

Rule 1.26/1 54

**The Insolvency Act 1986**  
**Notice to Registrar of**  
**Companies of Supervisor's**  
**Abstract of Receipts and**  
**Payments**  
**Pursuant to Rule 1 26(2)(b) or**  
**Rule 1.54 of the**  
**Insolvency Rules 1986**

# R1.26(2)(b)/

# R.1.54

To the Registrar of Companies

For Official Use

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Company Number

02313772

Insert full name of  
company

Name of Company

Cafe Rouge Limited

Insert full name and  
address

We, P M Saville and A P Beveridge  
 AlixPartners  
 10 Fleet Place  
 London  
 EC4M 7RB

and C M Williamson  
 AlixPartners  
 The Zenith Building  
 26 Spring Gardens  
 Manchester  
 M2 1AB

Insert date

supervisor of a voluntary arrangement taking effect on

20 June, 2014

present overleaf my abstract of receipts and payments for the period

From

20 June 2014

To

19 June 2015

Signed

*Chua*

Date

5 August 2015

Presenter's name,  
address and reference  
(if any)

11371-009  
 Café Rouge Limited  
 Eve Potts  
 AlixPartners  
 The Zenith Building  
 26 Spring Gardens  
 Manchester  
 M2 1AB

For Official Use

Liquidation Section

Post Room

THURSDAY



\*A4D871YH\*

A15

06/08/2015

#278

COMPANIES HOUSE

# **Voluntary Arrangement of Café Rouge Limited**

Statement of Affairs	From 20/06/2014 To 19/06/2015	From 20/06/2014 To 19/06/2015
FLOATING REALISATIONS		
Bank interest	25 17	25 17
Contribution to fees	24,000 00	24,000 00
	<u>24,025 17</u>	<u>24,025 17</u>
FLOATING COSTS		
Office Holders' remuneration	14,730 85	14,730 85
Category 1 disbursements		
Specific penalty bond	225 00	225 00
Travel and subsistence	30 00	30 00
Stationery, postage and photocopyin	13 62	13 62
Room hire	21 00	21 00
Category 2 disbursements		
Internal postage and photocopying	13 80	13 80
Bank charges	19 00	19 00
	<u>(15,053 27)</u>	<u>(15,053 27)</u>
	<u><b>8,971 90</b></u>	<u><b>8,971.90</b></u>
REPRESENTED BY		
Floating VAT receivable		3,006 85
Floating current account		5,965 05
		<u><b>8,971.90</b></u>

Note

P M Saville  
Joint Supervisor

# Supervisors' Annual Report for Creditors for the period 20 June 2014 to 19 June 2015

Café Rouge Restaurants Limited,  
Bella Italia Restaurants Limited and  
Café Rouge Limited  
All in Company Voluntary Arrangement

5 August 2015

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## 1 Why this report has been prepared

- 1 1 As you will be aware Peter Saville, Alastair Beveridge and Catherine Williamson (the **Supervisors**) were appointed on 20 June 2014
- 1 2 Please note that following the recent completion of a sale of the Zolfo Cooper Europe business to AlixPartners, Zolfo Cooper's European and Insolvency practice will be operating under the AlixPartners brand name going forward
- 1 3 In accordance with UK insolvency legislation, at the end of the first year from the commencement of a company voluntary arrangement (**CVA**) and each subsequent year, supervisors are required to send an account of the progress of a CVA during the preceding year. This report covers the period from 20 June 2014 to 19 June 2015 (the **Period**) and should be read in conjunction with the CVA Proposals for the Companies which were presented at the meeting of creditors held on 20 June 2014 (The **Proposals**)
- 1 4 The purpose of this report is to provide statutory and financial information about the CVAs and to provide an update on the progress of the CVAs, including details regarding the Supervisors' fees and the expected outcome for each class of creditor
- 1 5 Details of the Supervisors' fees and costs incurred are detailed at Appendices C to E
- 1 6 More information relating to the CVA process, Supervisors' fees and creditors' rights can be found on AlixPartners' creditor portal (<http://www.alixpartnersinfoportal.com>). Log-in details to access this information can be found within the covering letter you have received
- 1 7 If you require a hard copy of this report or have any queries in relation to the contents of this report or the CVAs generally, please contact Eve Potts on 0161 838 4525, via email at [creditorreports@alixpartners.com](mailto:creditorreports@alixpartners.com) or write to AlixPartners' office at The Zenith Building, 26 Spring Gardens, Manchester, M2 1AB

