

AM22

Notice of move from administration to creditors' voluntary liquidation



Companies House

THURSDAY



A26 *A7EF61FN* 13/09/2018 #161
COMPANIES HOUSE

1 Company details

Company number 0 2 2 2 6 1 6 9

Company name in full BAKERS PANTRY LIMITED

→ Filling in this form
Please complete in typescript or in
bold black capitals.

2 Court details

Court name NEWCASTLE UPON TYNE COMBINED COURT CENTRE

Court case number 2 5 4 0 F 2 0 1 7

3 Administrator's name

Full forename(s) LISA

Surname PARKMAN

4 Administrator's address

Building name/number 5A

Street KERNICK INDUSTRIAL ESTATE

Post town PENRYN

County/Region CORNWALL

Postcode T R 1 0 9 E P

Country UK

AM22

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5 Administrator's name ①	
Full forename(s)	CHRIS
Surname	PARKMAN
① Other administrator Use this section to tell us about another administrator.	
6 Administrator's address ②	
Building name/number	5A
Street	KERNICK INDUSTRIAL ESTATE
Post town	PENRYN
County/Region	CORNWALL
Postcode	T R 1 0 9 E P
Country	UK
② Other administrator Use this section to tell us about another administrator.	
7 Appointor/applicant's name	
Give the name of the person who made the appointment or the administration application.	
Full forename(s)	LISA
Surname	ALFORD
8 Proposed liquidator's name	
Full forename(s)	LISA
Surname	ALFORD
Insolvency practitioner number	9 7 2 3
9 Proposed liquidator's address	
Building name/number	5A
Street	KERNICK INDUSTRIAL ESTATE
Post town	PENRYN
County/Region	CORNWALL
Postcode	T R 1 0 9 E P
Country	UK

AM22

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10 Proposed liquidator's name¹

Full forename(s)	CHRIS
Surname	PARKMAN
Insolvency practitioner number	9 5 8 8

1 Other liquidator
Use this section to tell us about another liquidator.

11 Proposed liquidator's address²

Building name/number	5A
Street	KERNICK INDUSTRIAL ESTATE
Post town	PENRYN
County/Region	CORNWALL
Postcode	T R 1 0 9 E P
Country	

2 Other liquidator
Use this section to tell us about another liquidator.


12 Period of progress report

From date	d 1 d 0 m 0 m 9 y 2 y 0 y 1 y 7
To date	d 0 d 6 m 0 m 9 y 2 y 0 y 1 y 8

13 Final progress report

☒ I have attached a copy of the final progress report.

14 Sign and date

Administrator's signature	Signature X  X
Signature date	d 0 d 6 m 0 m 9 y 2 y 0 y 1 y 8

AM22

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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	KERRY LYCETT
Company name	PURNELLS
Address	
Post town	
County/Region	
Postcode	
Country	
DX	
Telephone	01326 340579



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 and dated 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,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.



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

Bakers Pantry Limited T/A Bakers Pantry & Andersons
In Administration (the "Company")

Company No: 02226169

In the Newcastle Upon Tyne Combined Court Centre
No: 254 of 2017

Joint Administrators' Final Progress Report

Pursuant To Rule 18.6 Insolvency (England and Wales) Rules 2016

Bakers Pantry Limited T/A Bakers Pantry & Andersons
In Administration (the "Company")

Joint Administrators' Final Progress Report for the Period
11 March 2018 to 06 September 2018

1. Incorporation

- 1.1 The Company was incorporated as J. Donkin (Bakers) Ltd on 01 March 1988. The Company's name was subsequently changed to Bakers Pantry Limited on 26 March 2015.
- 1.2 The Company registered number is 02226169.

