

The Insolvency Act 1986

Administrator's progress reportName of Company
Cooks the Bakery LimitedCompany number
05964913In the
High Court of Justice, Chancery Division
(full name of court)Court case number
9992 of 2011(a) Insert full name(s) and
address(es) of
administrator(s)We (a) Cameron Gunn, Mark Supperstone and Simon Harris of ReSolve Partners LLP, One
America Square, Crosswall, London, EC3N 2LB

administrators of the above company attach a progress report for the period

from

to

(b) 16 November 2011

(b) 15 May 2012

(b) Insert dates

Signed

Joint Administrator

Dated

14 JUNE 2012

Contact Details:

You do not have to give any contact information in the box opposite but if you do, it will help Companies House to contact you if there is a query on the form. The contact information that you give will be visible to searchers of the public record

ReSolve Partners LLP

Nathan May

Tel 020 7702 9775

DX Number

DX Exchange

When you have completed and signed this form please send it to the Registrar of Companies at
Companies House, Crown Way, Cardiff, CF14 3UZ DX 33050 Cardiff

SATURDAY



A1B80EYO

A28

16/06/2012

#121

COMPANIES HOUSE

Cooks the Bakery Limited
In Administration (the Company)

Joint Administrators' six month progress report
For the period 16 November 2011 to 15 May 2012

CONTENTS

- 1 Introduction
- 2. Background
- 3 Asset realisations
- 4 Investigations
- 5 Dividend prospects
- 6 Joint Administrators' remuneration
- 7 Ending of administration
- 8 Further information

APPENDICES

- I Summary of statutory information
- II Receipts and payments account
- III Trading statement
- IV Joint Administrators' time costs summary

1. INTRODUCTION

- 1 1 I refer to my appointment as Joint Administrator of Cooks the Bakery Limited (the Company) on 16 November 2011 by Manilva International Investments Limited (Manilva), the holder of a qualifying floating charge pursuant to Paragraph 14 of Schedule B1 of the Insolvency Act 1986
- 1 2 I write to provide you with my progress report for the six months ended 15 May 2012 This report should be read in conjunction with my report dated 6 January 2012

2. BACKGROUND

- 2 1 Details regarding my appointment as Joint Administrator are attached at **Appendix I**
- 2 2 A full background of the Company was provided in my previous report, accordingly I do not propose to provide any further details on the background of the Company, or the events leading up to my appointment

3. ASSET REALISATIONS

- 3 1 Attached at **Appendix II** is the receipts and payments account for the Company for the period 16 November 2011 to 15 May 2012

3 2 Sale of shops

- 3 2 1 Following a review of the Company's trading results, I decided to continue to trade from nine of the 17 shops It was my intention that the nine retained shops could be sold on a going concern basis The remaining eight shops were closed immediately following my appointment
- 3 2 2 I have attached a trading statement at **Appendix III** that reflects the performance of the Company's nine shops during the Administration trading period The trading statement indicates an estimated profit of £2,679
- 3 2 3 I completed the sale of the last of the nine trading shops on 9 February 2012 Each shop was sold to an independent retailer
- 3 2 4 Total realisations from the sales of the shops is £284,546, a breakdown of the consideration for each shop is detailed below

	Trading stores									Totals
	Carshalton	Canterbury	Redditch	Alvechurch	Stourport	Westbury	Tilgate	Nuneaton	Horley	
Sale price (£)	49,750	54,866	29,217	27,692	27,850	19,000	21,701	20,711	33,760	284,547
APPORTIONMENTS										
Goodwill	44,998	47,995	16,748	5,000	5,000	3,998	7,998	5,000	12,817	149,554
Premises	1	1	7,248	5,000	5,000	3,500	7,998	1,000	-	29,748
Stock	750	2,866	1,217	2,692	2,850	2,500	1,701	1,950	940	17,486
Supply contracts	-	1	1	1	1	-	1	-	1	6
Plant and equipment	2,000	2,000	2,000	13,000	13,000	4,500	2,000	8,761	17,500	64,761
Fixtures and fittings	2,000	2,000	2,000	1,996	1,996	4,500	2,000	4,000	2,500	22,992
Commercial records	1	1	1	1	1	1	1	-	1	8
Intellectual property	-	1	1	1	1	1	1	-	1	7
Work in progress	-	1	1	1	1	-	1	-	-	5
Total	49,750	54,866	29,217	27,692	27,850	19,000	21,701	20,711	33,760	284,547

