL	282 00
City & Suburban Window Cleaning Co, Hoults Estate, Walker Road, Newcastle upon Tyne, NE6 2HL	192 00
Concept Personnel, Ezone, Kingsway North, Team Valley, Gateshead, Tyne & Wear, NE11 0EG	248 90
Construction Industry Council, 26 Store Street, London, WC1E 7BT	276 00
Constructing Excellence in the North East, Allergate House, Belmont Business Park, Belmont, Durham, DH1 1TW	144 00
Demon Internet, Payment Centre, PO Box 25230, Glasgow, G2 5XG	140 88
East Durham IT Limited, 14 Regent Court, Co Durham, DH6 2TT	696 00
Edwards Commercial Cleaning Services, 7 Jesmond Dene Road, Jesmond, Newcastle upon Tyne, NE2 3QJ	1,081 25
Excel Publishing Co Limited, Portland Buildings, 127/129 Portland Street, Manchester, M1 4PZ	15 00
Freemans Solicitors, St Mary's Place, Newcastle upon Tyne, NE1	1,007 19
Garrad Associates, 8 Keel Row, The Watermark, Gateshead, Tyne & Wear, NE11 9SZ	6,764 02
Gateshead Council, Finance & ICT, Civic Centre, Regents Street, Gateshead, NE8 1HH	2,988 00
Graphics Direct, Hall Farm, Hay-A-Park, Knaresborough, North Yorks, HG5 0SN	96 12
IP Chat Chat, 23 Stone Font Grove, Doncaster, DN4 6UQ	103 80
J-Media limited, 8B Grove Road, Wilmslow, Cheshire, SK9 1DR	1,401 60
Lambert Laidlaw, Keel Row 7, The Watermark, Gateshead, Tyne & Wear, NE11 9SZ	2,592 52
Landmark Information Group, 5-7 Abbey Court, Eagle Way, Sowton, Exeter, Devon, EX2 7HY	50 41
Lambert Smith Hampton, 50 Grey Street, Newcastle upon Tyne, NE1 6AE	1,764 53
Neil Barker, c/o 2 Bankside, The Watermark, Gateshead, Tyne & Wear, NE11 9SY	8,443 79
North East Chamber of Commerce, Aykley Heads Business Centre, Aykley Heads, Durham, DH1 5TS	70 20
Northern Stationery (UK) Limited, Unit 2 Blaydon Trade Park, Tollbridge Road, Blaydon, Tyne & Wear, NE21 5TR	70 77
Northumbrian Water, Customer Centre, PO Box 300, Durham, DH1 9WQ	53 55
Onyx Group, Aurora Court, Barton Road, Riverside Park, Middlesbrough, TS2 1RY	25 52
Pitney Bowes, Purchase Power, PO Box 6570, Harlow, Essex, CM20 2GZ	342.66
Paul Strong, c/o 2 Bankside, The Watermark, Gateshead, Tyne & Wear, NE11 9SY	125 10
QMS International plc, Muspole Court, Muspole Street, Norwich, Norfolk, NR3 1DJ	285 00
RIBA Enterprises Limited, Finance Department, The Old post Office, St Nicholas Street, Newcastle upon Tyne, NE1 1RH	3,349 20
RIBA North East, School of Built Environment, Northumbria University, Ellison Building, Newcastle upon Tyne, NE1 8ST	1,308 00
Robertson McIsaac, 26 Adderstone Crescent, Newcastle upon Tyne, Tyne and Wear NE2 2HH	12,571 63
Robson Lardler LLP, Fernwood House Fernwood Road, Newcastle, Tyne and Wear NE2 1TJ	538 00
Slayco, The Builders Yard, Back of Close Street, Millfield, Sunderland, Tyne & Wear, SR4 6EN	1,692 18
Service Network (NE) Limited, Portman House, Portland Road, Newcastle upon Tyne, NE2 1AQ	358 80
Talk Talk Business, PO Box 136, Birchwood, Warrington, WA3 7WA	209 39
Standing Stone Drawing Office Supplies, Units 1-5 Standing Stone, Matfen, Northumberland, NE20 0RQ	568 70

IHS (Global) Limited, Willoughby Road, Bracknell, Berkshire, RG12 8FB	4,894 80
TomTom	34 95
Trewan Sands Childrens Trust, Derby Chambers, 6 The Rock, Bury, BL9 0NT	75 00
Vodafone, Vodafone House, The Connection, Newbury, Berkshire RG14 2FN	20 49
Directors loan account interest accrual, c/o 2 Bankside, The Watermark, Gateshead, Tyne & Wear, NE11 9SY	3,438 00
P Heyhoe (tax repayment), c/o 2 Bankside, The Watermark, Gateshead, Tyne & Wear, NE11 9SY	3,539 00
HM Revenue & Customs (VAT), National Insolvency Unit, 5th Floor, Regian House, Liverpool, L74 1AD	28,018 89
HM Revenue & Customs (PAYE), ICHU, RM BP 3202, Benton Park View, Longbenton, Newcastle upon Tyne, NE98 1ZZ	2,764 27
Bondcare Group, Bondcare House, 18 Lodge Road, London NW4 4EF	5,734 00
Leasedirect Finance Limited, Dee House, St David's Park, Flintshire, CH5 3XF	2,500 00
Directors and related party loan accounts, c/o 2 Bankside, The Watermark, Gateshead, Tyne & Wear, NE11 9SY	302,992 20
Margaret Barker, 11 Queens Road, Whitley Bay, Tyne & Wear, NE26 3AN	14,100 00
Employee claims, address(es) withheld	137,781 39
	575,880.28

Signature  Date 23rd November 2012

Mackellar Architecture Limited

Notes to Estimated Statement of Affairs

1. **Goodwill** – The financial statements of Mackellar Architecture Limited includes goodwill. This relates to the acquisition of a business during 2003 and was being amortised evenly over its estimated useful life of twenty years, giving rise to its current book value. It is estimated that this asset has no realisable value.
2. **HSBC Bank plc** – The Company has granted a debenture to its bankers, HSBC Bank plc. The amount stated represents the approximate indebtedness due to the Bank. Interest and charges will continue to accrue.
3. **Leasehold property improvements** – The Company entered into a short term lease for the premises which it currently occupies at 2 Bankside. The book value represents the cost of refurbishment. It is estimated that this asset has no realisable value.
4. **Furniture and equipment** – These assets have been professionally valued by James Sutherland (Auctioneers) Limited, who has ascribed a realisable value of £1,360.00 against a book value of £4,448.00.
5. **Work in progress** – At the date of liquidation the Company had performed work on large number of contracts, however certain milestones which would trigger payment have not yet been met. It is therefore difficult to estimate with any certainty what payments, if any, will become due to the Company. For the purpose of the statement of affairs it is estimated that the Company will recover 10% of its work in progress.
6. **Book debts** – The amount stated represents trade debts and retentions due to the Company, the amount estimated to realise is stated after a significant allowance for bad and doubtful debts.
7. **Prepayments** – The Company records indicate that the Company had made significant prepayments, however it is apparent that the corresponding creditors had not been paid in full and therefore set off has been applied. It is estimated that this asset has no realisable value.
8. **Employee claims** – The amount stated as preferential represents the estimated amount due to employees in respect of arrears of wages and accrued holiday pay. The amount stated as unsecured represents the estimated liability in respect of pay in lieu of notice and, where applicable, redundancy. The amounts stated are estimates based upon the Company's books and records and may fluctuate as additional information becomes available.
9. **Trade and Expense Creditors** – The amounts shown as due to these creditors is based upon the books and records of the Company. Inclusion does not constitute admission that there is now, or has been in the past, any legal liability upon the Company to make payment of the whole or any part of the amount shown.
10. **Directors and related party loan account** – The amount shown represents funds introduced by the directors by way of loans. Again, inclusion does not constitute admission that there is now, or has been in the past, any legal liability upon the Company to make payment of the whole or any part of the amount shown. The sum disclosed represents an amalgamation of several individual and partnership loan accounts which may require further analysis by the liquidator once appointed.
11. **Leasedirect Finance Limited** – The amount shown represents the balance of a short term loan entered into by the Company in June 2012.
12. **HM Revenue & Customs (VAT)** – The amount outstanding represents the estimated balance outstanding in respect of VAT accruing from 1 July 2012.
13. **HM Revenue & Customs (PAYE/NIC)** – The amount outstanding represents the estimated balance outstanding in respect of Pay as You Earn and National Insurance accruing from 6 October 2012.
14. **Bondcare** – Bondcare Group was a major client of the Company. To facilitate cash flow a practice had developed over many years whereby funds were loaned to the Company to be recouped as and when fees were raised. At the date of liquidation these loans totalled £88,500. However for the purpose of the statement of affairs, sums due from Bondcare either as a debt or included within work in progress have been set off. This will require further consideration by the liquidator once appointed.
15. **Prescribed Part** – Under the provisions of the Enterprise Act 2002, introduced on 15 September 2003 the preferential status of the Inland Revenue and HM Customs & Excise has been abolished.

As a consequence of this a "prescribed part" of the Company's assets must be set aside for the benefit of the unsecured creditors in respect of floating charge security granted after 15 September 2003. The prescribed part is calculated as follows –
 - 50% of the first £10,000 of the net property of the Company if the net assets are in excess of £10,000
 - 20% of the property thereafter, subject to a maximum limit of £600,000
On the basis of current information it would appear that the prescribed part will apply in this instance. This view may be subject to change should significant realisations not be achieved from either the work in progress or book debt issues discussed above.
16. **The estimated deficiency does not take account of the costs and expenses of the winding up.**

Signature

Date

23rd November 2012