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## COMPANIES FORM No. 395

### Particulars of a mortgage or charge

# 395

Please do not  
write in  
this margin

Pursuant to section 395 of the Companies Act 1985

CHA 116

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

To the Registrar of Companies

For official use

Company number



687593

Name of company

\* THE CHICHESTER FESTIVAL THEATRE TRUST LIMITED

\* insert full name  
of company

Date of creation of the charge

20TH DECEMBER 1997

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

DEBENTURE

Amount secured by the mortgage or charge

4.

MEANS ALL THE COMPANY'S PRESENT OR FUTURE INDEBTEDNESS TO THE LENDER ON ANY CURRENT OR OTHER ACCOUNT WHATEVER HELD BY THE COMPANY WITH THE LENDER, WHETHER SOLELY OR JOINTLY WITH ANY OTHER PERSON OR PERSONS (NOTWITHSTANDING THAT THERE MAY FROM TIME TO TIME BE A CREDIT BALANCE ON ANY SUCH ACCOUNT) AND ALL THE COMPANY'S OTHER LIABILITIES WHATEVER TO THE LENDER, INCLUDING (WITHOUT LIMITATION) INDEBTEDNESS ON ACCOUNT OF MONEY ADVANCED, BILLS OF EXCHANGE, PROMISSORY NOTES, OBLIGATIONS WITH RESPECT TO LETTERS OF CREDIT, GUARANTEES AND INDEMNITIES, WHETHER PRESENT, FUTURE, ACTUAL OR CONTINGENT AND WHETHER OR NOT MATURED OR ACCRUED DUE AND WHETHER INCURRED SOLELY, SEVERALLY OR JOINTLY WITH ANY OTHER PERSON AND WHETHER IN STERLING OR IN ANY OTHER CURRENCY, TOGETHER WITH INTEREST, COMMISSION, BANK CHARGES AND ANY OTHER COSTS, CHARGES AND LEGAL EXPENSES (ON A FULLY INDEMNITY BASIS) CHARGED OR INCURRED BY THE LENDER AND INCLUDING THOSE ARISING FROM THE LENDER PERFECTING OR ENFORCING OR ATTEMPTING TO ENFORCE THIS DEBENTURE OR ANY OTHER SECURITY (AND ITS RIGHTS THEREUNDER) HELD BY THE LENDER FROM TIME TO TIME.

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

THE TRUSTEES OF THE BASSIL SHIPPAM AND ALSFORD TRUST LIMITED  
5 EAST PALLANT, CHICHESTER, WEST SUSSEX, PO19 1TS

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

Thomas Eggar Verrall Bowle  
Arundel House, 1 Liverpool  
Gardens, Worthing, West  
Sussex, BN11 1SL

For official use  
Mortgage Section

Post room



Short particulars of all the property mortgaged or charged

PLEASE SEE ATTACHED SHEET

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)

Signed

*John Gwyn Vell Borth*

Date

5-1-1998

On behalf of [company] [~~mortgagee/chargee~~]<sup>†</sup>

<sup>†</sup> 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.

# **THE CHICHESTER FESTIVAL THEATRE TRUST LIMITED**

**COMPANY NUMBER : 687593**

## **FORM 395**

### **SHARE PARTICULARS OF ALL THE PROPERTY MORTGAGED OR CHARGED**

The Company hereby covenants on demand to pay or discharge the Indebtedness to the Lender. As security for the payment and discharge of the Indebtedness, the Company hereby charges to the Lender, with full title guarantee:

- (a) by way of legal mortgage, all freehold and leasehold property now vested in the Company, together with all buildings, fixtures (including trade fixtures) and fixed plant and machinery from time to time on that property;
- (b) by way of fixed charge, all estates or interests in any freehold and leasehold property of the Company (not being Property charged by Clause 2.1:1) now and in the future vested in the Company, together with all buildings, fixtures (including trade fixtures) and fixed plant and machinery from time to time on that property;
- (c) by way of fixed charge, all the goodwill and uncalled capital for the time being of the Company;
- (d) by way of fixed charge, all book debts and other debts now and in the future due or owing to the Company;
- (e) by way of fixed charge, all intellectual property rights, choses in action and claims now and in the future belonging to the Company;
- (f) by way of floating charge, all the Company's present and future undertaking and assets, whatever and wherever, including (without limitation) all other property and assets not subject to a fixed charge under this Debenture.

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## CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

COMPANY No. 00687593

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A DEBENTURE DATED THE 20th DECEMBER 1997 AND CREATED BY CHICHESTER FESTIVAL THEATRE TRUST LIMITED (THE) FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO THE TRUSTEES OF THE BASSIL SHIPPAM AND ALSFORD TRUST LIMITED ON ANY ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 6th JANUARY 1998.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 8th JANUARY 1998.

*W. Grandon*  
W. GRANDON

for the Registrar of Companies



C O M P A N I E S H O U S E