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## COMPANIES FORM No. 395

### Particulars of a mortgage or charge

A fee of £13 is payable to Companies House in respect of each register entry for a mortgage or charge.

405260/26  
**395**

CHFP025

Please do not  
write in  
this margin

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

\*insert full name  
of Company

Pursuant to section 395 of the Companies Act 1985

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

For official use

Company number

112

00038487

Name of company

\* PORTHMINSTER HOTEL COMPANY LIMITED (THE "MORTGAGOR")

Date of creation of the charge

11th day of September 2009

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

Legal Charge of Licensed Premises dated 11 September 2009 granted by the  
Mortgagor in favour of National Westminster Bank Plc (the "Bank")

Amount secured by the mortgage or charge

All the Company's liabilities to the Bank of any kind and in any currency  
(whether present or future actual or contingent and whether incurred alone  
or jointly with another) including banking charges, commission, interest,  
costs and expenses.

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

National Westminster Bank Plc, 135 Bishopsgate, London

Postcode EC2M 3UR

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

Shoosmiths

Apex Plaza, Forbury Road,  
Reading, Berkshire, RG1 1SH

Ref: PYK/135704.12

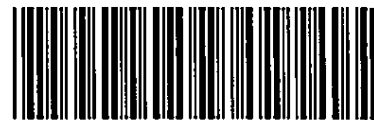
Time critical reference

For official Use (06/2005)

Mortgage Section

Post room

TUESDAY



\*AOLFMDAJ\*

A20

15/09/2009

68

COMPANIES HOUSE

Short particulars of all the property mortgaged or charged

By way of legal mortgage:

1. All legal interests and otherwise by way of fixed charge the property known as Porthminster Hotel, The Terrace, St Ives TR26 2BN (with title number CL235958) (the "Property") including all covenants and rights affecting or concerning the Property.
2. By way of fixed charge:
  - 2.1 The fixtures and fittings of the Mortgagor from time to time attached to the Property.
  - 2.2 The plant and machinery vehicles and computer equipment of the Mortgagor now and in the future at the Property not regularly disposed of in the ordinary course of business and all associated warranties and maintenance contracts.
  - 2.3 The furniture furnishings equipment tools and other chattels of the Mortgagor now and in the future at the Property and not regularly disposed of in the ordinary course of business.
  - 2.4 The benefit of all premises, excise club premises certificates or other licences or certificates held from time to time in connection with the business carried on at the Property and the right to recover and receive any compensation payable at any time on account of the non-renewal revocation surrender expiry or suspension of such licences.
  - 2.5 The present and future goodwill of any business carried on at the Property by or on behalf of the Mortgagor the rents receivable from any lease granted out of the Property and the proceeds of any insurance from time to time affecting the Property or the assets and the licences referred to above.

Note: The Legal Charge contains covenants by the Mortgagor with the Bank not without the Bank's prior written consent to:

- (a) create or permit to arise any mortgage charge or lien on the charged property, nor to dispose of the charged property;
- (b) grant or accept a surrender of any lease or licence or part with or share possession or occupation of the Property.

Please do not write in this margin

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

T  
C + P

Particulars as to commission allowance or discount (note 3)

N/A

Signed Shoosmiths

Date 14 September 2009

On behalf of ~~XXXXXX~~ [mortgagee/~~XXXXXX~~] †

A fee 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 A fee of £13 is payable to Companies House in respect of each register entry for a mortgage or charge. Cheques and Postal Orders must be made payable to Companies House.
- 6 The address of the Registrar of Companies is: Companies House, Crown Way, Cardiff CF14 3UZ



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

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

COMPANY NO. 38487  
CHARGE NO. 12

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES  
HEREBY CERTIFIES THAT A LEGAL CHARGE OF LICENSED  
PREMISES DATED 11 SEPTEMBER 2009 AND CREATED BY  
PORTHMINSTER HOTEL COMPANY LIMITED FOR SECURING  
ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY  
TO NATIONAL WESTMINSTER BANK PLC ON ANY ACCOUNT  
WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1  
PART XII OF THE COMPANIES ACT 1985 ON THE 15  
SEPTEMBER 2009

GIVEN AT COMPANIES HOUSE, CARDIFF THE 15 SEPTEMBER  
2009

*P. Selo.*



Companies House  
— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES