

LIQ14 (Scot)

Notice of final account prior to dissolution in CVL



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1 Company details

Company number S C 1 9 3 2 1 5

Company name in full Murray & Murray Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Richard

Surname Gardiner

3 Liquidator's address

Building name/number 3 Castle Court

Street Carnegie Campus

Post town Dunfermline

County/Region

Postcode K Y 1 1 8 P B

Country

4 Liquidator's name ①

Full forename(s)

Surname

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

② Other liquidator

Use this section to tell us about
another liquidator.

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6

Liquidator's release

☐ Tick if one or more creditors objected to liquidator's release.

7

Final account

☒ I attach a copy of the final account.

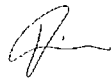
8

Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d

2

^d

6

^m

0

^m

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^y

2

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2

^y

3

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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.

Contact name

Jemma Kirk

Company name

Thomson Cooper

Address

3 Castle Court

Carnegie Campus

Post town

Dunfermline

County/Region

Postcode

K Y 1 1 8 P B

Country

DX

Telephone

01383 628800



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,
Fourth floor, Edinburgh Quay 2,
139 Fountainbridge, Edinburgh, Scotland, EH3 9FF.
DX ED235 Edinburgh.



Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email 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

MURRAY & MURRAY LIMITED – IN CREDITORS VOLUNTARY LIQUIDATION

**LIQUIDATOR'S FINAL ACCOUNT TO MEMBERS AND CREDITORS
PURSUANT TO SECTION 106 INSOLVENCY ACT 1986
AND TO RULES 4.30 AND 7.9
INSOLVENCY (SCOTLAND) (RECEIVERSHIP AND WINDING UP) RULES 2018**

Prepared by: Richard Gardiner
Liquidator
Thomson Cooper
3 Castle Court
Carnegie Campus
Dunfermline
KY11 8PB

Tel 01383 628800

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APPENDICES

- A. Receipts and Payments Summary

1. PURPOSE OF REPORT

- 1.1 This report is prepared in accordance with Rules 4.30 and 7.9 of the Insolvency (Scotland) (Receivership And Winding Up) Rules 2018 ("the Rules") and is my final account that I am required to deliver in terms of Section 106 of the Insolvency Act 1986 ("the Act").
- 1.2 This follows my last report to members and creditors dated 22 May 2023

2. LIQUIDATOR'S APPOINTMENT

- 2.1 I was appointed Liquidator at a meeting of the company's members held on 8 January 2018. My appointment was then ratified at a meeting of the company's creditors held on 22 January 2018.
- 2.2 I am authorised to act as an Insolvency Practitioner in the UK by The Institute of Chartered Accountants of Scotland and bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

3. STATUTORY INFORMATION

Company Name: Murray & Murray Limited

Company Number: SC193215

Incorporated: 5 February 1999

Nature of Business: Manufacture of kitchen furniture

Registered Office
& Trading Address: 2/3 Boston Road
Viewfield
Glenrothes
Fife
KY6 2RE

Also trading from:	131 Bruntsfield Place Edinburgh EH10 4EB	16 High Street Banchory AB31 5SR
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Share Capital:	Authorised:	190 ordinary shares of £1
	Issued:	190 ordinary shares of £1

Shareholders:	KFB 268 Ltd	152 ordinary shares
	Gillian McCollum	38 ordinary shares

Directors: Kevin Francis Bannister
Gillian McCollum

Company Secretary: N/A

Charges: Kevin Francis Bannister (registered 16 December 2015)

The registered office address of the company was changed to c/o Thomson Cooper, 3 Castle Court, Carnegie Campus, Dunfermline, KY11 8PB on 10 January 2018.

4. RECEIPTS AND PAYMENTS SUMMARY

- 4.1 My receipts and payments account for the period from 8 January 2023 to date is attached at Appendix A and this also incorporates my receipts and payments for the full period of the liquidation.