- 3 2 5 In addition, I completed the sale of two of the eight closed shops totalling £28,000 A breakdown of the consideration paid is detailed below

	Closed stores		Totals
	Earl St Coventry	Hungerford	
Sale price (£)	18,000	10,000	28,000
APPORTIONMENTS			
Premises	13,999	5,999	19,998
Plant and equipment	2,000	2,000	4,000
Fixtures and fittings	2,000	2,000	4,000
Commercial records	1	1	2
Total	18,000	10,000	28,000

- 3 2 6 I received a deposit of £5,000 pending the sale of one of the closed shops Unfortunately, the purchaser decided not to complete the purchase

- 3 2 7 There will be no further realisations from the sale of the Company's shops

3 3 ***Pre-appointment shop sales***

- 3 3 1 Prior to my appointment, the Company completed the sale of a number of shops Some of the purchasers had agreed to pay on a deferred basis and had provided the Company with post-dated cheques

- 3 3 2 To date I have banked deferred payments of £8,508 in respect of sales completed prior to my appointment I am currently looking to negotiate early settlements of the remaining payments with purchasers

4. **INVESTIGATIONS**

- 4 1 A report on the Directors' conduct was submitted to the Insolvency Practitioners Compliance Unit on 29 February 2012 This report is not on public record

5. **DIVIDEND PROSPECTS**

5 1 ***Dividend to secured creditors***

- 5 1 1 As previously advised Manilva registered a fixed and floating charge over the Company's assets on 17 December 2007

- 5 1 2 At the date of appointment the sum due to Manilva was approximately £360,000 To date, I have remitted £46,000 to Manilva under its fixed charge

- 5 1 3 I anticipate that there will be a further distribution to Manilva in due course, however the quantum is currently uncertain Based on current information Manilva will not be repaid in full

5 2 ***Dividend to preferential creditors***

- 5 2 1 I have received a claim from the Redundancy Payments Office (RPO) indicating that their current preferential claim is £25,783

- 5 2 2 At present, I do not believe there will be sufficient funds available for distribution to the preferential creditors

5 3 ***The Prescribed Part***

- 5 3 1 Pursuant to Section 176A of the Act, where a floating charge is created after 15 September 2003 a "Prescribed Part" of the Company's net property shall be made available to unsecured creditors The Prescribed Part is calculated at 50 per cent of net realisations up to £10,000 and 20 per cent of the property that exceeds this amount up to a limit of £600,000

5 3 2 Unfortunately the Company's net property is less than the prescribed minimum (currently £10,000) and the cost of distributing the prescribed part would be disproportionate to the benefits. Therefore under section 176A(3)(a) of the Insolvency Act 1986 the prescribed part provisions will not apply in this Administration.

5 4 Dividend to unsecured creditors

5 4 1 Based on current information I do not anticipate there being sufficient asset realisations to make a distribution to unsecured creditors.

6. JOINT ADMINISTRATORS' REMUNERATION

6 1 Pursuant to Rule 2.106 of the Insolvency Rules 1986 (the Rules), the secured and preferential creditors have agreed the basis upon which my remuneration should be fixed.

6 2 The Company's secured and preferential creditors agreed that the Administrators' remuneration, solicitors' costs and agent's fees will not exceed £150,000 plus disbursements plus VAT. No further requests will be made in respect of costs in this matter.