2. Trading Address

- 2.1 The Company traded from premises at:

Andersons Quality Bakers & Pork Shop
71-73 Front Street, Newbiggin, Northumberland, NE64 6AD

Bakers Pantry
38A Station Road, Ashington, Northumberland, NE63 9UJ

Bakers Pantry
12 Milburn Road, Ashington, Northumberland, NE63 0HD

Bakers Pantry
20 Newgate Street, Morpeth, Northumberland, NE61 1BA

Andersons Quality Bakers & Pork Shop
Unit 2 Poplar Buildings, Woodhorn Road, Ashington,
Northumberland, NE63 1BA

Head Office & Bakery
16 High Market, Ashington, Northumberland, NE63 8PD

3. Registered Office

- 3.1 The registered office of the Company was formerly based at:

16 High Market
Ashington
Northumberland
Tyne & Wear
NE63 8PD

But for the purpose of the Administration was changed to:

- 3.2 Purnells
Suite 4 Portfolio House
3 Princes Street
Dorchester
Dorset
DT1 1TP

4. Joint Administrators' Appointment

- 4.1 The director of the Company passed an Extraordinary Resolution to appoint Administrators on 01 September 2017.
- 4.2 Notice of Intention to Appoint an Administrator was filed in the Newcastle Upon Tyne Combined Court Centre on 01 September 2017 under folio number 254 of 2017 and given to the qualifying floating charge holder, Clydesdale Bank Plc, 3rd Floor, 20 Merrion Way, Leeds, LS2 8NZ that same day.
- 4.3 Clydesdale Bank Plc consented to the appointment of Lisa Alford and Chris Parkman as Joint Administrators on 06 September 2017.
- 4.4 Notice of the Joint Administrators' appointment was filed with the Newcastle Upon Tyne Combined Court Centre on 11 September 2017.

5. Joint Administrators

- 5.1 The Joint Administrators are:
- Lisa Alford and Chris Parkman
Purnells
5a Kernick Industrial Estate
Penryn
Cornwall
TR10 9EP

6. Progress of the Administration

6.1 Trading

The assets of the Company were sold under a pre-packaged sales agreement to Northumbrian Bakery Group Ltd. Consequently, the Company was not traded in Administration.

6.2 Sale of Assets As A Going Concern

The Administrators of the Company sold the assets of the Company as a Going Concern for £16,000 to Northumbrian Bakery Group Ltd a company in respect of which Mr David Crook is a director and majority shareholder.

The assets were valued by Lambert Smith Hampton on 02 June 2017 following which a period of marketing had commenced.

Lambert Smith Hampton had valued the assets as follows:

	<u>Market Value</u> <u>As A Whole</u> <u>In Place</u> <u>£</u>	<u>Market Value For</u> <u>Removal (4-6 week)</u> <u>marketing period)</u> <u>£</u>
<u>Assets Owned Free From Finance</u>		
Plant and Equipment	33,650	13,200
Office Furniture and Equipment	500	250
Motor Vehicles	2,500	1,600
Stock (at cost circa £1,200)	800	Nil
	-----	-----
<u>Totals</u>	37,450	15,050
	=====	=====
<u>Say</u>	37,500	15,000
<u>Assets Subject to Finance</u>		
GSP Flow Wrapper	11,000	8,000
Less: Aldermore	(6,900)	(6,900)
	-----	-----
<u>Estimated Equity</u>	4,100	1,100
Mercedes NJ12 XYT	10,500	8,000
<u>Less:</u> Close Motor Finance	(6,200)	(6,200)
	-----	-----
<u>Estimated Equity</u>	4,300	1,800
Iveco EO61 NAE	5,500	4,000
<u>Less:</u> Clydesdale Bank	(4,000)	(4,000)
	-----	-----
<u>Estimated Equity</u>	1,500	Nil
	-----	-----
<u>Totals</u>	47,400	17,900
	=====	=====

Lambert Smith Hampton subsequently advised that:

- No offers were received during the marketing period and in the absence of any other interest, the alternative disposal strategy would be a break up scenario by either private treaty or auction,
- This method would attract disposal costs of 10% sales commission and sales costs of circa £3,000 to £4,000 resulting in a net return of £11,000 to £12,000, excluding any occupation or storage costs, based upon a £16,000 asset realisation,
- Accordingly based upon the aforementioned they recommended acceptance of the £16,000 offer that had been made by Mr David Crook on behalf of Northumbrian Bakery Group Ltd.

It subsequently came to the Joint Administrators attention that the sums recorded as being outstanding to Close Motor Finance may have been significantly overstated in the Lambert Smith Hampton valuation and in fact only £598 was owing in that regard.

