

# M

COMPANIES FORM No. 395

220170/13

## Particulars of a mortgage or charge

# 395

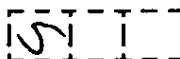
A fee of £13 is payable to Companies House in respect of each register entry for a mortgage or charge.

Pursuant to section 395 of the Companies Act 1985

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

For official use

Company number



00565968

Name of company

\* A E. Clegg Limited ("the Company")

Date of creation of the charge

17 March 2008

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

Floating Charge on Vehicles ("the Charge")

Amount secured by the mortgage or charge

Under the terms of the Charge the Company covenanted that it will on demand pay to GMAC without deduction or set off:-

- 1 all monies and discharge all obligations and liabilities whether actual or contingent at the date of the charge or at any time due, owing or incurred to GMAC and/or any Receiver by the Company (whether alone or jointly and in whatever style, name or form and whether incurred as principal or surety) when the same are due;
- 2 interest on all amounts demanded to the date of payment at such rates as may from time to time be agreed or, in the absence of agreement, at the rate of 5 per cent per annum above the published Base Rate of Lloyds TSB Bank plc from time to time; and
- 3 all Expenses on a full indemnity basis

together, the "Secured Obligations"

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

GMAC UK PLC (registered with Company Number 275607) whose registered office is at PO Box 11, Wesley House, 19 Chapel Street, Luton, Bedfordshire ("GMAC")

Postcode LU1 2SY

Presentor's name address and reference (if any)

Bond Pearce LLP  
Oceana House  
39-49 Commercial Road  
Southampton  
SO15 1GA

For official Use (06/2005)  
Mortgage Section

SATURDAY



A07

\*AEPNFB8L\*

22/03/2008

131

COMPANIES HOUSE

Time critical reference

Short particulars of all the property mortgaged or charged

1. The Company charged as security for the Secured Obligations and with full title guarantee:

1 1 by way of floating charge all Vehicles, and

1 2 by way of first fixed charge, all present and future Insurance Claims.

2 Save for any Prior Security, The Company is not to create or permit to arise or subsist any Security Interest in favour of anyone other than GMAC on the whole or any part of the Charged Property without the Requisite Consent

Definitions

In this form the following words have the following meanings:

'Charged Property' - all property, assets and rights charged by the Charge.

'Insurance Claims' - the benefit of all claims arising and insurance proceeds under all insurance policies maintained in respect of the Vehicles.

Continued on Page 4 of next addendum.

Please do not  
write in  
this margin

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

Particulars as to commission allowance or discount (note 3)

Nil

Signed

*Andersen LLP*

Date 20 March 2008

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

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

Notes

† delete as  
appropriate

- 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

CHFP025

**Particulars of a mortgage or charge  
(continued)**

Please do not  
write in this  
binding margin

Continuation sheet No 1  
to Form No 395 and 410 (Scot)

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

Company Number

00565968

Name of Company

A E. Clegg Limited ("the Company")

~~Limited~~

\* delete if  
inappropriate

Description of the instrument creating or evidencing the mortgage or charge (continued) (note 2)

Amount due or owing on the mortgage or charge (continued)

Please do not  
write in this  
binding margin

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

Please do not  
write in this  
binding margin

Names, addresses and descriptions of the mortgagees or persons entitled to the charge (continued)

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

'Prior Security' - the Debenture dated 23 April 2007 and made between Arctic Apple Limited and the Company.

'Requisite Consent' - the previous consent in writing of GMAC (and then only to the extent that such consent permits and in accordance with any conditions attached to such consent).

'Security Interest' - any mortgage, assignment, lien, charge, hypothecation, pledge, conditional sale, or other title retention agreement, trust arrangement or any other agreement or arrangement the economic or commercial effect of which is similar to the creation of security or any other security interest whatsoever (but shall not include any of the same arising solely by operation of law or a title retention agreement or arrangement securing amounts not more than 90 days overdue and in each case entered into in the ordinary course of day to day trading).

'Vehicles' - all of the right, title and interest of the Company in or to any motor vehicle and/or the proceeds of sale of any such motor vehicle

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



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

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

**COMPANY NO. 565968  
CHARGE NO. 5**

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES  
HEREBY CERTIFIES THAT A FLOATING CHARGE ON VEHICLES  
DATED 17 MARCH 2008 AND CREATED BY A.E.CLEGG LIMITED  
FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM  
THE COMPANY TO GMAC UK PLC UNDER THE TERMS OF THE  
AFOREMENTIONED INSTRUMENT CREATING OR EVIDENCING  
THE CHARGE WAS REGISTERED PURSUANT TO CHAPTER 1  
PART XII OF THE COMPANIES ACT 1985 ON THE 22 MARCH  
2008

GIVEN AT COMPANIES HOUSE, CARDIFF THE 28 MARCH 2008



*Companies House*  
— for the record —

PJ



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES