

**CavanaghKelly**

## **Services for Solicitors**



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Over 80 people working across 4 locations making a difference to thousands of people across a wide range of business sectors.

## Who we are

CavanaghKelly is one of Northern Ireland’s leading Professional Advisory Firms. With a heritage dating back 25 years, our reputation and expertise are underpinned by our widely known, respected and trusted practice leaders and the high quality advice and service provided to our clients.

We are a trusted partner and advisor, delivering the best solution and advice for every situation and we understand the importance of you maintaining the same relationship with your clients.

**We have a strong local presence and our people are down to earth, approachable and passionate about their clients.**

## What we do

Our business is structured across 3 areas. We have a strong reputation and track record for our work in Accounts & Audit, Advisory and Tax. Our approach is built on understanding our clients and their businesses and the competitive environment they work in.

Our core business areas work together to ensure you and your clients are offered a comprehensive and all round approach to meet the challenges currently faced and the opportunities encountered.

**We offer a free initial consultation.**

Our Business Recovery & Insolvency experts have experience of all types of Corporate and Personal Insolvency situations and the services we provide are complemented by Specialist Tax and Debt Restructuring expertise. Our Forensic Accountants have extensive experience of supporting a wide range of litigation assignments.

## Why CavanaghKelly?

It's simple. Our people make things happen. At CavanaghKelly we put instinct and progress at the heart of everything we do. We're problem solvers, looking logically and innovatively at complex business issues and creating the solutions to meet your and your client needs. Our success is built on our strong client relationships and founded on trust.

Every case and situation is unique and there may be a range of options available for you and your clients. It is important that your client understands the advice being provided. We recognise that seeking the right advice early is essential.

**We work with you to deliver the right solutions and make a real difference for your client.**



## Where we can help

- Corporate & Commercial
- Litigation & Dispute Resolution
- Banking & Finance
- Private Client
- Property & Real Estate
- Probate / Charities / Pensions

## Sector specialisms

- Agri-food
- Charities & Community Groups
- Construction
- Energy & Renewables
- Family Business
- Financial Services
- Healthcare
- Hotel & Leisure
- Manufacturing & Engineering
- Owner Managed
- Professional Services
- Property
- Retail & Consumer Services
- Technology & Telecommunications
- Transport
- Wholesale Distribution

**We're trusted partners for Professional Services Firms across Northern Ireland and beyond.**

## Who we advise

- Individuals
- Sole Traders
- Partnerships
- Limited Companies
- Limited Liability Partnerships
- Unregistered Companies
- Public Limited Companies
- Public Sector
- Foreign Entities
- Community Interest Companies
- Charities



## Corporate & Commercial

### Financial Difficulties

- Business turnaround
- Restructuring and Section 110 / Article 96 liquidations
- HMRC negotiation and time to pay arrangements
- Formal insolvency procedures
- Distressed acquisitions
- Review of debt settlement proposals
- Refinancing business

### Shareholder Disputes

- Formal liquidation and distribution of assets
- Valuation of shareholdings
- Alternative dispute resolution

### Group Simplifications

- Winding up of solvent companies - MVL
- Tax efficient closure and distribution of asset
- Corporate restructuring
- Derisking group structures and intercompany transactions
- Solvent restructuring

### Transaction Services

- Financial due diligence
- Business valuation
- Share valuation
- Business exit

‘Your client wants to sell their shareholding but is unsure of the value and feels the current offer from other shareholders is too low.’

### How we can help

We have significant experience of valuing businesses across a variety of sectors. We provide a high level or detailed valuation, depending on the client’s needs, allowing you to assist your client with negotiating with the other shareholders.

### Financial Reviews

- Business health check
- Solvency reviews
- Independent business reviews
- Tax review
- Business improvement programme

### Investigation & Asset Tracing

- Forensic investigation
- Antecedent transactions, misfeasance and directors disqualification
- Investigations into Directors conduct

### Creditor Services

- Management of claims in insolvency process
- Representation at creditors meeting
- Advice on dividend prospects in insolvency

‘The Directors of a successful property investment company have decided to cease trading. With an excess of £2m in the company bank account and the changes to taxation on dividend income, they want to know the most tax efficient way of extracting the funds and winding up the company.’

### How we can help

Our Specialist Tax team are able to quickly provide your client with the options available and a recommendation for the best course of action. If it is decided a Members Voluntary Liquidation (MVL) is the best way forward, one of our Licensed Insolvency Practitioners is available to assist.