5. BACKGROUND

- 5.1 Murray & Murray Limited ("the Company") was incorporated in February 1999 for the purposes of manufacturing and supplying bespoke furniture and interiors.
- 5.2 The company traded profitably from a combined factory and showroom in Glenrothes and in around 2007 the business was sold on to its current owner whom carried on trading.
- 5.3 Immediately following the sale of the company, the recession arrived and it was required to undertake various cost cutting measures to ensure its continued survival. The company continued to trade, reporting marginal losses and profits over the following 5-6 years.
- 5.4 In August 2011, a new Director was appointed to the board and a review of the business model was carried out. It became evident that in order for the business to progress it would need to have High Street locations for showrooms as the enquiry level into the Glenrothes combined factory/showroom was slowing down.
- 5.5 The company took over the lease for the property at 131 Bruntsfield Place, Edinburgh and opened its first remote showroom at a cost of circa £130,000, funded from cash reserves.
- 5.6 Interest and enquiries in the Edinburgh showroom were promising and the decision was taken to open a second remote showroom at 16 High Street, Banchory the following year. More recently it was intended that the company would open a third showroom in Perthshire and that the work required in this regard was around 75% complete.
- 5.7 The work required in order to bring the new showrooms up to the required standard was extensive and costly and this was all funded from working capital.
- 5.8 Cash flow became a problem and the company found itself in a position whereby it could not maintain the required payments to creditors. A review was conducted and a newly tabled forecast produced from which future sales appeared viable and catch-up payment plans were agreed with creditors.
- 5.9 Unfortunately however, almost without exception, everything which had been offered by the sales team during the review process failed to materialise. In addition, it was recognised that further design errors had also occurred on existing jobs.
- 5.10 During December 2017, several unforeseen events occurred which had a significant impact on the cash position with a major contract being removed, significant sales and management staff issues, continued cost overruns for overtime working and forecasted projects being removed or considerably delayed. All of which combined to further starve the business of working capital.
- 5.11 Alternative means of raising funds were pursued by way of offering to sell shares, approaching banks, investors, lenders and other industry partners. These

discussions were ongoing and highly active up to late December 2017 however, unfortunately, were unsuccessful.

- 5.12 During the final week of December 2017, it became apparent that no financial help would be forthcoming and it was recognised that the company could no longer continue to trade.
- 5.13 Advice was sought on the options available and, in light of the advice received and taking all matters into consideration, concluded that there was little alternative other than to place the company into Liquidation.

6. WORK UNDERTAKEN INCLUDING REALISATIONS OF ASSETS

Realisation of Assets:

6.1 *Plant & Machinery*

The company's Plant & Machinery was subject to finance with Aldermore Asset Finance. Following discussions with Sweeney Kincaid, Auctioneers and Valuers, and the finance company it was established that there was no equity held therein and, accordingly, no benefit to the Liquidation. An agreement was reached whereby Sweeney Kincaid sold the assets on behalf of Aldermore Asset Finance however I would confirm that I was not party to same. There was a resulting shortfall which was claimed in the Liquidation.

6.2 *Fixed Assets*

The company's head office at Glenrothes together with its three showrooms in Edinburgh, Banchory and Forteviot were all leasehold and conversations took place with each of the respective landlords in terms of the Liquidation process and enforcement of hypothec.

In order to facilitate the cataloguing and subsequent auction of the company's assets, agreement was sought from each of the affected landlords whereby the keys for the properties would be retained by Sweeney Kincaid on my behalf and, following the auction and collection of the assets, returned to them. Payments due to each of the landlords relating to rent for the appropriate occupation periods have been made.

In addition to rent, payments in respect of rates/utilities were also required to be made however despite numerous requests, invoices were not received for all of the sites in question. Following a review of the position the decision was reached that given the length of time which had been permitted for the suppliers to contact this office, no further correspondence/reminders would be issued.

It was established that there were no rent arrears relating to the Edinburgh or Forteviot showrooms. Sums owing to the Banchory landlord in terms of pre Liquidation rent arrears have been settled from the proceeds of the fixed assets under landlord's hypothec.

The final balance due to the landlord of the Glenrothes premises was paid during this period (£8,841.40).

6.3 *Motor Vehicles*

A number of the company's motor vehicles were subject to finance agreements/leases and, on the advice of the auctioneers who had established that these agreements were in a negative equity position, my interest in the vehicles was abandoned and they were subsequently returned to the respective finance companies.

Those vehicles subject to finance agreements with equity held therein achieved £22,850 at auction and following settlement of the outstanding finance of £19,347.22, the actual return to the Liquidation from these assets was £3,502.78.

The Vauxhall Vivaro (SA17 TXC) motor vehicle was subject to a finance agreement with Autobank Financial Services and sold at auction for £10,000.00. Following discussions between Sweeney Kincaid and Autobank Financial Services it was established that the sum required to settle the outstanding finance in full was £12,483.60. The company Director held a Personal Guarantee in respect of this agreement and the Director in question also holds a valid Bond and Floating Charge over the company's assets. Having calculated the anticipated distribution of the available funds and confirming the sum which was estimated to be returned to the Director under the Bond and Floating Charge, it was agreed that £2,483.60 would be advanced from these monies and paid to the finance company in full and final settlement of the agreement.

The company's unencumbered motor vehicles also achieved £17,005.00 at auction.

6.4 *Stock*

At auction, the company's stock achieved £62,479.00.

6.5 *Banking & Miscellaneous Refunds*

£80.48 was uplifted from company premises in respect of cash floats/petty cash.

I have received £1,329.40 to date relating to miscellaneous refunds.

Interest received

6.6 Funds are held in an interest bearing account and £114.82 was received in respect of interest.

Costs incurred:

6.7 Costs incurred were as follows:

- £510.00 was paid in relation to the specific penalty bond.
- £1,310.00 was paid in relation to work carried out in the preparation of the Statement of Affairs.
- My remuneration and outlays as Liquidator amounted to £52,699.52 and £484.17 respectively.
- Auctioneers fees of £37,361.10 in connection with the sale of the company's moveable assets were settled.
- Legal fees of £400.00 were paid.
- £16.43 was paid to HMRC in relation to Corporation Tax due.
- Locksmiths fees of £325.00 were settled.

- A payment of £1,858.52 was paid to the landlord of the Banchory premises in respect of a hypothec claim.
- Mail re-direction costs of £204.00 were paid.
- Statutory Advertising costs of £595.57 were settled.
- £9,211.68 was paid in respect of rent.
- Business rates amounting to £1,862.98 were paid.
- Utilities for the trading premises amounting to £1,033.99.
- Insurance costs of £1,302.42 were paid.
- £240.00 was paid in relation to staff salaries.
- Property alarm costs amounted to £894.00
- Court and Court Reporter costs in connection with the approval of my remuneration as Liquidator in the sum of £2,127.00 were paid.
- £280.00 was paid in relation to document shredding.

- 6.8 Where the service of third party professionals has been engaged, the choice of such was based on my perception of their experience and ability to perform the type of work required, the complexity and nature of the assignment and the basis of my fee arrangement with them. I am satisfied that the fees charged are reasonable in the circumstances of this case.
- 6.9 Further details in respect of my remuneration are provided in Section 7 below.
- 6.10 Where applicable, VAT is recoverable on costs incurred as the company was previously registered for VAT.

