

## COMPANIES FORM No. 395

**Particulars of a mortgage or charge**

A fee of £10 is payable to Companies House in respect of each register entry for a mortgage or charge.

Pursuant to section 395 of the Companies Act 1985

To the Registrar of Companies  
(Address overleaf - Note 6)

For official use

Company number

Name of company

\* PILKINGTON'S TILES LIMITED (THE "COMPANY")

Date of creation of the charge

7 AUGUST 2003

Description of the instrument (if any) creating or evidencing the charge (note 2)

LEGAL CHARGE (THE "LEGAL CHARGE")

Amount secured by the mortgage or charge

AS SPECIFIED IN SCHEDULE ONE TO THIS FORM

Names and addresses of the mortgagees or persons entitled to the charge

THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND (THE "BANK")  
19/21 SPRING GARDENS  
MANCHESTER

Postcode M2 1FB

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

Eversheds Solicitors  
Eversheds House, 70 Great  
Bridgewater Street, Manchester,  
M1 5ES

C/PJR/644106

Time critical reference

For official Use  
Mortgage Section

I Post room



PMO  
COMPANIES HOUSE

A17  
COMPANIES HOUSE

\*PEQLN001\*

\*AU066NJJH\*

0867

0682

16/08/03

CHFP025

Please do not  
write in  
this margin

Please complete  
legibly, preferably  
in black type, or  
bold block lettering

\* insert full name  
of Company

Short particulars of all the property mortgaged or charged

AS SPECIFIED IN SCHEDULE TWO TO THIS FORM

Please  
write in  
this margin

Please complete  
legibly, preferably  
in black type, or  
bold block  
lettering

T+06

Particulars as to commission allowance or discount (note 3)

N/A

Signed

*Everold WH*

Date

*15 August 2003*

On behalf of ~~company~~ [mortgagee/chargee] †

A fee of £10 is  
payable to  
Companies House  
in respect of each  
register entry for a  
mortgage or  
charge.  
(See Note 5)

† delete as  
appropriate

## Notes

- 1 The original instrument (if any) creating or evidencing the charge, together with these prescribed particulars correctly completed must be delivered to the Registrar of Companies within 21 days after the date of creation of the charge (section 395). If the property is situated and the charge was created outside the United Kingdom delivery to the Registrar must be effected within 21 days after the date on which the instrument could in due course of post, and if dispatched with due diligence, have been received in the United Kingdom (section 398). A copy of the instrument creating the charge will be accepted where the property charged is situated and the charge was created outside the United Kingdom (section 398) and in such cases the copy must be verified to be a correct copy either by the company or by the person who has delivered or sent the copy to the Registrar. The verification must be signed by or on behalf of the person giving the verification and where this is given by a body corporate it must be signed by an officer of that body. A verified copy will also be accepted where section 398(4) applies (property situate in Scotland or Northern Ireland) and Form No. 398 is submitted.
- 2 A description of the instrument, eg "Trust Deed", "Debenture", "Mortgage" or "Legal charge", etc, as the case may be, should be given.
- 3 In this section there should be inserted the amount or rate per cent. of the commission, allowance or discount (if any) paid or made either directly or indirectly by the company to any person in consideration of his;
  - (a) subscribing or agreeing to subscribe, whether absolutely or conditionally, or
  - (b) procuring or agreeing to procure subscriptions, whether absolute or conditional,for any of the debentures included in this return. The rate of interest payable under the terms of the debentures should not be entered.
- 4 If any of the spaces in this form provide insufficient space the particulars must be entered on the prescribed continuation sheet.
- 5 Cheques and Postal Orders are to be made payable to **Companies House**.
- 6 The address of the Registrar of Companies is:-

Companies House, Crown Way, Cardiff CF14 3UZ

## SCHEDULE 1

Company: PILKINGTON'S TILES LIMITED (THE "COMPANY")

Number: 00033221

### Amount secured by the mortgage or charge

All sums of money owed and all liabilities or obligations to be carried out to the Bank at any time and from time to time by the Company whether:

- (i) they arise before or after the Bank has demanded that they are repaid or carried out;
- (ii) they are owed or to be carried out immediately or only after a stated event has occurred;
- (iii) the Company owes or is to carry them out on his own or jointly with any other persons;
- (iv) the Company owes or is to carry them out on its own account or as guarantor for other persons;

together with any sum payable to the Bank by way of interest on each of the above and Expenses (as defined below) relating to each of the above;

(the "Debt").

"Expenses" means the total of:

- (i) any commission and other charges which the Bank may from time to time charge to the Company in the ordinary course of the Bank's business in respect of the Debt or any service provided by the Bank to the Company;
- (ii) any costs, charges, premiums, fees and expenses incurred from time to time by the Bank or the Receiver under the Bank's Commercial Charge Conditions (1995 Edition) (filed at HM Land Registry under reference MD 308F/01) (the "Conditions") and which are either repayable by the Company under the Conditions or are incurred in the exercise by the Bank or the Receiver of their powers under the Conditions;
- (iii) any costs, charges and expenses incurred by the Bank or the Receiver in connection with the Bank or the Receiver in connection with the Bank or the Receiver doing anything to protect the Mortgage or to obtain possession of or sell or deal (in any other way allowed by the Conditions) with the Property (as defined in Schedule 2 to this Form);

together with Value Added Tax upon such sums where appropriate;

"Receiver" means any person (who may be any employee of the Bank) who is appointed by the Bank in writing to be the receiver and manager of all or any part of the Property and also any person who is substituted by the Bank in writing for such person.

## SCHEDULE 2

Company: PILKINGTON'S TILES LIMITED (THE "COMPANY")

Number: 00033221

### Short particulars of the property mortgaged or charged

Pursuant to the Legal Charge, the Company with the full title guarantee charges as security for the Debt (as defined in Schedule 1 to this Form):

1. by way of legal mortgage the Property (as defined below);
2. by way of fixed charge all buildings and other structures on, and items fixed to, the Property;
3. by way of fixed charge any goodwill relating to the Property or the business or undertaking conducted at the Property;
4. by way of fixed charge all plant, machinery and other items affixed to and forming part of the Property on or at any time after the date of this Charge;
5. by way of assignment the Rental Sums (as defined in the Conditions) together with the benefit of all rights and remedies of the Company relating to them to hold to the Bank absolutely subject to redemption upon repayment of the Debt;
6. by way of fixed charge the proceeds of any claim made under any insurance policy relating to any of the property charged under the Charge; and
7. if the Company is a company (which shall include an industrial and provident society registered under the Industrial and Provident Society Acts) by way of floating charge all unattached plant, machinery, chattels and goods now or at any time after the date of this Charge on or in or used in connection with the Property or the business or undertaking conducted at the Property.

### Definitions

"Property"      The Freehold property known as 28 Blandford Road, Poole, BH15 4BD registered at HM Land Registry under Title Number DT302424

**FILE COPY**



**CERTIFICATE OF THE REGISTRATION  
OF A MORTGAGE OR CHARGE**

**Pursuant to section 401(2) of the Companies Act 1985**

COMPANY No. 00033221

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A LEGAL CHARGE DATED THE 7th AUGUST 2003 AND CREATED BY PILKINGTON'S TILES LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND ON ANY ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 21st AUGUST 2003.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 26th AUGUST 2003.

P. Q.



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES



*Companies House*

— for the record —