## Litigation & Dispute Resolution

### Matrimonial

- Advise non-bankrupt spouse negotiating with Trustee
- Matrimonial disputes

### Contractual Disputes

- Calculation of trading loss of profits as result of breach of contract, negligence etc
- Preparation of detailed forensic reports

### Fraud / Asset tracing

- Forensic investigation into fraudulent transactions

‘Your client is a company which has a legal claim against another company. They are being told that the defendant is at risk of insolvency and in the event that the claim is pursued there will be no funds available to pay the sum demanded.’

### How we can help

Our Insolvency & Restructuring experts can review the company and its finances, advise of the real risk of insolvency and what it could mean for the prospects of recovery for your client.

### Commercial

- Informal arrangements with creditors
- Formal insolvency arrangements
- Defending HMRC investigations
- Partnership insolvency

### Director Claims regarding Insolvency

- Disqualification proceedings
- Claims regarding misfeasance and wrongful trading

### Antecedent Transactions & Misfeasance

- Analysis of claims and risks
- Advice on negotiations for settlement of claims

‘Your client invested significantly 2 years ago in a new piece of equipment to improve their manufacturing efficiencies. The equipment has failed to operate as per the specifications and your client wishes to claim against the supplier of the machine; however is unsure how to quantify the claim.’

### How we can help

Our Forensic Accountants can complete a detailed forensic report on the alleged loss of profits to the company which can be used to initiate legal action against the supplier. We can also act as Expert Witness if required.

## Banking & Finance

### Solvency Reviews

- Independent business reviews

### Pre - Lending reviews

- Financial due diligence
- Independent business reviews
- Review facility terms and letters

### Claims

- Assessment of financial losses regarding mis-selling of interest rate hedging products

‘Your client’s company was sold an interest rate hedging product over three years ago and you are taking a claim against the financial institution for mis-selling. However you are required to quantify the loss suffered.’

### How we can help

Our Forensic Accountants can quickly provide a financial analysis of the estimated loss to the company, for the purposes of the claim.

## Private Client

### Financial Difficulties

- Debt recovery advices
- Informal insolvency advices
- Formal insolvency advices
- HMRC negotiation and time to pay arrangements
- Insolvency practitioner negotiations
- Tax reviews

### Investments

- Financial due diligence
- Business valuation
- Share valuation
- Client seeking to exit business

### Family Law

- Advise non-bankrupt spouse negotiating with Trustee
- Matrimonial disputes

### Personal Injury

- Medical negligence
- Fatal accident
- Dependency claims

‘Your client’s spouse has recently been declared bankrupt. The family home is solely in the bankrupt spouse’s name and has significant surplus equity. The Trustee in bankruptcy has written to your client inviting a proposal to purchase the equity in the property and threatening an application for possession if agreement cannot be reached.’

### How we can help

We negotiate on your client’s behalf to minimise the financial settlement required to purchase the equity from the Trustee.

## Property & Real Estate

### Property Transactions

- Capital allowances review
- VAT advices
- Stamp duty review

### Insolvent Property Portfolios

- Negative equity resolution
- Formal Insolvency procedures

‘Your client has a portfolio of ten buy-to-let properties which are in significant negative equity and they have been served with initial legal letters from the lenders in respect of arrears.’

### How we can help

We can meet your client (initial meeting free) and outline the options available to include formal settlements, shortfall sales and Individual Voluntary Arrangements (IVAs). We can subsequently negotiate with the lenders on your clients’ behalf to achieve the optimum outcome.

‘Your client wishes to sell a commercial property and understands that the valuation of the property may be increased by selling with capital allowances which have not previously been claimed.’

### How we can help

Our Specialist Tax team can calculate the appropriate capital allowance available in line with HMRC guidance, which is anticipated will increase the value of the property to potential purchasers.

### Landlord Advices

- Advising landlords regarding their claim in insolvency
- Negotiations with guarantors
- Impact of changes to taxation on buy-to-let

## Probate / Charities / Pensions

### Probate

- Insolvent deceased estate
- IHT advices

### Charities

- Duties and personal liability of Trustees
- VAT advices
- Financial reviews

### Pensions

- Advices regarding implications of Bankruptcy

‘Your client is the Personal Representative of a deceased person whose estate is insolvent. There are a number of joint assets in the estate which have passed to your client under survivorship and they are concerned about the situation.’

### How we can help

The jointly owned assets would be at risk if the estate was administered in bankruptcy. In addition, bankruptcy would incur avoidable costs. We can advise your client on practical steps to protect their interests and reach agreement with creditors in full and final settlement of the deceased’s debts.

## Expertise at your fingertips



## Our team



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We will work with you to ensure that the advice provided is the right advice for the situation and has a positive reflection on your role as an advisor to your client.



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