

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

06456441

Name of Company

Business Link West Midlands Limited

 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 28 November 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 23 February 2012 (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 28 November 2013

BDO LLP
125 Colmore Row
Birmingham
B3 3SD

Ref 00176575/CKR/SPM/AEM

TUESDAY



A13

A2MFE9UZ
03/12/2013
COMPANIES HOUSE

#326

**BUSINESS LINK WEST MIDLANDS
LIMITED**
In Members' Voluntary Liquidation

Liquidator's Final Report to Members pursuant
to Rule 4 126A of the Insolvency Rules 1986

Clients\B\Business Link West Midlands Limited\S94 notice
of final meeting and report



TABLE OF CONTENTS

Section	Page
1 INTRODUCTION	1
2 OBJECTIVE OF THE LIQUIDATION	1
3 RECEIPTS AND PAYMENTS	1
4 COMPANY'S TAX AFFAIRS	1
5 DISTRIBUTIONS	1
6 LIQUIDATOR'S REMUNERATION	2
7 STATEMENT OF DISBURSEMENTS	2
8 RESOLUTIONS AND NOTICE	3
9 DISSOLUTION	3

Appendix 1 - Receipts and Payments Account

Appendix 2 - Extract from the Insolvency Rules 1986 in relation to Remuneration and Disbursements

Appendix 3 - Proxy Form

BUSINESS LINK WEST MIDLANDS LIMITED - IN MEMBERS' VOLUNTARY LIQUIDATION

Registered No. 06456441

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

This report covers the period 23 February 2012 to the date of the final meeting on 28 November 2013

1 Introduction

- 1.1 This report is addressed to the member of Business Link West Midlands 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 23 February 2012 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 and payment to any creditors, finalising the tax affairs of the Company with HM Revenue and Customs ("HMRC"), and distributing the surplus of the funds held in the case to the Department for Business, Innovation & Skills ("BIS"), all of which has been actioned.

3 Receipts and Payments Account

- 3.1 I enclose a receipts and payments account to the date of the final meeting on 28 November 2013. The Declaration of Solvency showed that the Company had an investment of £600,000 and this related to the share capital in West Midlands Brokerage Services Limited. The receipts consisted primarily of £42,286.05 in respect of cash at Bank and a rates refund of £32,879.61. The cost of realisations are in the main self explanatory but include legal fees and disbursements in respect of a claim made by a third party. Details of the unsecured creditors are elaborated on further on in the report.

4 Company's Tax Affairs

- 4.1 I wrote to HMRC on 19 April 2013, forwarding the outstanding tax returns and requesting tax clearance by 22 May 2013. I indicated in my letter that if I had not received a response by that date I would assume that HMRC had no outstanding matters and had no objection to my calling the final meeting and would proceed to call such meeting. I subsequently received the tax acknowledgements for the periods for which returns were submitted. I have not received any objection to my holding the final meeting, which I have convened for 28 November 2013, and which I am now giving notice of.

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 29 February 2012 and in the Birmingham Post on 1 March 2012. Trade and expense creditors totalled £3,840 00 and related to payments made to Azcom Business Solutions Limited, BDO LLP, and £380 00 to Peter Brookes in respect of expenses.

5.3 Shareholders

At the time of the Liquidator's appointment, the Company was limited by guarantee and there was, therefore, no share capital. In accordance with the Company's Memorandum and Articles, any return of capital is to be made to a 'like minded business', in this case being the Department for Business, Innovation & Skills ("BIS"), and this was duly done with two payments totalling £50,127.17 being made to BIS.

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 the 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 23 February 2013, that the Liquidator's remuneration would be fixed as a set amount of £3,500 plus VAT and disbursements. However, because of the unforeseen increased work in completing the Liquidation, it was agreed that the fee be increased to £8,000 plus VAT and disbursements. This was invoiced and paid from the case.

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 £566.33 was incurred in respect of category 1 disbursements and this related to statutory advertising and statutory insurance. This amount was drawn from the case.

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. There have been no category 2 disbursements in this case.

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.

7.4 The Insolvency Service has established a central gateway for considering complaints in respect of Insolvency Practitioners. In the event that you make a complaint to me but are not satisfied with the response from me then you should visit <http://www.bis.gov.uk/insolvency/contact-us/IP-Complaints-Gateway> where you will find further information on how you may pursue the complaint.

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 18 October 2013 be approved and adopted,
2. That the Liquidator be released from office following the final meeting of members on 28 November 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 28 November 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: 18 October 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

Business Link West Midlands Limited
In Members Voluntary Liquidation

Receipts and Payments from 23 February 2012 to 28 November 2013

	Notes	Declaration of Solvency		Total Amounts to 22 2 2013		Receipts and Payments Movements from 23 2 2013 to 28 11 2013	Total Amounts to 28 11 2013
		£	£	£	£		
ASSETS							
Investments		600,000 00				-	
Cash at Bank				42,286 05			42 286 05
Rates Refund				32,879 61			32,879 61
Solicitor's Client Account				279 97			279 97
Bank Interest Gross				287 62			287 62
Total			600 000 00		75,733 25	-	75,733 25
COST OF REALISATIONS							
Third Party Payment				4,000 00			4,000 00
Liquidator's Fees & Disbursements		9,000 00					
Liquidator's Fees						8,000 00	8,000 00
Statutory Advertising						356 33	356 33
Statutory Insurance						210 00	210 00
Accountants/Tax Advisors							
Legal Fees				3,925 00			3 925 00
Legal Disbursements				1,692 50			1,692 50
Corporation Tax						69 48	
VAT Irrecoverable				1,799 50		1,713 27	3 512 77
Total			(9 000 00)		(11,417 00)	(10 349 08)	(21,766 08)
UNSECURED CREDITORS							
Trade & Expense Creditors						3,840 00	3,840 00
Total			-		-	(3,840 00)	(3,840 00)
SHAREHOLDERS							
Distributions to Shareholders	2	591,000 00				50 127 17	50,127 17
Total			(591,000 00)		-	(50,127 17)	(50,127 17)
Balance					64,316 25	(64,316 25)	-

1 The Company was not registered for VAT

2 Two distributions, totalling £50,127 17, were paid to the Department for Business, Innovation & Skills

3 The bank accounts were taken off interest bearing to enable the tax liability to be calculated

BDO LLP
125 Colmore Row
Birmingham
B3 3SD

C K Rayment
Liquidator

18 October 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
BUSINESS LINK WEST MIDLANDS 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 Advantage West Midlands

Address 3 Priestley Wharf, Holt Street, Birmingham, B7 4BN

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 proxy-holder at the meeting of members to be held on 28 November 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)

Please complete paragraph 1 if you wish to nominate or vote for a specific person as Liquidator

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

Voting instructions for resolutions

(In the event of a person named in paragraph 1 withdrawing or being eliminated from any vote for the appointment of a Liquidator the proxy-holder may vote or abstain in any further ballot at his / her discretion)

- 1 That the Liquidator's report dated 18 October 2013 be approved and adopted

Approved/Rejected

- 2 That the Liquidator be released from office following the final meeting of members on 28 November 2013

Approved/Rejected

- 2 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