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### Kilminchy Management Company Limited The Company is a Company Limited by Guarantee and not having a Share Capital

**Directors' Report and Financial Statements** 

for the year ended 31 December 2010

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### Directors and other information

**Directors** 

Dermot Lee

Declan Culleton
Jim McDonald

Secretary

Dermot Lee

Company number

301636

Registered office

Q 10, Greenogue Business Park

Rathcoole Co. Dublin

**Auditors** 

McGrath & Co

Certified Public Accountants & Registered Auditors

32 Woodbine Business Park

New Ross Co. Wexford

**Business address** 

Q 10, Greenogue Business Park

Rathcoole Co. Dublin

**Bankers** 

Allied Irish Bank

Portlaoise Co. Laois

### Directors' report for the year ended 31 December 2010

The directors present their report and the audited financial statements for the year ended 31 December 2010.

#### Principal activity and business review

The principal activity of the company continues to be that of the management of the residential area at Kilminchy. The company's performance is consistent with prior years with revenue being generated through service fees charged to each residential owner. The fee is calculated on a flat fee basis agreed at the Annual General Meeting. The directors are not expecting to make any significant changes in the nature of the business in the near future.

#### Results

The excess of income over expenditure for the financial year amounted to €39,095 (2009: €39086)

#### Principal risks and uncertainties

There are considerable funds outstanding to the company is repect of fees and late payment charges, however the directors are confident that all these amounts are recoverable in full and that debt collection in the future should not pose a serious risk to the operation of the company. The company is currently pursuing a number of unpaid up members through the courts and are confident that all outstanding fees will be collected in due course.

### Important events since the year end

As mentioned above the company is pursuing through the courts a number of unpaid up members in respect of outstanding management fees and late payment charges. The directors are confident based on the opinions of their legal team that they will be able to collect all outstanding arrears which were agreed at the last Annual General Meeting held by the members.

#### **Directors of the Company**

Dermot Lee, Declan Culliton & Jim McDonald retire from the board by rotation in accordance with the Articles of Association and, being eligible, offer themselves for re-election.

### Incorporation/Limited Liability

The company is limited by guarantee and does not have a share capital.

#### **Books of Account**

The measures taken by the directors to ensure compliance with the requirements of Section 202, Companies Act, 1990, regarding proper books of account are the implementation of necessary policies and procedures for recording transactions, the employment of competent accounting personnel and appropriate expertise and the provision of adequate resources to the financial function. The books of account of the company are maintained at the Registered Office.

### Directors' report for the year ended 31 December 2010

continued		

### **Auditors**

The auditors, McGrath & Co, have indicated their willingness to continue in office in accordance with the provisions of Section 160(2) of the Companies Act, 1963.

This report was approved by the Board on 3 May 2011 and signed on its behalf by

Dermot Lee Desmo Lee

Declan Culleton Director

### Statement of Directors' responsibilities for the members' financial statements

The directors are responsible for preparing the Annual Report and the financial statements in accordance with applicable Irish law and Generally Accepted Accounting Practice in Ireland including the accounting standards issued by the Accounting Standards Board and published by the Institute of Certified Public Accountants in Ireland.

Irish company law requires the directors to prepare financial statements for each financial period which give a true and fair view of the state of affairs of the company and of the surplus or deficit of the company for that period.

In preparing those financial statements, the directors 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 company will continue in business.

The directors confirm that they have complied with the above requirements in preparing the financial statements.

The directors are responsible for keeping proper books of account which disclose with reasonable accuracy at any time the financial position of the company and to enable them to ensure the financial statements are prepared in accordance with accounting standards generally accepted in Ireland and with Irish statute comprising the Companies Acts 1963 to 2009.

They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Where financial statements are to be published on the web, the directors are responsible for the maintenance and integrity of the corporate and financial information included on the company's website. Legislation in Ireland governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

In so far as the directors are aware:

- -there is no relevant audit information (information needed by the company's auditors in connection with preparing their report) of which the company's auditors are unaware, and
- -the directors have taken all the steps that they ought to have taken to make themselves aware of any relevant audit information and to establish that the company's auditors are aware of that information.

On behalf of the board

earl her Dermot Lee Director

**Declan Culleton** Director

Date: 3rd May 2011

# Independent auditors' report to the members of Kilminchy Management Company Limited The Company is a Company Limited by Guarantee and not having a Share Capital

We have audited the financial statements of Kilminchy Management Company Limited for the year ended 31 December 2010 which comprise the income and expenditure account, the balance sheet, the cash flow statement, the statement of total recognised gains and losses and the related notes. These financial statements have been prepared under the historical cost convention and the accounting policies set out therein.