## 2 Summary of information for creditors

### Estimated dividend for creditors

Description	Estimated debt £	Actual level of return £
Unsecured creditors - CRRL	213,873,000	480,449
Unsecured creditors - BIRL	59,755,000	284,199
Unsecured creditors - CRL	12,405,000	142,249
<b>Total</b>	<b>286,033,000</b>	<b>906,897</b>

### Notes:

The estimated unsecured debt has been taken from the Companies' statements of affairs as detailed in the Proposals, and includes amounts owed to those creditors unaffected by the CVAs. Landlords with whom rental agreements are held are the only unsecured creditors affected by the CVAs, therefore the actual level of return relates solely to the payments made to this class of creditor.

As per the terms of the Proposals, the total return to creditors of £906,897 was transferred from the Supervisor's escrow account to the Companies' bank accounts for onward payment in relation to compromised lease and guarantee payments to landlords.

In line with the Proposals, the landlord payments represent the only distribution to creditors to be made in the CVAs. All other creditors are to be treated as normal during the usual course of business and they therefore have no claim in the CVAs.

For further information please refer to section 4 of this report.

### **3 Background information and Proposals**

#### **The Proposals**

- 3 1 The Companies form part of the Tragus Group of Companies (the **Group**), one of the largest casual dining groups with over 295 sites in the United Kingdom
- 3 2 The directors' of the Companies identified the need to restructure the Group's business model in order to maintain sustainability of the business going forward. Proposals for CVAs for the Companies were therefore presented, approved by creditors and subsequently implemented on 20 June 2014
- 3 3 The lease obligations held by the Companies were identified as the main influencing factor in the Group's unsustainability and, as part of the Proposals, the leases held were categorised in relation to projections based primarily on future trading performance of the sites, in addition to capital expenditure requirements
- 3 4 Under the terms of the CVAs, compromises to the leases held were approved and payments to landlords have been made in compensation of the rental agreement modifications implemented. The payments were made directly by the Companies using funds which were held by the Supervisors in escrow and are therefore not reflected in the Receipts and Payments Accounts for the Companies attached at Appendix B

#### **Trading**

- 3 5 Under the CVAs, the Companies continue to trade on a business as usual basis and the directors' remain responsible for trading activities in this respect. The Supervisors' have no responsibilities in relation to the conduct of the affairs of the Companies other than those expressly detailed in the Proposals
- 3 6 The unaffected creditors of the Companies are dealt with as normal in the usual course of business

#### **Other assets**

- 3 7 A contribution to fees and costs of £24,000 was provided by the Group for each of the Companies as reflected at Appendix B
- 3 8 Bank interest totalling £125 has been received in the Period

## **4 Outcome of the Company Voluntary Arrangements**

### **Secured and preferential creditors**

- 4 1 The CVAs do not affect the liabilities due from any of the Companies to the secured creditor and they are therefore not detailed at section 2
- 4 2 The Companies have no preferential creditors

### **Unsecured creditors**

- 4 3 As detailed in section 2, the landlords of the Companies are the only affected creditors in the CVAs and funds totalling £906,897 have been released to the Companies from the Supervisor's escrow accounts, in order for compromise payments to be made to this class of creditor
- 4 4 No further payments will be made to landlords and all other unsecured creditors have no claim in the CVAs

### **Supervisors' role**

- 4 5 As per the Proposals, all rental agreements were modified in order that the annual rent, service charge and insurance due under the leases would be payable on a monthly rather than quarterly basis for a period of two years. In order to ensure this modification can continue to be enforced, the Supervisors will remain in office until the second anniversary of the appointments, after which time the payments will revert back to quarterly
- 4 6 The Supervisors' primary role, to oversee the landlord compromise payments, has concluded and therefore statutory requirements and the continued implementation of monthly rental payments are the primary duties remaining
- 4 7 As detailed above, the CVAs will come to an end on the second anniversary of the commencement of the appointments in June 2016, at which time the objective of the CVAs will have been achieved and the Supervisors will cease to act

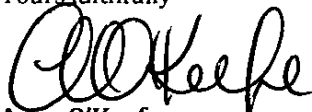


## 5 What happens next

### Next report

- 5.1 The Supervisors will provide a progress report within two months of the end of the next year of the CVAs

