

## Limited Liability Partnership Information

Designated members Reigate & Banstead Borough Council

Berwick Hill Properties Limited Millhill Properties (Horley) Limited

Limited liability partnership number OC407343

Registered office Town Hall

Castlefield Road

Reigate Surrey RH2 0SH

Auditor Moore Kingston Smith LLP

Betchworth House 57-65 Station Road

Redhill Surrey RH1 1DL

Business address Town Hall

Castlefield Road

Reigate Surrey RH2 0SH

### Members' Report

For the year ended 31 December 2021

The members present their annual report and financial statements for the year ended 31 December 2021.

### Principal activities

The principal activity of the Limited Liability Partnership ("LLP") continued to be the development of a business park.

Since the Balance Sheet date the members have taken the decision to close the Partnership and are now actively working together to settle all outstanding liabilities, ensure final accounts and tax returns are prepared and submitted and arrange for the Partnership to be closed down using the Solvent Liquidation Process. The Partnership is therefore not a going concern, as it will not be active twelve months from the date of the approval of these financial statements. Accordingly the members have prepared the financial statements on a basis other than going concern. There would be no material adjustments to the financial statements had they been prepared on a going concern basis.

### Members' drawings, contributions and repayments

Each member's subscription to the capital of the LLP and its conditions for repayment are determined by the members' agreement.

Members capital is classified as a liability and on ceasing to be a member of the LLP, a member is entitled to a return of their capital.

Details of changes in members' capital in the year ended 31 December 2020 are set out in the Reconciliation of Members' Interests.

Certain members have also provided loans to the LLP in accordance with loan agreements and the members' agreement. The loans have been treated as a liability and included as 'members' capital classified as a liability' rather than as loans made to the LLP which would be included as creditors. The members' consider this accounting treatment more accurately reflects the substance of the loan transactions. The loans are repayable in accordance with the member's agreement. On ceasing to be a member of the LLP, a member is entitled to a return of any loan amount and interest which have not previously been repaid.

The availability of drawings is dependent on the cash requirements of the LLP. The member's agreement makes provision for certain members to receive development management fees and other service fees prior to the allocation of the remaining profits among the members. There is no requirement for the members to make good losses.

### **Designated members**

The designated members who held office during the year and up to the date of signature of the financial statements were as follows:

Reigate & Banstead Borough Council Berwick Hill Properties Limited Millhill Properties (Horley) Limited

### Auditor

The auditor, Moore Kingston Smith LLP, is deemed to be reappointed under section 487(2) of the Companies Act 2006.

Members' Report (Continued)

For the year ended 31 December 2021

### Statement of members' responsibilities

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

Company law (as applied by The Limited Liability Partnerships (Accounts and Audit) (Application of Companies Act 2006) Regulations 2008) requires the members to prepare financial statements for each financial year. Under that law the members have elected to prepare the financial statements in accordance with United Kingdom Generally Accepted Accounting Practice. Under company law (as applied by The Limited Liability Partnerships (Accounts and Audit) (Application of Companies Act 2006) Regulations 2008) the members must not approve the financial statements unless they are satisfied that they 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 these financial statements, the members are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and accounting estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards have been followed, subject to any material departures disclosed and explained in the financial statements;
- 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 adequate accounting records that are sufficient to show and explain the limited liability partnership's transactions and 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 2006 (as applied by The Limited Liability Partnerships (Accounts and Audit) (Application of Companies Act 2006) Regulations 2008). 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

Each of the members in office at the date of approval of this annual report confirms that:

- so far as the members are aware, there is no relevant audit information of which the limited liability partnership's auditor is unaware, and
- the members have taken all the steps that ught to have taken as members in order to make themselves aware of any relevant audit information and to establish that the limited liability partnership's auditor is aware of that information.

This report has been prepared in accordance with the special provisions relating to small LLPs within Part 15 of the Companies Act 2006.

This report was approved by the members and signed on their behalf by:

Reigate & Banstead Borough Council **Designated Member**  Berwick Hill Properties Limited

Designated Member

Millhill Properties (Horley) Limited

**Designated Member** 

### Independent Auditor's Report

To the Members of Horley Business Park Development LLP

### Opinion

We have audited the financial statements of Horley Business Park Development LLP (the 'limited liability partnership') for the year ended 31 December 2021 which comprise the Profit and Loss Account, the Balance Sheet, the Reconciliation of Members' Interests and notes to the financial statements, including significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including Financial Reporting Standard 102 *The Financial Reporting Standard applicable in the UK and Republic of Ireland* (United Kingdom Generally Accepted Accounting Practice).