It appeared as though the Mercedes van, registration number NJ12 XYT was in fact free of finance by the time the Administrators were appointed. Accordingly, the Lambert Smith Hampton break up valuation of £17,900 had been understated by some £6,200.

It appeared to the Joint Administrators that as a result of the amounts owing to Close Motor Finance having been overstated in the valuation the sale at £16,000 may have been conducted at an undervalue.

As at the date to which this report has been prepared the sum of £16,000 has been realised in respect of the pre-packaged sales agreement, which is recorded separately in the Receipts and Payments Account at Appendix 1.

Now that the sums due under the pre-packaged sales agreement have been settled in full, the Administration is being moved to Creditors Voluntary Liquidation in order that the apparent sale at an undervalue may be addressed.

6.3 Investigation

The Administrators have undertaken work in accordance with Statement of Insolvency Practice 2 (A Liquidators' Investigations into the Affairs of an Insolvent Company), collected and catalogued one box of records and obtained copy bank statements for the two years preceding Administration.

No pursuable claims have been identified as a result of those investigations to date.

The Joint Administrators have completed their statutory obligation to submit a report to the Insolvency Service as regards the conduct of the director. The contents of that report remains confidential.

7. Preferential Creditors

No preferential claims have been lodged with the Administrators to date.

8. Secured Creditors

Clydesdale Bank Plc held a fixed and floating charge over the assets of the Company that was created on 05 October 2011 and registered on 06 October 2011.

As at the date of Administration, Clydesdale Bank Plc were owed the approximate sum of £48,574.

Clydesdale Bank Plc subsequently called in their personal guarantee and was repaid in full on 17 October 2017.

Consequently, the guarantor is now subrogated for the Bank's fixed and floating charge in the Administration.

In the event that no preferential claims are received to the Administration and subsequent liquidation going forward a small distribution will be made to the secured creditor in due course.

9. **Unsecured Creditors**

Unfortunately due to the level of creditors exceeding the amounts that will be realised in this case, there will be no dividend to unsecured creditors.

10. **Future Conduct Of The Administration**

A summary of the Joint Administrators' Receipts and Payments Account from the date of appointment on 11 September 2017 to 06 September 2018 is attached at Appendix 1.

The only Company asset yet to be realised is the apparent shortfall in the pre-packaged sales price, which came about as a result of the Close Motor Finance settlement figure being significantly overstated for the purpose of valuation.

The Administration will now be exited by way of a move to Creditors Voluntary Liquidation and form AM22 will be lodged with the Registrar of Companies in that regard.

11. **Joint Administrators' Fees**

In accordance with the proposals approved by Clydesdale Bank Plc it was agreed that:

- A pre-appointment fee of £5,000 be paid out of asset realisations within the Administration as and when funds so permit.
- A fixed Administration Fee of £5,000 plus VAT be charged for the first year plus an additional £1,000 plus VAT for each additional year the case remains open (eg should it be moved to creditors voluntary liquidation),
- A Realisation Fee be charged which equates to 10% of gross realisations plus VAT,
- A fixed fee be charged for dealing with creditors of £2,500 plus VAT and
- A fixed fee be charged for undertaking our statutory investigations and conduct reporting of £3,000 plus VAT.

To date fees of £8,707 have been drawn as follows:

	<u>£</u>
Pre-Appointment Fee	5,000
Fixed Administration Fee	3,707

<u>Total Fees Drawn</u>	<u>8,707</u>
	=====

Since the date of their appointment the Joint Administrator's have incurred total time costs of £26,304. This reflects total time incurred of 114 hours at an average rate of £230.74 per hour.

Since the date of the last progress report the Joint Administrator's have incurred time costs of £3,534. This reflects total time incurred of 15.9 hours at an average hourly rate of £222.26 per hour.

Creditors Rights

Secured Creditors and Unsecured Creditors with the concurrence of at least 5% in value of the Unsecured Creditors, including the creditor in question, or an unsecured creditor with the permission of the court have the right under Rule 18.9 of the Insolvency (England & Wales) Rules 2016 to request further information about remuneration or expenses set out in the progress report. The request must be made within 21 days of receipt of the draft report.