#### Respective responsibilities of directors and auditors

As described in the statement of directors' responsibilities the company's directors are responsible for the preparation of the financial statements in accordance with applicable law and Irish Accounting Standards published by the Auditing Practices Board in the UK and Ireland.

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

This report is made solely to the company's members, as a body, in accordance with Section 193 of the Companies Act, 1990. Our audit work has been undertaken so that we might state to the company'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 company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.

We report to you our opinion as to whether the financial statements give a true and fair view in accordance with Generally Accepted Accounting Practice in Ireland and are properly prepared in accordance with the Companies Acts 1963 to 2009. We also report to you whether in our opinion: proper books of account have been kept by the company; and whether the information given in the Directors' Report is consistent with the financial statements. In addition, we state whether we have obtained all the information and explanations necessary for the purposes of our audit and whether the company's balance sheet and its income and expenditure account are in agreement with the books of account.

We also report, to the members if, in our opinion, any information specified by law regarding directors' remuneration and directors' transactions is not disclosed and, where practicable, include such information in our report.

We report to you whether in our opinion the information given in the directors' report is consistent with the financial statements.

### Independent auditors' report to the members of Kilminchy Management Company Limited (continued) The Company is a Company Limited by Guarantee and not having a Share Capital

#### 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 directors in the preparation of the financial statements, and of whether the accounting policies are appropriate to the company'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.

We have undertaken the audit in accordance with the requirements of the APB Ethical Standards - Provisions Available for Small Entities, in the circumstances set out in the notes to the financial statements.

### **Opinion**

In our opinion the financial statements:

- give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland, of the state of the company's affairs as at 31 December 2010 and of its profit and cash flows for the year then ended; and
- have been properly prepared in accordance with the Companies Acts 1963 to 2009.

We have obtained all the information and explanations, which we consider necessary for the purposes of our audit. In our opinion proper books of account have been kept by the company. The financial statements are in agreement with the books of account.

In our opinion the information given in the directors' report is consistent with the financial statements.

McGrath & Co

Certified Public Accountants & Registered Auditors

32 Woodbine Business Park

**New Ross** 

Co. Wexford

Date: 3 May 2011

### Income and Expenditure Account for the year ended 31 December 2010

		Continuing o	perations
		2010	2009
·	Notes	$oldsymbol{\epsilon}$	$\epsilon$
Income	2	142,664	120,526
Expenditure		(103,440)	(80,810)
Surplus on ordinary activities before interest Interest payable and similar charges Surplus on ordinary activities before taxation	5	39,224 (129) 39,095	39,716 (630) 39,086
Tax on surplus on ordinary activities	3	-	-
Excess of income over expenditure		39,095	39,086
Statement of total recognised gain Total recognised gains relating to the year Prior year adjustment (Note 7)	as & losses	39,095	39,086 27,621
Total recognised gains since last annual report		39,095	66,707

Dermot Lee Desmot hee Director Declan Culleton

Director-

### Balance sheet as at 31 December 2010

		2010		2009	
	Notes	$\epsilon$	$\epsilon$	$\epsilon$	. €
Current assets					
Debtors	8	107,371		73,046	
Cash at bank and in hand		12,254		65	
		119,625		73,111	
Creditors: amounts falling				(22.22	
due within one year	9	(30,314)		(22,895)	
Net current assets			89,311		50,216
Total assets less current liabilities			89,311		50,216
Net assets			89,311		50,216
Reserves					
Members Funds	10		89,311		50,216
Members' funds			89,311		50,216

The financial statements were approved by the Board on 3 May 2011 and signed on its behalf by

Dermot Lee
Director

Declan Culleton
Director

## Cash flow statement for the year ended 31 December 2010

	2010	2009
Notes	$oldsymbol{\epsilon}$	$oldsymbol{\epsilon}$
Reconciliation of operating profit to net		
cash inflow from operating activities		
Operating profit	39,224	39,716
(Increase) in debtors	(34,325)	(70,516)
Increase in creditors	9,956	10,240
Prior Year Adjustment	-	27,621
Net cash inflow from operating activities	14,855	7,061
Cash flow statement		
Net cash inflow from operating activities	14,855	7,061
Returns on investments and servicing of finance 14	(129)	(630)
Increase in cash in the year	14,726	6,431
Reconciliation of net cash flow to movement in net funds (Note 15)		
Increase in cash in the year	14,726	6,431
Net cash inflow from issue of shares classed as financial liabilities	-	_
Net debt at 1 January 2010	(7,709)	(14,140)
Net funds at 31 December 2010	7,017	(7,709)

### Notes to the financial statements for the year ended 31 December 2010

#### 1. Statement of accounting policies

The following accounting policies have been applied consistently in dealing with items which are considered material in relation to the company's financial statements.