6 3 As advised previously my pre-appointment costs are £6,468. My pre-appointment costs will be written off.

6 4 The time costs incurred by me and my staff in attending to matters arising following my appointment are as analysed at **Appendix IV**. In accordance with my previous report, time costs and disbursements for the period 16 November 2011 to 5 January 2012 total £146,642 and £1,108 respectively.

6 5 The Joint Administrators' time costs and disbursements for the period 6 January 2012 to 15 May 2012 total £78,249 and £81 respectively.

6 6 To date I have drawn £48,811 and £1,189 in respect of my outstanding time costs and disbursements.

6 7 Further information

6 7 1 An unsecured creditor may, with the permission of the court or with the concurrence of 5 per cent in value of the unsecured creditors (including the creditor in question) request further details of the Administrators' remuneration and disbursements, within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.

6 7 2 An unsecured creditor may, with the permission of the court or with the concurrence of 10 per cent in value of the unsecured creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Administrators' fees and the amount of any proposed expenses or expenses already incurred, within eight weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

6 7 3 'A creditor's guide to Administrators' Fees' can be found on our website <http://www.resolvegroupuk.com/administrators.pdf>. Should you wish to receive a hard copy of this document please contact this office.

6 8 Solicitors' fees

6 8 1 As previously advised, solicitors were instructed on a time costs basis to provide legal advice on all aspects of the Administration. My solicitors' time costs and disbursements to date amount to £81,341 and £91 respectively, of which £47,909 and £91 have been met from Administration funds. Following an agreement with the secured and preferential creditors referred to earlier in this report it has been agreed that my solicitor's outstanding time costs will be written off.

6 9 Agents' fees

- 6 9 1 As previously advised, agents were instructed on a time costs basis to realise the assets of the Company and provide marketing advice in the Administration. My agents' outstanding time costs and disbursements amount to £37,700 and £3,000 respectively. Payments of £22,000 and £3,000 have been met from the Administration funds. Following the agreement with the secured and preferential creditors I have reached agreement that my agent's outstanding costs be written off.

7. ENDING OF ADMINISTRATION

- 7 1 As it is anticipated there will be insufficient property in the Company to enable a distribution to unsecured creditors, it is inappropriate to proceed to Liquidation. In accordance with my proposals dated 6 January 2011, it is proposed that once all Company assets have been realised and the expenses of the Administration discharged, the Company shall be dissolved.
- 7 2 In accordance with Rule 2.33(m) of the Rules, I will seek my discharge by lodging a final notice at Companies House. The Company will be deemed dissolved three months after the notice is received by Companies House, unless challenged.

8. FURTHER INFORMATION

- 8 1 Should you require any further information in respect of the Administration, please do not hesitate to contact Nathan May of this office.

Yours faithfully
For and on behalf of
Cooks the Bakery Limited



Cameron Gunn
Joint Administrator

For enquiries regarding this correspondence please contact:

Contact name Nathan May
Phone number 020 3326 8579
Email nathan.may@resolvegroupuk.com

The affairs, business and property of the Company are being managed by the joint administrators.
Partners and staff acting as administrators, administrative receivers or supervisors act as agents of the company over which they are appointed at all times, and without personal liability.
Cameron Gunn, Mark Supperstone and Simon Harris are licensed in the United Kingdom by the Institute of Chartered Accountants in England and Wales.
ReSolve Partners LLP is regulated by the Institute of Chartered Accountants in England and Wales for a range of investment business activities.