Yours faithfully



Anne O'Keefe  
For Peter Saville  
Supervisor

Encs

Café Rouge Restaurants Limited (CRRL), Bella Italia Restaurants Limited (BIRL) and Café Rouge Limited (CRL)  
– all in Company Voluntary Arrangement (together the Companies)

## Appendix A. Statutory information

### Company information

#### Café Rouge Restaurants Limited

Company name	Café Rouge Restaurants Limited
Registered number	00425057
Registered office	1 <sup>st</sup> Floor 163, Eversholt Street, London, NW1 1BU
Primary trading address	1 <sup>st</sup> Floor 163, Eversholt Street, London, NW1 1BU
Court details	High Court of Justice, Chancery Division, Companies Court
Court reference	3976 of 2014

#### Bella Italia Restaurants Limited

Company name	Bella Italia Restaurants Limited
Registered number	00964194
Registered office	1 <sup>st</sup> Floor 163, Eversholt Street, London, NW1 1BU
Primary trading address	1 <sup>st</sup> Floor 163, Eversholt Street, London, NW1 1BU
Court details	High Court of Justice, Chancery Division, Companies Court
Court reference	3975 of 2014

#### Café Rouge Limited

Company name	Café Rouge Limited
Registered number	02313772
Registered office	1 <sup>st</sup> Floor 163, Eversholt Street, London, NW1 1BU
Primary trading address	1 <sup>st</sup> Floor 163, Eversholt Street, London, NW1 1BU
Court details	High Court of Justice, Chancery Division, Companies Court
Court reference	3977 of 2014

### Supervisors' information

Name	Address	IP number	Name of authorising body
Peter Saville	10 Fleet Place, London, EC4M 7RB	009029	Insolvency Practitioners Association
Alastair Beveridge	10 Fleet Place, London, EC4M 7RB	008991	Insolvency Practitioners Association
Catherine Williamson	The Zenith Building, 26 Spring Gardens, Manchester, M2 1AB	015570	Insolvency Practitioners Association

All references to the Supervisors should be read as the Joint Supervisors

## Appendix B. Receipts and Payments Accounts for the period 20 June 2014 to 19 June 2015

	Café Rouge Restaurants Limited	Bella Italia Restaurants Limited	Café Rouge Limited
	£	£	£
<b>Receipts</b>			
Contribution to fees	24,000	24,000	24,000
Bank interest	59	41	25
	<b>24,059</b>	<b>24,041</b>	<b>24,025</b>
<b>Payments</b>			
Supervisors' fees	19,428	17,406	14,731
Category 1 disbursements			
Travel and subsistence	-	102	30
Stationery and postage	30	15	13
Room hire	21	21	21
Specific penalty bond	225	225	225
Category 2 disbursements			
Photocopying and printing	15	39	14
Bank charges	19	19	19
	<b>(19,738)</b>	<b>(17,827)</b>	<b>(15,053)</b>
<b>Total balance</b>	<b>4,321</b>	<b>6,214</b>	<b>8,972</b>
<b>Represented by</b>			
Interest bearing account	377	2,652	5,965
VAT receivable	3,944	3,562	3,007
	<b>4,321</b>	<b>6,214</b>	<b>8,972</b>

## Appendix C. Time Analyses and details of time spent

Detailed below are Time Analyses for the Period which provide details of the costs incurred per Company by activity and by staff grade

### Café Rouge Restaurants Limited

Total time costs for the Period are £23,273 This represents 66 hours at an average rate of £350 per hour