In our opinion the financial statements:

- give a true and fair view of the state of the limited liability partnership's affairs as at 31 December 2021 and of
  its loss for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice;
   and
- have been prepared in accordance with the requirements of the Companies Act 2006 as applied to limited liability partnerships by the Limited Liability Partnerships (Accounts and Audit) (Application of Companies Act 2006) Regulations 2008.

### Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the financial statements* section of our report. We are independent of the limited liability partnership in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Emphasis of matter-financial statements prepared on a basis other than Going Concern

As explained in note 1.2 to the financial statements, since the Balance Sheet date the members took the decision to close the LLP and are now actively working together to settle all outstanding liabilities, ensure final accounts and tax returns are prepared and submitted and arrange for the LLP to be closed down using the Solvent Liquidation Process. The members anticipate that the LLP will not be active twelve months from the date of the approval of these financial statements and so consequently, the financial statements have been prepared on a basis other than that of a going concern.

### Other information

The other information comprises the information included in the annual report other than the financial statements and our auditor's report thereon. The members are responsible for the other information contained within the annual report. Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon.

Our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the course of the audit, or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact.

We have nothing to report in this regard.

Independent Auditor's Report (Continued)

To the Members of Horley Business Park Development LLP

### Matters on which we are required to report by exception

We have nothing to report in respect of the following matters where the Companies Act 2006 as applied to limited liability partnerships requires us to report to you if, in our opinion:

- adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or
- · the financial statements are not in agreement with the accounting records and returns; or
- we have not received all the information and explanations we require for our audit; or
- the members were not entitled to prepare the financial statements in accordance with the small limited liability partnerships regime.

### Responsibilities of members

As explained more fully in the Members' Responsibilities Statement, the members are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the members determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the members are responsible for assessing the limited liability partnership's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the members either intend to liquidate the limited liability partnership or to cease operations, or have no realistic alternative but to do so.

Independent Auditor's Report (Continued)

To the Members of Horley Business Park Development LLP

### Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs (UK) we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purposes of expressing an opinion on the effectiveness of the limited liability partnership's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the members.
- Conclude on the appropriateness of the members' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the limited liability partnership's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the limited liability partnership to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Independent Auditor's Report (Continued)

To the Members of Horley Business Park Development LLP

### Explanation as to what extent the audit was considered capable of detecting irregularities, including fraud

Irregularities, including fraud, are instances of non-compliance with laws and regulations. We design procedures in line with our responsibilities, outlined above, to detect material misstatements in respect of irregularities, including fraud. The extent to which our procedures are capable of detecting irregularities, including fraud, is detailed below.

The objectives of our audit in respect of fraud, are; to identify and assess the risks of material misstatement of the financial statements due to fraud; to obtain sufficient appropriate audit evidence regarding the assessed risks of material misstatement due to fraud, through designing and implementing appropriate responses to those assessed risks; and to respond appropriately to instances of fraud or suspected fraud identified during the audit. However, the primary responsibility for the prevention and detection of fraud rests with both management and those charged with governance of the limited liability partnership.

Our approach was as follows:

- We obtained an understanding of the legal and regulatory requirements applicable to the limited liability partnership and considered that the most significant are [the Companies Act 2006 as applied to limited liability partnerships by the Limited Liability Partnerships (Accounts and Audit) (Application of Companies Act 2006) Regulations 2008, the Limited Liability Partnerships SORP, and UK financial reporting standards as issued by the Financial Reporting Council)
- We obtained an understanding of how the limited liability partnership complies with these requirements by discussions with management and those charged with governance.
- We assessed the risk of material misstatement of the financial statements, including the risk of material misstatement due to fraud and how it might occur, by holding discussions with management and those charged with governance.
- We inquired of management and those charged with governance as to any known instances of non-compliance
  or suspected non-compliance with laws and regulations.
- Based on this understanding, we designed specific appropriate audit procedures to identify instances of non-compliance with laws and regulations. This included making enquiries of management and those charged with governance and obtaining additional corroborative evidence as required.

There are inherent limitations in the audit procedures described above. We are less likely to become aware of instances of non-compliance with laws and regulations that are not closely related to events and transactions reflected in the financial statements. Also, the risk of not detecting a material misstatement due to fraud is higher than the risk of not detecting one resulting from error, as fraud may involve deliberate concealment by, for example, forgery or intentional misrepresentations, or through collusion.