### 1.1. Basis of preparation

The audited financial statements have been prepared in accordance with accounting standards generally accepted in Ireland and Irish statute comprising the Companies Acts 1963 to 2009, Accounting Standards generally accepted in Ireland in preparing financial statements giving a true and fair view are those issued by the Accounting Standards Board.

#### 1.2. Income Policy

Income represents the total invoice value, excluding value added tax, of sales made during the year.

#### 1.3. Taxation

The company has obtained exemption from the Revenue Commissioners in respect of Corporation Tax, it being a company not carrying on a business for the purpose of making a profit.

#### 2. Income

The total income of the company for the year has been derived from its principal activity wholly undertaken in Ireland.

		2010 €	2009 €
	Class of business		
	Management Fees	113,259	113,251
	Late payment fees	28,305	
	Land Registry Fees	-	4,025
	Sponsorship	1,100	3,250
		142,664	120,526
			====
	Geographical market		
	Ireland	142,664	120,526
		142,664	120,526
2		2010	2009
3.	Operating profit		
		$oldsymbol{\epsilon}$	$oldsymbol{\epsilon}$
	Excess of income over expenditure was arrived at after charging:		
	_Auditors' remuneration	2,900	2,850

### Notes to the financial statements for the year ended 31 December 2010

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#### 4. Insurance:

The amount of insurance cover which has been put in place in respect of the development for the year was £2,600,000 in respect of public liability. The level of insurance cover has been agreed with the insurance broker and is thought to be sufficient.

5.	Interest payable and similar charges	2010	2009
		$oldsymbol{\epsilon}$	$oldsymbol{\epsilon}$
	Included in this category is the following:		
	On bank loans and overdrafts	129	630

#### 6. Employees

There were no employees during the year apart from the directors.

### 7. Prior year adjustments

Adjustment to prior year is in respect of income relating to 2008 and earlier years. The accounts in previous years were prepared on a cash receipts basis as income could not be determined with certainty due to the fact that the directors were prepared to write off old management fees if they received cooperation with the collection of current year fees from house owners.

8.	Debtors	2010	2009
		$\epsilon$	€
	Service Charges Receivable	81,871	73,046
	Other debtors	25,500	-
		107,371	73,046

### Notes to the financial statements for the year ended 31 December 2010

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9.	Creditors: amounts falling due within one year			2010 €	2009 €
	Loans & other borrowings				
•	Bank overdraft			5,237	7,774
	Other creditors			•	
	Accruals and deferred income			2,900	3,005
	Taxation creditors				
	VAT			22,177	12,116
		•		30,314	22,895
10.	Members Funds	Profit and loss account €	Sinking Fund €	Total €	
	At 1 January 2010	11,130	39,086	50,216	
	Excess of Income over Expentiture	39,095		39,095	
	Transfer to Sinking Fund	(39,095)	39,095	<del>-</del>	
	At 31 December 2010	11,130	78,181	89,311	

A sinking fund has been accumulated over the last 2 years for the purposes of providing funding in the future for repairs, renovations, replacement and improvement of the common areas.

### 11. Capital commitments

There were no capital committments at the year ended 31st December 2010.

### 12. Contingent liabilities

There were no contingencies at the year ended 31st December 2010.

### Notes to the financial statements for the year ended 31 December 2010

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### 13. Related party transactions

Bookeeping, secretarial and administraion services are provided to the company at a cost of €33,845 for the year by Dermot Lee who is a director of the company.

Allied Irish Bank holds personal guarantees of Dermot Lee and Declan Culliton in the amount of €15,000 each.

#### 14. Gross cash flows

	2010 €	2009 €
Returns on investments and servicing of finance Interest paid	(129)	(630)

### 15. Analysis of changes in net funds

	Opening balance	Cash flows	Closing balance
	$\epsilon$	$\epsilon$	€
Cash at bank and in hand Overdrafts	65	12,189	12,254
Overdraits	$\frac{(7,774)}{(7,709)}$	2,537 14,726	(5,237)
Net funds	(7,709)	14,726	7,017  7,017
1.00 Tuilds	<del>(7,707)</del>	=====	<del>7,017</del>

### 16. Company Limited by Guarantee

The company is one limited by guarantee not having a share capital.

### 17. APB Ethical Standard - Provisions Available for Small Entities

In common with many other businesses of our size and nature we use our auditors to prepare and submit returns to the Revenue Commissioners and assist with the preparation of the financial statements.

### Notes to the financial statements for the year ended 31 December 2010

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18.	Accounting Periods
	The current accounts are for a full year. The comparative accounts are for a full year.
19.	Approval of financial statements
	The financial statements were approved by the Board on 3 May 2011 and signed on its behalf by
	Dermot Lee Director Dermot Lee Director Director