APPENDIX I

SUMMARY OF STATUTORY INFORMATION

Company details

Company name	Cooks the Bakery Limited
Company number	05964913
Date of incorporation	12 October 2006
Former trading address	Head office Lancaster House Drayton Road Solihull B90 4NG 17 other trading outlets
Registered office	c/o ReSolve Partners LLP One America Square Crosswall London EC3N 2LB
Principal activity	Retail in non-specialised stores holding an alcohol licence, with food, beverages or tobacco predominating, not elsewhere classified

Appointment details

Date of appointment	16 November 2011		
Appointment made by	Manilva International Investments Limited under its qualifying floating charge		
Court address	The High Court of Justice, Chancery Division, Companies Court		
Court reference	9992 of 2011		
Administrators appointed	Cameron Gunn	IP Number	9362
	Mark Supperstone	IP Number	9734
	Simon Harris	IP Number	11372
Paragraph 100(2) statement	Any act required or authorised under any enactment to be done by an administrator may be done by any or all of the Administrators acting jointly or alone		

APPENDIX II

RECEIPTS AND PAYMENTS ACCOUNT

**SUMMARY OF JOINT ADMINISTRATORS RECEIPTS AND PAYMENTS
FROM 16 NOVEMBER 2011 TO 16 May 2012**

	Estimated to Referred to Directors Statement of Affairs	16-Nov-11 To 16-May-12	Total Receipts/ Payments To Date
FIXED CHARGE RECEIPTS	£	£	£
Leasehold Land & Property	350,000.00	49,748 00	49,748 00
Goodwill	Nil	149,554 00	149,554.00
Intellectual Property	Nil	7 00	7 00
	<u>350,000.00</u>	<u>199,307 00</u>	<u>199,307 00</u>
FIXED CHARGE PAYMENTS			
Manila International Investments Limited		48,000 00	48,000 00
Rent arrears		31,276 76	31,276 76
		<u>77,276 76</u>	<u>77,276 76</u>
Balance (Receipts less Payments)			<u>122,030 24</u>

FLOATING CHARGE RECEIPTS	£	£	£
Post appointment sales	Nil	227,912 59	227,912 59
Cash at bank	20,010.00	24,965 95	24,965 95
Book debts	24,489.00	7,453 14	7,453 14
Stock	20,000.00	17,468 17	17,468 17
Rent deposits	4,250.00	-	-
Shop till floats	4,102.00	-	-
Supply contracts	Nil	6 00	6 00
Work in progress	Nil	5 00	5 00
Commercial records	Nil	10 00	10 00
Plant and machinery	Nil	72,437 50	72,437 50
Fixtures and fittings	Nil	26,992 00	26,992 00
Rent receivable	Nil	1,080 00	1,080 00
Rates refund	Nil	6,492 30	6,492 30
Office computers	Nil	100 00	100 00
Sundry refunds	Nil	673 63	673 63
Petty Cash	Nil	2,642 32	2,642 32
Non refundable deposit	Nil	5,000 00	5,000 00
Contribution to insurance	Nil	682 80	682 80
Suspense account	Nil	3,533 32	3,533 32
	<u>72,831.00</u>	<u>397,464 72</u>	<u>397,464 72</u>

FLOATING CHARGE PAYMENTS			
Purchases	102,691 77	102,691 77	
Wages and salaries	74,472 71	74,472 71	
Rents payable	10,320 88	10,320 88	
Rates	3,506 88	3,506 88	
Utility payments	17,687 38	17,687 38	
Lease/HP payments	2,407 12	2,407 12	
Sundry expenses	83 33	83 33	
Employee expenses	972 12	972 12	
Health Plan	84 20	84 20	
Office Holders Fees	48,811 08	48,811 08	
Office Holders Disbursements	1,188 92	1,188 92	
Agents/valuers fees	25,595 00	25,595 00	
Legal fees	50,117 60	50,117 60	
Storage Costs	742 40	742 40	
Statutory advertising	468 45	468 45	
Bank charges	136.00	136 00	
Pension Payments	3,889 30	3,889 30	
Agents/Valuers disbursements	3,000 00	3,000 00	
Insurance arrears	771 42	771 42	
Postage and Storage	49 97	49 97	
PAYE & NIC	17,895 45	17,895 45	
VAT control account	21,713 71	21,713 71	
Legal Disbursement	91 00	91 00	
	<u>388,696 67</u>	<u>388,696 67</u>	
Balance (Receipts less Payments)			<u>10,768 05</u>