Independent Auditor's Report (Continued)

To the Members of Horley Business Park Development LLP

### Use of our report

This report is made solely to the Limited Liability Partnership's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006 (as applied by the Limited Liability Partnerships (Accounts and Audit) (Application of Companies Act 2006) Regulations 2008). Our audit work has been undertaken so that we might state to the Limited Liability Partnership's members those matters which we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to any party other than the Limited Liability Partnership and the Limited Liability Partnership's members as a body, for our work, for this report, or for the opinions we have formed

lan Matthews (Senior Statutory Auditor) for and on behalf of Moore Kingston Smith LLP

22 December 2022

Chartered Accountants Statutory Auditor

Betchworth House 57-65 Station Road Redhill Surrey RH1 1DL

# Profit and loss account

For the year ended 31 December 2021

	2021	2020 as restated
Cost of sales	£ (124,679)	£
Administrative expenses	(7,051)	(10,294)
Operating loss	(131,730)	(10,294)
Interest receivable and similar income	-	1
Loss for the financial year before taxation	(131,730)	(10,293)
Loss for the financial year before members' remuneration and profit shares	(131,730)	(10,293)
Loss for the financial year before members' remuneration and profit shares Members' remuneration charged as an expense	(131,730)	(10,293)
Loss for the financial year available for discretionary division among members	(131,730) ———	(10,293)

### **Balance Sheet**

As at 31 December 2021

£
23,992
75,201
51,209)
23,992
20,100)
75,201
51,209)
03,892
5 - 2 - 7 - 5 -

These financial statements have been prepared in accordance with the provisions applicable to limited liability partnerships subject to the small limited liability partnerships regime.

The financial statements were approved by the members and authorised for issue on 22 December 2022 and are signed on their behalf by:

Reigate & Banstead Borough Council **Designated member**  Berwick Hill Properties Limited **Designated Member** 

Millhill Properties (Horley) Limited

**Designated Member** 

Limited Liability Partnership Registration No. OC407343

# Reconciliation of Members' Interests

For the year ended 31 December 2021

Current financial year	EQUITY Members' other interests	DEBT Loans and other debts due to members less any amounts due from members in debtors		TOTAL MEMBERS' INTERESTS	
	Other reserves	Members'Oth capital (classified as	ner amounts	Total	Total 2021
	£	debt)	£	£	£
Amounts due to members			(20,100)		
Members' interests at 1 January 2021 Loss for the financial year available	(51,209)	1,175,201	(20,100)	1,155,101	1,103,892
for discretionary division among members	(131,730)	-	-	-	(131,730)
Members' interests after loss for the year Introduced by members Interest on capital	(182,939) - -	1,175,201 25 122,001	(20,100)	1,155,101 25 122,001	972,162 25 122,001
Members' interests at 31 December 2021	(182,939)	1,297,227	(20,100)	1,277,127	1,094,188
Amounts due to members			(20,100)		
			(20,100)		

# Reconciliation of Members' Interests (Continued)

For the year ended 31 December 2021

Prior financial year as restated	EQUITY Members' other interests	DEBT Loans and other debts due to members less any amounts due from members in debtors			TOTAL MEMBERS' INTERESTS
	Other reserves	Members'Oth capital (classified as	ner amounts	Total	Total 2020
	£	debt)	£	£	£
Amounts due to members			(20,100)		
Members' interests at 1 January 2020 Loss for the financial year available	(40,916)	1,079,728	(20,100)	1,059,628	1,018,712
for discretionary division among members	(10,293)	-	-	-	(10,293)
Members' interests after loss for the year Introduced by members Interest on capital	(51,209) - -	1,079,728 8,219 87,254	(20,100)	1,059,628 8,219 87,254	1,008,419 8,219 87,254
Members' interests at 31 December 2020	(51,209)	1,175,201	(20,100)	1,155,101	1,103,892
Amounts due to members			(20,100)		
			(20,100)		

### Notes to the Financial Statements

For the year ended 31 December 2021

### 1 Accounting policies

### Limited liability partnership information

Horley Business Park Development LLP is a Limited Liability Partnership incorporated in England and Wales. The registered office is Town Hall, Castlefield Road, Reigate, Surrey, United Kingdom, RH2 0SH.

The Limited Liability Partnership's principal activities are disclosed in the Members' Report.

### 1.1 Accounting convention

These financial statements have been prepared in accordance with the Statement of Recommended Practice "Accounting by Limited Liability Partnerships" issued in January 2017, together with FRS 102 "The Financial Reporting Standard applicable in the UK and Republic of Ireland" ("FRS 102") and the requirements of the Companies Act 2006 as applicable to companies subject to the small companies regime. The disclosure requirements of Section 1A of FRS 102 have been applied other than where additional disclosure is required to show a true and fair view.

The financial statements are prepared in sterling, which is the functional currency of the limited liability partnership. Monetary amounts in these financial statements are rounded to the nearest £.

The financial statements have been prepared under the historical cost convention. The principle accounting policies adopted are set out below.

### 1.2 Going concern

Since the Balance Sheet date the members took the decision to close the Partnership. These financial statements have therefore been prepared on a basis other than going concern as the partnership is likely to be closed within a year from the date of approval of these financial statements. There would be no material adjustments to the financial statements had they been prepared on a going concern basis.