General Administration and Investigation

- 6.11 In addition to the work above, Insolvency Practitioners are obliged to investigate the affairs of insolvent companies to determine their assets and liabilities and to seek to identify potential recovery of funds. In addition, in terms of the Company Directors Disqualification Act 1986 and the Insolvent Companies (Reports on Conduct of Directors) Rules 1996, the Liquidator is required to prepare a Report regarding the conduct of the directors that held office in the three years prior to liquidation. I can advise that both of these obligations have been discharged. The Conduct Report has been submitted but I am unable to divulge the contents of such reports.
- 6.12 During the course of the liquidation I am obliged to document any decisions that affect the case, to maintain records to demonstrate how the liquidation has been administered and undertake regular reviews to ensure that matters are progressed timeously and that the case remains adequately bonded. I am also required to comply with insolvency legislation and best practice in carrying out my duties, including requirements for reporting to the company's members and creditors.
- 6.13 Whilst this work has no direct financial benefit to the creditors it has to be undertaken.

7. LIQUIDATOR'S COSTS AND REMUNERATION CHARGED

- 7.1 As no Liquidation Committee was established, it was necessary for me to seek Court approval of my remuneration and, as has previously been reported, the Court approved my costs for the whole period of the liquidation from 8 January 2018 to close of the liquidation as follows:

	Fee	Disbursements	Total
Period from 08/01/18 to 07/07/18	£41,710.97	£484.17	£42,195.14
Period from 08/07/18 to Close	£12,096.25	Nil	£12,096.25

All amounts are subject to VAT.

- 7.2 Copies of the relevant summaries of the time costs incurred by me and my staff together with narratives of the work undertaken during the periods have been provided to creditors previously. Additional copies can be obtained free of charge by telephoning this office.
- 7.3 All available sums have now been drawn.
- 7.4 In this regard, I would again refer you again to the Creditors' Guide to Liquidators' Remuneration in Scotland which deals with the remuneration of Insolvency Office holders and can be accessed via the Internet at the address below or alternatively a copy can be requested by telephoning my office.:
https://www.icas.com/__data/assets/pdf_file/0008/595340/Liquidation-creditor-guide-2022-final.pdf

8. OUTCOME FOR CREDITORS

8.1 Secured Creditors

Section 176A Insolvency Act provides that where there is a Floating Charge registered after 15 September 2003 a proportion of funds which would otherwise be available to the Floating Charge Holder shall be made available for the satisfaction of unsecured debts. This is known as the Prescribed Part and is defined as being 50% of the first £10,000 of assets (that would otherwise have gone to the Floating Charge Holder) and 20% of the balance up to a total of £600,000.

As noted above, there is a Bond and Floating Charge held by one of the company's Directors. Creditors will note that the total sum paid to the Bond and Floating Charge Holder amounted to £44,384.16.

8.2 Preferential Creditors

The company's preferential creditors totalled £36,739.24. This class of creditor has been settled in full.

All unclaimed preferential dividend entitlements were consigned to the Accountant of Court

8.3 Ordinary Creditors

My Adjudication on the ordinary creditors' claims received detailed claims totalling £1,283,673.48. A first and final dividend of 1.16p in the £ was paid to the ordinary creditors under the Prescribed Part.

All unclaimed ordinary dividend entitlements were consigned to the Accountant of Court

9. OTHER MATTERS / CONCLUSION OF LIQUIDATION

- 9.1 As above this report is my final account to members and creditors and a Notice in this regard accompanies the Report. In the event that no creditors object to my release as liquidator within 28 days as outlined in that Notice then I will be granted my release and vacate office on filing my final account with the Registrar of Companies and Accountant in Bankruptcy.



Richard Gardiner
Liquidator
22 May 2023

Richard Gardiner is authorised to act as an Insolvency Practitioner in the UK by The Institute of Chartered Accountants of Scotland and is bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

Details regarding Thomson Cooper's personal data and information policy for insolvency assignments can be found at <https://www.thomsoncooper.com/news-insights/post/personal-data-and-information-policy-for-insolvency-assignments/>

Appendix A

RECEIPTS AND PAYMENTS SUMMARY

- A.1 For the period 8 January 2023 to date also incorporating the full period of the liquidation.