TOTAL CASH IN HAND	<u>132,788 29</u>
---------------------------	-------------------

APPENDIX III

TRADING STATEMENT

COOKS THE BAKERY LIMITED - IN ADMINISTRATION
JOINT ADMINISTRATORS ESTIMATED TRADING STATEMENT
FROM 16 NOVEMBER 2011 TO 16 MAY 2012

	Receipts/ Payments to date	Estimated Future Receipts and Payments	Final Receipts/ Payments
	£	£	£
RECEIPTS			
Sales	230,555	-	230,555
Rents received	1,080	-	1,080
Business rates refunds	6,492	-	6,492
VAT payable	10,237	-	10,237
	<u>248,364</u>	<u>-</u>	<u>248,364</u>
PAYMENTS			
Wages and salaries	74,473	-	74,473
PAYE & NI	17,895	-	17,895
Pension and other deductions	3,974	-	3,974
Employee expenses	1,105	-	1,105
Purchases	102,692	-	102,692
Utility Payments	17,687	5,000	22,687
Lease/HP payments	2,407	-	2,407
Rent payable	10,321	-	10,321
Business rates	3,507	-	3,507
Bank Charges	136	-	136
VAT receivable	6,488	-	6,488
	<u>240,685</u>	<u>5,000</u>	<u>245,685</u>
Estimated Trading Profit/(Loss)	<u>7,679</u>	<u>(5,000)</u>	<u>2,679</u>

Cameron Gunn
Joint Administrator
14 June 2012

Note
Please note this trading statement is subject to change and estimated future payments are based on historic forecasts provided by the Company

APPENDIX IV

JOINT ADMINISTRATORS' TIME COST SUMMARY

Case name	Cooks the Bakery Limited	
Court	High Court of Justice, Chancery Division, Companies Court	
Court reference	9992 of 2011	
Office Holder	Cameron Gunn	IP Number 9362
	Mark Supperstone	IP Number 9734
	Simon Harris	IP Number 11372
Licensed by	The Institute of Chartered Accountants in England and Wales	
Firm	ReSolve Partners LLP	
Address	One America Square Crosswall London EC3N 2LB	
Type of appointment	Administration	
Date of appointment	16 November 2011	

1 Overview of Case

1.1 Appointment

The Joint Administrators were appointed to the Company on 16 November 2011 following the filing of an application being made to the High Court of Justice by Manilva International Investments Limited under its qualifying floating charge

1.2 Strategy

Please see main body of the report

1.3 Staffing

Staff have been used on the assignment based upon previous knowledge and experience

1.4 Existing fee arrangements

The Joint Administrators' post appointment time costs were approved by the Company's secured and preferential creditors on 28 March 2012. It has been agreed that the Joint Administrators remuneration, solicitors costs and agents fees together will not exceed £150,000 plus disbursements plus VAT

1.5 Anticipated return to creditors

Please see main body of the report

2 Explanation of office-holder's charging and disbursement recovery policies

2.1 Time recording

Time properly incurred on cases is charged to the assignment at the hourly rate prevailing at the time. The current hourly charge-out rates are outlined below.

	£
Appointed Insolvency Practitioner	435
Partner	375
Director	345
Senior Manager	325
Manager	305
Assistant Manager	275
Senior Administrator	225
Administrator	160
Junior Administrator	125

Secretarial and support staff are not charged to the cases concerned, being accounted for as an overhead of ReSolve Partners LLP.

2.2 Disbursements recovery

Separate charges are made in respect of directly attributable expenses (Category 1 disbursements) such as third party travelling, postage, photocopying, statutory advertising and other expenses made on behalf of the assignment. Details of such disbursements are included later in this report.