### 1.3 Members' participating interests

Members' participation rights are the rights of a member against the LLP that arise under the members' agreement (for example, in respect of amounts subscribed or otherwise contributed remuneration and profits).

Members' participation rights in the earnings or assets of the LLP are analysed between those that are, from the LLP's perspective, either a financial liability or equity, in accordance with section 22 of FRS 102. A member's participation rights including amounts subscribed or otherwise contributed by members, for example members' capital, are classed as liabilities unless the LLP has an unconditional right to refuse payment to members, in which case they are classified as equity.

Where members incur expenses on behalf of the LLP and then recharge those expenses to the LLP at cost, the costs are treated as administrative expenses and, if applicable, capitalised as work in progress. The recharged costs do not fall to be treated by the LLP as 'members' remuneration charged as an expense'. This accounting policy represents a departure from the SORP, which sets out the accounting principles of classifying amounts paid to members as 'members' remuneration charged as an expense'. The members consider that this accounting policy adopted represents the substance of the underlying transaction and is necessary in order that the financial statements give a true and fair view.

The profit and losses due to or from members, which have not been allocated until after the balance sheet date, are treated in these financial statements as unallocated at the balance sheet date and included within other reserves. In accordance with the members' agreement, there is no requirement for the members to make good any losses or negative balances on 'other reserves'.

Notes to the Financial Statements (Continued)

For the year ended 31 December 2021

### 1 Accounting policies

(Continued)

#### 1.4 Stocks

Work in progress comprises the development of a new business park. It is valued at the lower of cost and estimated net realisable value of the completed project. Cost includes all direct costs.

Borrowing costs which are directly attributable to the work in progress project are capitalised as work in progress and carried forward as an asset on the balance sheet. In the year borrowing costs of £122,001 (2020: £87,254) were capitalised in work in progress.

### 1.5 Cash and cash equivalents

Cash and cash equivalents are basic financial assets and include cash in hand, deposits held at call with banks, other short-term liquid investments with original maturities of three months or less, and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities.

#### 1.6 Financial instruments

The LLP only has financial instruments classified as basic and measured at amortised cost. The LLP has no financial instruments that are classified as 'other' or financial instruments measured at fair value.

### 1.7 Equity instruments

Equity instruments issued by the limited liability partnership are recorded at the proceeds received, net of direct issue costs.

#### 1.8 Taxation

No provision has been made for taxation in the financial statements. Each member is exclusively liable for any tax liabilities arising out of their interest in the LLP, which will be assessed on the individual member and not on the LLP.

### 1.9 Government grants

Government grants are recognised at the fair value of the asset received or receivable when there is reasonable assurance that the grant conditions will be met and the grants will be received.

Grants relating to assets are recognised in income on a systematic basis over the expected useful life of the asset. Where part of a grant relating to an asset is deferred it is recognised as deferred income and not deducted from the carrying value of the asset.

Notes to the Financial Statements (Continued)

For the year ended 31 December 2021

### 2 Judgements and key sources of estimation uncertainty

### **Critical judgements**

The following judgements (apart from those involving estimates) have had the most significant effect on amounts recognised in the financial statements.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

### Realisation of work in progress

The members estimate the net realisable value of work in progress, taking into account all available information at the reporting date. Having made appropriate enquiries the members have a reasonable expectation that the work in progress will realise at least the value reported in the financial statements. On this basis work in progress has been carried forward at cost.

### 3 Employees

The average number of persons (excluding members) employed by the partnership during the year was:

		2021	2020
		Number	Number
	Total	-	-
4	Debtors		
		2021	2020
	Amounts falling due within one year:	£	£
	Amounts owed by members	20,100	20,100
	Other debtors	596	836
		20,696	20,936
5	Creditors: amounts falling due within one year		
		2021	2020
		£	£
	Trade creditors	559	584
	Other creditors	203,602	202,596
		204,161	203,180

Notes to the Financial Statements (Continued)

For the year ended 31 December 2021

### 6 Loans and other debts due to members

In the event of a winding up the amounts included in "Loans and other debts due to members" will rank equally with unsecured creditors.

### 7 Related party transactions

All members are considered to be related parties of the LLP.

### 8 Prior period adjustment

Closing work in progress and direct costs have been reduced by £27,797 to reflect overcharged interest on members loans in previous years. This has resulted in a corresponding reduction in loans and other debts de to members of £27,797 but has not impacted the loss for the year.

### Adjustments to equity

	1 January 2020 £	31 December 2020 £
Adjustments to prior year		
Adjustment to members loan interest	•	(27,797)
Analysis of the effect upon equity		
Members' capital classified as a liability	-	(27,797)
Adjustments to loss for the previous financial period		
		2020
		£
Total adjustments		-

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