Murray & Murray Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

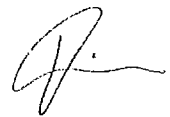
Statement of Affairs £		From 08/01/2023 To 22/05/2023 £	From 08/01/2018 To 22/05/2023 £
	SECURED ASSETS		
35,000.00	Plant & Machinery	NIL	NIL
(65,770.00)	Less: Security to Aldermore	NIL	NIL
51,960.00	Fixed assets	NIL	173,027.00
(140,000.00)	Landlord's Hypothec: Glenrothes	NIL	(47,767.90)
		NIL	125,259.10
	HIRE PURCHASE		
36,650.00	Vehicles subject to finance (equity)	NIL	22,850.00
(28,676.00)	Less: Finance Agreements	NIL	(19,347.22)
11,550.00	Vauxhall Vivaro	NIL	10,000.00
(14,126.00)	Less: Finance due to Autobank Finance	NIL	(10,000.00)
		NIL	3,502.78
	ASSET REALISATIONS		
12,550.00	Motor Vehicles	NIL	17,005.00
86,800.00	Stock	NIL	62,479.00
NIL	Assets owned by group undertaking	NIL	NIL
NIL	Book Debts	NIL	NIL
	Cash in hand	NIL	80.48
	Bank Interest Gross	NIL	114.82
	Miscellaneous Refund	NIL	1,329.40
		NIL	81,008.70
	COST OF REALISATIONS		
	Specific Bond	NIL	510.00
	Preparation of S. of A.	NIL	1,310.00
	Office Holders Fees	392.30	52,699.52
	Office Holders Expenses	NIL	484.17
	Auctioneers Fees	NIL	37,361.10
	Legal Fees	NIL	400.00
	Corporation Tax	NIL	16.43
	Locksmith's Fees	NIL	325.00
	Landlord's Hypothec: Banchory	NIL	1,858.52
	Re-Direction of Mail	NIL	204.00
	Statutory Advertising	NIL	595.57
	Rents Payable	NIL	9,211.68
	Rates	NIL	1,862.98
	Utilities	NIL	1,033.99
	Insurance of Assets	NIL	1,302.42
	Wages & Salaries	NIL	240.00
	Property Alarms	NIL	894.00
	Court Reporter Costs	NIL	2,127.00
	Document Shredding	NIL	280.00
		(392.30)	(112,716.38)
	PREFERENTIAL CREDITORS		
(23,241.00)	Employees Wage Arrears & Holiday P	3,016.51	36,678.53
(15,278.00)	Employees Holiday Pay	NIL	NIL
	Consigned Funds - Preferential	34.19	34.19
		(3,050.70)	(36,712.72)
	FLOATING CHARGE CREDITORS		
(97,600.00)	Kevin Francis Bannister	NIL	44,384.16
		NIL	(44,384.16)
	UNSECURED CREDITORS		
(403,010.00)	Trade & Expense Creditors	NIL	14,488.29

Murray & Murray Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 08/01/2023 To 22/05/2023 £	From 08/01/2018 To 22/05/2023 £
(170,564.00)	Employees	NIL	NIL
(300,334.00)	Customer Deposits	NIL	NIL
(80,000.00)	Funding Circle	NIL	NIL
(86,617.00)	HM Revenue & Customs	NIL	NIL
	Consigned Funds - Ordinary	(34.19)	670.95
		34.19	(15,159.24)
	DISTRIBUTIONS		
(190.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(1,190,896.00)		(3,408.81)	798.08
	REPRESENTED BY		
	Thomson Cooper - VAT Assigned		798.08
			798.08

Note:

The above Receipts & Payments Account shows VAT due to be received from HMRC of £798.08. This relates to VAT due on my remuneration as Liquidator. As my administration of the Liquidation is complete, and the bank account is at Nil, it is my intention to assign the VAT to Thomson Cooper for collection and to bring the Liquidation to a close now.



Richard Gardiner
Liquidator