Indirect charges (Category 2 disbursements) are charged as follows:

- Photocopying 20 pence per sheet
- Faxes/telephone/room hire £150 per annum
- Postage Typical 1st/2nd class postage rates at the date of postage
- Mileage 40 pence per mile

3 Description of work carried out

Section four of this appendix outlines the time costs to date in relation to activities undertaken during this matter. These matters can be summarised as follows:

3.1 Administration and planning

The following activities have been undertaken:

- Setting up case files
- Liaising with Company's pre appointment solicitors and accountants
- Reviewing available information to determine appropriate strategies, and
- Setting up and maintaining bank accounts and other cashier activities

3.2 Creditors

The time spent includes the following matters:

- Recording and maintaining the lists of creditors
 - Dealing with employee related matters
 - Recording creditor claims
 - Dealing with creditor queries, and
 - Reviewing and evaluating creditor claims
-

3 3 Investigations

Time spent in completing my statutory investigations into the Company and the affairs of its directors prior to the Administration

3 4 Realisation of assets

Please see the main body of the report and my previous reports for details of the assets realised

3 5 Statutory duties

Dealing with statutory issues required under the Insolvency Act 1986 and the Statements of Insolvency Practice, including statutory reporting to members and creditors and filing documents with the Registrar of Companies

3 6 Trading

Please see the main body of the report and my previous reports for details of the assets realised

4 Time and charge out summary

A total of 472 50 hours were spent for the period 16 November 2011 to 5 January 2012 at an average charge out rate of £257 08 bringing the total cost to £121,472

A summary table is shown below

TIMECOST SUMMARY TO 5 JANUARY 2012

Task	Partner / Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total hours	Total cost (£)	Average hourly rate (£)
Statutory	1 50	4 00	7 40	6 00	18 90	4,167 50	220 50
Administration and Planning	4 40	6 50	48 40	3 00	62 30	15,054 00	241 64
Investigations	-	-	0 30	1 50	1 80	255 00	141 67
Realisation of Assets	2 50	58 80	18 30	3 40	83 00	21,950 00	264 46
Trading	18 50	145 80	87 70	25 80	277 80	73,868 00	265 90
Creditors	3 50	6 30	5 20	13 70	28 70	6,177 50	215 24
Total hours	30 40	221 40	167.30	53 40	472 50	121,472 00	257 08
Total fees claimed	13,224 00	62,940 00	37,642 50	7,665 50	121,472.00		

A total of 324 20 hours have been spent for the period 6 January 2012 to 15 May 2012 at an average charge out rate of £241 36 bringing the total cost since my previous report to £78,248 50

A summary table is shown below

TIMECOST SUMMARY FROM 6 JANUARY 2012 TO 15 MAY 2012

Task	Partner/ Director	Managers	Other Senior Professionals	Assistants / Support Staff	Total hours	Total cost (£)	Average hourly rate (£)
Administration and Planning	1 90	7 20	62 60	9 30	81 00	18,054 00	222.89
Statutory	0 50	2 60	3 70	0 30	7 10	1,692 00	238 31
Investigations	-	-	14 10	-	14 10	3,172 50	225.00
Realisation of Assets	0 50	57 10	13 60	0 30	71 50	19,017 50	265 98
Trading	4 00	30 00	62 30	-	96 30	24,032 50	249 56
Creditors	2 00	19 90	18 80	13 50	54 20	12,280 00	226 57
Total hours	8 90	116.80	175.10	23 40	324 20	78,248 50	241 36
Total fees claimed	3,871.50	32,165.00	39,287.00	2,925 00	78,248 50		

The above costs exclude VAT

5 Disbursements

5.1 Details of the Category 1 and 2 disbursements are as follows

Category 1 disbursements

Description	£
Insolv Technologies	110 00
Travel and subsistence	428 61
Insurance bond	195 99
Company Searches	16 00
	<u>750.60</u>

Category 2 disbursements

Description	£
Annual management charge	150 00
Printing, postage & stationery	288 32
	<u>438.32</u>

The above costs exclude VAT