	Employee grade (hours)				£		
	Managing director /director	Associate director /senior associate	Associate/analyst	Junior analyst/ support	Total hours	Total cost	Average rate per hour
<b>Administration and planning</b>							
Planning	0.1	-	-	-	0.1	52.00	520
Strategy and control	1.9	5.3	2.7	-	9.9	4,130.00	418
Statutory duties	1.4	-	3.1	0.4	4.9	1,808.00	369
Case administration	2.6	2.2	3.1	0.3	8.2	3,312.50	404
Accounting and treasury	2.7	-	4.0	2.1	8.8	3,045.50	346
Internal documentation	0.5	-	0.4	-	0.9	372.00	413
<b>Realisation of assets - fixed charge</b>							
Recovery of assets	-	-	0.3	-	0.3	99.00	330
Dealing with third party assets	0.1	-	0.7	-	0.8	283.00	354
<b>Realisation of assets - floating charge</b>							
Dealing with third party assets	-	-	1.1	-	1.1	308.00	280
Asset accounting and administration	0.4	0.1	-	3.1	3.6	732.50	203
<b>Creditors</b>							
Creditor claims	-	-	5.0	-	5.0	1,575.00	315
Debtor litigation	2.0	-	-	-	2.0	1,040.00	520
Reporting to creditors	-	-	2.2	-	2.2	728.00	330
Creditor meetings	-	-	9.8	-	9.8	3,162.89	322
Unsecured creditors	0.6	-	8.2	-	8.8	2,618.00	298
<b>Totals</b>	<b>12.3</b>	<b>7.6</b>	<b>40.8</b>	<b>5.9</b>	<b>66.4</b>	<b>23,273.39</b>	<b>350</b>

### Bella Italia Restaurants Limited

Total time costs for the Period are £19,179 This represents 55 hours at an average rate of £350 per hour

	Employee grade (hours)				£		
	Managing director /director	Associate director /senior associate	Associate/analyst	Junior analyst/ support	Total hours	Total cost	Average rate per hour
<b>Administration and planning</b>							
Planning	0.1	-	-	-	0.1	52.00	520
Strategy and control	1.9	4.8	2.7	-	9.4	3,919.00	417
Statutory duties	1.5	-	3.1	0.4	5.0	1,880.00	372
Case administration	2.2	2.2	3.1	0.5	8.0	3,144.50	393
Accounting and treasury	1.9	-	3.8	2.4	8.1	2,681.00	329
Travel and waiting time	-	-	1.1	-	1.1	308.00	280
Internal documentation	0.3	-	-	-	0.3	158.00	520
<b>Realisation of assets - fixed charge</b>							
Recovery of assets	-	-	0.3	-	0.3	99.00	330
<b>Realisation of assets - floating charge</b>							
Recovery of assets	0.1	-	-	-	0.1	52.00	520
Dealing with third party assets	-	-	1.7	-	1.7	476.00	280
Asset accounting and administration	0.2	0.1	-	2.9	3.2	597.50	187
<b>Creditors</b>							
Creditor claims	-	-	2.7	-	2.7	821.00	304
Reporting to creditors	-	-	2.0	-	2.0	660.00	330
Creditor meetings	1.6	-	5.2	-	6.8	2,543.67	375
Unsecured creditors	0.6	-	4.4	-	5.0	1,549.00	310
Employees	-	-	1.0	-	1.0	280.00	280
<b>Totals</b>	<b>10.4</b>	<b>7.1</b>	<b>31.1</b>	<b>6.2</b>	<b>54.8</b>	<b>19,178.67</b>	<b>350</b>

Café Rouge Restaurants Limited (CRRL), Bella Italia Restaurants Limited (BIRL) and Café Rouge Limited (CRL)  
– all in Company Voluntary Arrangement (together the Companies)

## Café Rouge Limited

Total time costs for the Period are £17,496. This represents 49 hours at an average rate of £360 per hour

	Employee grade (hours)				£		
	Managing director Director	Associate director /senior associate	Associate/analyst	Junior analyst/ support	Total hours	Total cost	Average rate per hour
<b>Administration and planning</b>							
Planning	0.1		-		0.1	52.00	520
Strategy and control	1.9	4.8	3.1		9.8	4,031.00	411
Statutory duties	1.4		3.1	0.4	4.9	1,808.00	369
Case administration	2.6	3.2	4.3	0.3	10.4	4,128.50	397
Accounting and treasury	1.9	-	3.3	1.2	6.4	2,272.50	355
Internal documentation	0.3	-			0.3	156.00	520
<b>Realisation of assets - fixed charge</b>							
Dealing with third party assets	0.2	-		-	0.2	104.00	520
<b>Realisation of assets - floating charge</b>							
Dealing with third party assets	-		0.2	-	0.2	56.00	280
Asset accounting and administration	0.4		-	2.4	2.8	580.00	207
<b>Creditors</b>							
Creditor claims	-	-	1.9	-	1.9	584.58	294
Reporting to creditors	-	-	2.2	-	2.2	728.00	330
Creditor meetings	-	-	7.7	-	7.7	2,541.00	330
Unsecured creditors	-	-	1.7	-	1.7	476.00	280
<b>Totals</b>	<b>8.6</b>	<b>8.0</b>	<b>27.5</b>	<b>4.3</b>	<b>48.6</b>	<b>17,495.58</b>	<b>350</b>

