

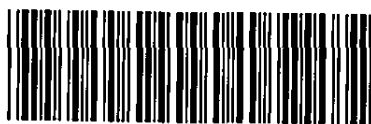
Limited Liability Partnership Registration No OC315002 (England and Wales)

ARKBE CAPITAL NO 5 LLP

MEMBERS' REPORT AND FINANCIAL STATEMENTS

FOR THE PERIOD ENDED 31 MARCH 2009

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# ARKBE CAPITAL NO 5 LLP

## LIMITED LIABILITY PARTNERSHIP INFORMATION

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<b>Designated members</b>	R A Baker D Pendlebury (Appointed 2 October 2009)
<b>Limited liability partnership number</b>	OC315002
<b>Registered office</b>	46 Curzon Street London W1J 7UH
<b>Auditors</b>	Warrener Stewart Harwood House 43 Harwood Road London SW6 4QP
<b>Solicitors</b>	Bird & Bird 90 Fetter Lane London EC4A 1JP

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# **ARKBE CAPITAL NO 5 LLP**

## **CONTENTS**

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	<b>Page</b>
Members' report	1 - 2
Independent auditors' report	3 - 4
Profit and loss account	5
Balance sheet	6
Notes to the financial statements	7 - 8

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# **ARKBE CAPITAL NO 5 LLP**

## **MEMBERS' REPORT**

### **FOR THE PERIOD ENDED 31 MARCH 2009**

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The members present their report and financial statements for the period ended 31 March 2009

#### **Principal activities**

The principal activity of the limited liability partnership was the making and holding of investments

#### **Designated Members**

The following designated members have held office since 1 October 2007

R A Baker

D Pendlebury

K Perkich

S D Kennedy

(Appointed 2 October 2009)

(Resigned 2 October 2009)

(Resigned 2 October 2009)

#### **Policy on members' drawings**

The members' drawing policy allows each member to draw a proportion of their profit share, subject to the cash requirements of the business and members agreement

A member's capital requirement is outlined in the members agreement. There is no opportunity for appreciation of the capital subscribed. Just as incoming members introduce their capital at "par", so the retiring members are repaid their capital at "par".

#### **Statement of members' responsibilities**

The members are responsible for preparing the financial statements in accordance with applicable law and regulations

Company law (as applied to limited liability partnerships by regulation 3 of the Limited Liability Partnerships Regulations 2001) requires the members to prepare financial statements for each financial period which give a true and fair view of the state of affairs of the limited liability partnership and of the profit or loss of the limited liability partnership for that period. In preparing those financial statements, the members are required to

- select suitable accounting policies and then apply them consistently,
- make judgements and estimates that are reasonable and prudent,
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the limited liability partnership will continue in business

The members are responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the limited liability partnership and enable them to ensure that the financial statements comply with the Companies Act 1985 (as applied to limited liability partnerships by regulation 3 of the Limited Liability Partnerships Regulations 2001). They are also responsible for safeguarding the assets of the limited liability partnership and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

#### **Statement of disclosure to auditor**

So far as the members are aware, there is no relevant audit information of which the limited liability partnership's auditors are unaware. Additionally, the members have taken all the necessary steps that they ought to have taken as members in order to make themselves aware of all relevant audit information and to establish that the limited liability partnership's auditors are aware of that information.

# ARKBE CAPITAL NO 5 LLP

## MEMBERS' REPORT (CONTINUED)

**FOR THE PERIOD ENDED 31 MARCH 2009**

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### Auditors

In accordance with section 385 of the Companies Act 1985 (as applied to limited liability partnerships by regulation 3 of the Limited Liability Partnerships Regulations 2001), a resolution proposing that Warrener Stewart be reappointed as auditors of the limited liability partnership will be put to the Annual General Meeting

On behalf of the members



R A Baker  
Designated Member

30<sup>th</sup> March 2010

Date

# **ARKBE CAPITAL NO 5 LLP**

## **INDEPENDENT AUDITORS' REPORT**

### **TO THE MEMBERS OF ARKBE CAPITAL NO 5 LLP**

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We have audited the financial statements of Arkbe Capital No 5 LLP for the period ended 31 March 2009 set out on pages 5 to 8. These financial statements have been prepared in accordance with the accounting policies set out therein and the requirements of the Financial Reporting Standard for Smaller Entities (effective January 2007).

This report is made solely to the limited liability partnership's members, as a body, in accordance with Section 235 of the Companies Act 1985 (as applied to limited liability partnerships by regulation 3 of the Limited Liability Partnerships Regulations 2001). Our audit work has been undertaken so that we might state to the limited liability partnership's members those matters we are required to state to them in an auditors' report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the limited liability partnership and the limited liability partnership's members as a body, for our audit work, for this report, or for the opinions we have formed.

#### **Respective responsibilities of the members and auditors**

As described in the Statement of Members' Responsibilities on page 1, the limited liability partnership's members are responsible for the preparation of the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

Our responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

We report to you our opinion as to whether the financial statements give a true and fair view and are properly prepared in accordance with the Companies Act 1985 (as applied to limited liability partnerships by regulation 3 of the Limited Liability Partnerships Regulations 2001), and whether in our opinion the information given in the members' report is consistent with the financial statements. We also report to you if, in our opinion, the limited liability partnership has not kept proper accounting records, if we have not received all the information and explanations we require for our audit.