Secured Creditors and Unsecured Creditors with the concurrence of at least 10% in value of the Unsecured Creditors, including that creditor, or with the permission of the court, have the right under Rule 18.34 of the Insolvency (England & Wales) Rules 2016 to challenge the Liquidator's remuneration, no later than 8 weeks following receipt of the draft report.

12. Conclusion

The Administration will now be exited by way of a move to Creditors Voluntary Liquidation so that the apparent shortfall in the pre-packaged sales price, which came about as a result of the Close Motor Finance settlement figure being significantly overstated for the purpose of valuation, may be addressed.

lmo.
Lisa Alford - Joint Administrator
IP No: 9723

lisa@purnells.co.uk

Tel: 01326 340579

Dated: 06 September 2018

Purnells
5a Kernick Industrial Estate
Penryn
Cornwall
TR10 9EP

www.purnells.co.uk

Appendix 1

Bakers Pantry Limited T/A Bakers Pantry & Andersons
In Administration

Receipts And Payments Account For The Period From The Commencement Of
The Administration On 11 September 2017 to 06 September 2018, The
Date On Which The Final Report Was Prepared

	<u>Estimated Value</u>	<u>11.03.18</u>	<u>11.09.17</u>
	<u>Of Assets Per</u>	<u>To</u>	<u>To</u>
<u>Receipts</u>	<u>Statement Of</u>	<u>06.09.18</u>	<u>06.09.18</u>
	<u>Affairs</u>		
	<u>£</u>	<u>£</u>	<u>£</u>
Equity in GSP Flow Wrapper	1,100	Nil	Nil
Equity in Iveco Fridge Box Van	1,800	Nil	Nil
Refrigerated Van	8,000	Nil	Nil
Plant & Equipment	13,200	Nil	Nil
Office Furniture & Equipment	250	Nil	Nil
Stock	Nil	Nil	Nil
	-----	---	---
	24,350	Nil	Nil
	=====		
<u>Other Receipts</u>			
Sale as a Going Concern		3,600	16,000
Post-Administration Returned Direct Debit		Nil	114
		-----	-----
		3,600	16,114
		=====	=====
<u>Payments</u>			
Administrators Pre-Appointment Fees		765	5,000
Fixed Administration Fee		3,707	3,707
Category 1 Disbursements		Nil	6,262
Category 2 Disbursements		Nil	Nil
Transfer to Liquidation Account		1,145	1,145
VAT Reclaimable		(2,017)	Nil
		-----	-----
		3,600	16,114
Balance at Bank		Nil	Nil
		-----	-----
<u>Total Payments</u>		3,600	16,114
		=====	=====

Appendix 1 Cont.

Bakers Pantry Limited T/A Bakers Pantry & Andersons
In Administration

Joint Administrators' Statement of Expenses
Incurred for the Period 11 September 2017 to 06 September 2018
(In Accordance with the Insolvency (England & Wales) Rules 2016)

The expenses incurred within the Administration (recorded in the Receipts and Payments Account at Appendix 1 above as "Category 1 Disbursements") for the period 11 September 2017 to 06 September 2018 were as follows:

	<u>£</u>
Bordereau	80
Advertising Costs	82
Lockton - Open Cover Insurance	280
Lambert Smith Hampton	3,270
Stephens Scown - Legal Fees	2,500
Bank Charge	50

<u>Per Receipts and Payments</u>	6,262
	=====

	PARTNER	MANAGER	SENIORS	ADMINISTRATION STAFF	TIME TRANSFER	TOTAL HOURS	TIME COST	AVERAGE HOURLY RATE
ADMINISTRATION AND PLANNING			0.7	1.7		2.4	359	149.58
REALISATION OF ASSETS		0.8	5.5	2.8		9.1	2133	234.4
CREDITORS			3.1	1.2		4.3	1013	235.58
TRADING			0.1			0.1	29	290
TOTALS								
HOURS		0.8	9.4	5.7		15.9		
COST		232	2696	606			3534	
AVERAGE HOURLY RATE		290	286.81	106.32				222.26