Principal areas of activity during the Period in respect of the Companies are discussed in further detail below

- **Administration and planning** Implementing and monitoring the initial case strategy as detailed in the Proposals, complying with statutory duties and performing general administrative work. Case related treasury and support time is also recorded here.
- **Creditors** Notifying all creditors of the appointments and preparing statutory reports. Time has also been spent dealing with creditor correspondence.

## **Appendix D. Nominees' and Supervisors' fees and disbursements**

### **Fees**

In accordance with the agreed terms of the CVAs, the Supervisors' fees are in reference to the time properly spent by the Supervisors and their staff on matters arising in the CVAs

To date, total fees of £51,565 have been drawn during the course of the CVAs, as detailed in Appendix B

A copy of 'A Creditors' Guide to CVAs' can be downloaded from AhxPartners' creditor portal (<http://www.ahxpartnersinfoportal.com>). If you would prefer this to be sent to you in hard copy please contact the Administrators and they will forward a copy to you.

### **Disbursements**

Category 1 disbursements of £928 have been drawn on account. Approval to draw category 2 disbursements was given by the creditors of the Companies on 20 June 2014 and a total of £68 have been drawn in relation to the below

- **Photocopying** charged at the rate of 10 pence per sheet for notifications and reports to creditors and other copying
- **Printing** charged at the rate of 10 pence per sheet for black and white printing and 15 pence per sheet for colour

In addition, the agreed Nominees' fees of £148,475 have now been drawn

## **Appendix E. Additional information in relation to the Supervisors' fees pursuant to Statement of Insolvency Practice 9**

### **Policy**

Detailed below is AlixPartners's policy in relation to

- staff allocation and the use of sub-contractors,
- professional advisors, and
- disbursements

### **Staff allocation and the use of sub-contractors**

The Supervisors' general approach to resourcing their assignments is to allocate staff with the skills and experience to meet the specific requirements of the case

The case team will usually consist of a managing director, a director or a senior associate, an associate and an analyst. The exact case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment. On larger, more complex cases, several staff at all grades may be allocated to meet the demands of the case. The Supervisors' charge-out rate schedule below provides details of all grades of staff and their experience level.

With regard to support staff, time spent by cashiers in relation to tasks such as recording transactions and dealing with bank accounts is charged but secretarial time is only recovered if a large block of time is incurred, e.g. report compilation and distribution.

The Supervisors have not utilised the services of any sub-contractors or professional advisors in these cases.

### **Disbursements**

Category 1 disbursements do not require approval by creditors. Category 1 disbursements may include external supplies of incidental services specifically identifiable to the case, e.g. postage, case advertising, invoiced travel and external printing, room hire and document storage. Any properly reimbursed expenses incurred by the Supervisors and their staff will also be chargeable.

Category 2 disbursements do require prior approval by creditors before they are paid. If they are incurred, they will be drawn in accordance with the resolution approved by creditors. Category 2 disbursements that may be incurred are as follows:

- photocopying charged at the rate of 10 pence per sheet for notifications and reports to creditors and other copying,
- printing charged at the rate of 10 pence per sheet for black and white printing and 15 pence per sheet for colour, and
- business mileage for staff travel charged at the rate of 45 pence per mile

## Charge-out rates

A schedule of AlixPartners' charge-out rates for these assignments effective from 1 April 2015 is detailed below, together with those applicable prior to that date. Time is charged by managing directors and case staff in units of six minutes.

Description	Rates from 1 April 2015 £	Description	Rates pre 1 April 2015 £
Managing director 1	650	Managing director 1	595
Managing director 2	595	Managing director 2	540
Director	570	Director	520
Associate director	460	Associate director	440
Senior associate	430	Senior associate	390
Associate	350	Associate	330
Analyst	295	Analyst	280
Junior analyst	200	Junior analyst	200
Senior treasury associate	230	Senior treasury associate	230
Treasury associate	155	Treasury associate	155
Treasury analyst	100	Treasury analyst	100
Support	95	Support	84