We read the members' report and consider the implications for our report if we become aware of any apparent misstatements within it.

#### **Basis of audit opinion**

We conducted our audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the members in the preparation of the financial statements, and of whether the accounting policies are appropriate to the limited liability partnership's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the financial statements.

# ARKBE CAPITAL NO 5 LLP

## INDEPENDENT AUDITORS' REPORT (CONTINUED)

### TO THE MEMBERS OF ARKBE CAPITAL NO 5 LLP

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#### Opinion

In our opinion

- the financial statements give a true and fair view in accordance with United Kingdom Generally Accepted Accounting Practice applicable to Smaller Entities, of the state of the limited liability partnership's affairs as at 31 March 2009 and of its loss for the period then ended,
- the information given in the members' report is consistent with the financial statements, and
- the financial statements have been prepared in accordance with the Companies Act 1985 (as applied to limited liability partnerships by regulation 3 of the Limited Liability Partnerships Regulations 2001)

*Warrene Stewart*

Warrener Stewart

*31 March 2010*

Chartered Accountants  
Registered Auditor

Harwood House  
43 Harwood Road  
London

SW6 4QP

# ARKBE CAPITAL NO 5 LLP

## PROFIT AND LOSS ACCOUNT

**FOR THE PERIOD ENDED 31 MARCH 2009**

		<b>Period ended 31 March 2009 £</b>	<b>Year ended 30 September 2007 £</b>
	<b>Notes</b>		
Administrative expenses		(21,817)	(7,688)
Other operating income		-	1,251
		<hr/>	<hr/>
<b>Loss on ordinary activities before taxation</b>	<b>2</b>	(21,817)	(6,437)
Tax on loss on ordinary activities		-	-
		<hr/>	<hr/>
<b>Loss for the period before members' remuneration and profit shares</b>		(21,817)	(6,437)
		<hr/> <hr/>	<hr/> <hr/>



# ARKBE CAPITAL NO 5 LLP

## BALANCE SHEET

AS AT 31 MARCH 2009

			31 March 2009	30 September 2007
	Notes	£	£	£
<b>Fixed assets</b>				
Investments	3		8,058,605	7,173,605
<b>Current assets</b>				
Creditors' amounts falling due within one year	4	(32,580)	(10,763)	
<b>Net current liabilities</b>			(32,580)	(10,763)
<b>Total assets less current liabilities</b>			8,026,025	7,162,842
<b>Members' interests</b>				
Members capital	5		7,999,000	7,114,000
Other reserves	5		27,025	48,842
			8,026,025	7,162,842

These financial statements have been prepared in accordance with the special provisions of Part VII of the Companies Act 1985 (as applied to limited liability partnerships by regulation 3 of the Limited Liability Partnerships Regulations 2001) relating to small limited liability partnerships and with the Financial Reporting Standard for Smaller Entities (effective January 2007)

Approved by the Members for issue on 31st March 2010



R A Baker  
Designated Member

# ARKBE CAPITAL NO 5 LLP

## NOTES TO THE FINANCIAL STATEMENTS

FOR THE PERIOD ENDED 31 MARCH 2009

### 1 Accounting policies

#### 1.1 Accounting convention

The financial statements are prepared under the historical cost convention and in accordance with the Financial Reporting Standard for Smaller Entities (effective January 2007)

#### 1.2 Compliance with accounting standards

The financial statements are prepared in accordance with applicable United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice) and the Limited Liability Partnership Statement of Recommended Practice, which have been applied consistently

#### 1.3 Investments

Fixed asset investments are stated at cost less provision for permanent diminution in value

	Period ended 31 March 2009	Year ended 30 September 2007
	£	£
<b>2 Operating loss</b>		
Operating loss is stated after charging		
Auditors' remuneration	2,000	2,000

### 3 Fixed asset investments

	Unlisted investments £
<b>Cost</b>	
At 1 October 2007	7,173,605
Additions	885,000
At 31 March 2009	8,058,605
<b>Net book value</b>	
At 31 March 2009	8,058,605
At 30 September 2007	7,173,605

As at 31 March 2009, the limited liability partnership held 27,760,550 ordinary shares of £0.10 each in the share capital of NX Infrastructure Limited, a company incorporated in England. This represents 37.8% of the issued share capital. The principal activity of NX Infrastructure Limited is the supply and manufacture of steel reinforcement bars to the civil engineering industry.

# ARKBE CAPITAL NO 5 LLP

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE PERIOD ENDED 31 MARCH 2009

	31 March 2009	30 September 2007
	£	£
<b>4 Creditors' amounts falling due within one year</b>		
Other creditors	32,580	10,763

	Members' capital	Other reserves	Total	Year ended 30 September 2007
	£	£	£	£
Members' interests at 1 October 2007	7,114,000	48,842	7,162,842	3,845,279
Loss for the period available for division among members	-	(21,817)	(21,817)	(6,437)
Members' interests after loss for the period	7,114,000	27,025	7,141,025	3,838,842
Capital introduced by members	885,000	-	885,000	3,324,000
Members' interests at 31 March 2009	7,999,000	-	8,026,025	7,162,842

	Period ended 31 March 2009	Year ended 30 September 2007
	Number	Number
<b>6 Information in relation to members</b>		
The average number of members during the period was	18	14