

MG01

Particulars of a mortgage or charge



095171/26

A fee is payable with this form

We will not accept this form unless you send the correct fee
Please see 'How to pay' on the last page



What this form is for

You may use this form to register
particulars of a mortgage or charge
in England and Wales or Northern
Ireland



What this form is NOT for

You cannot use this form to
particulars of a charge for
company. To do this, please
form MG01s

WEDNESDAY



A30

AQD1SMG8

11/08/2010

COMPANIES HOUSE

470

1

Company details

Company number

0 1 8 6 0 1 7 2

Company name in full

Caparo Merchant Bar Plc (the "Chargor")

For official use

5

→ Filing in this form

Please complete in typescript or in
bold black capitals

All fields are mandatory unless
specified or indicated by *

2

Date of creation of charge

Date of creation

03 00 07 20 10

3

Description

Please give a description of the instrument (if any) creating or evidencing the
charge, e.g. 'Trust Deed', 'Debenture', 'Mortgage', or 'Legal charge'

Description

Legal Mortgage between the Chargor and Bank of Baroda (the "Lender")

4

Amount secured

Please give us details of the amount secured by the mortgage or charge

Amount secured

All present and future monies, obligations and liabilities owed by the
Chargor to the Lender, whether actual or contingent and whether
owed jointly or severally, as principal or surety and/or in any other
capacity, under in connection with the Facility Agreement or the Legal
Mortgage (including, without limitation, those arising under Clause
19.3.2 of the Legal Mortgage) together with all interest (including,
without limitation, default interest) accruing in respect of such monies
or liabilities (the "Secured Liabilities")

Continuation page

Please use a continuation page if
you need to enter more details

MG01

Particulars of a mortgage or charge

5 Mortgagee(s) or person(s) entitled to the charge (if any)

Please give the name and address of the mortgagee(s) or person(s) entitled to the charge		Continuation page Please use a continuation page if you need to enter more details
Name	Bank of Baroda	
Address	32 City Road	
	London	
Postcode	E C 1 Y 2 B D	
Name		
Address		
Postcode		

6 Short particulars of all the property mortgaged or charged

Please give the short particulars of the property mortgaged or charged		Continuation page Please use a continuation page if you need to enter more details
Short particulars	<p>As continuing security for the payment and, discharge of the Secured Liabilities, the Chargor with full title guarantee charges to the Lender</p> <p>1 by way of first Legal Mortgage, the Property,</p> <p>2 by way of first Charge</p> <p>(a) <u>all its rights in any policies of insurance</u> relating to the Property, including the proceeds of any claims under such policies, the Rent and the benefit of any guarantee or security in respect of the Rent,</p> <p>(b) the <u>benefit of all contracts, guarantees, appointments, warranties</u> and other documents to which the Chargor is a party or in its favour or of which it has the benefit relating to any letting, development, sale, purchase or the operation or otherwise relating to the Charged Property, including, in each case, but without limitation the right to demand and receive <u>all monies</u> whatsoever payable to or for its benefit under or arising from any of them, all remedies provided for in any of them or available at law or in equity in relation to any of them, the right to compel performance of any of them and all other rights, interests and benefits whatsoever accruing to or for its benefit arising from any of them,</p> <p>(c) <u>all authorisations</u> (statutory or otherwise) held or required in connection with the Chargor's business carried on at the Property or the use of any Charged Property, and all the rights in connection with them, and</p> <p>(d) all <u>Fixed Plant and Equipment</u> situated at or on the Property</p> <p>Capitalised terms in this form have the following meaning 2 95</p> <p>"Charged Property" all the assets, property and undertaking for the time being subject to any Encumbrance created by the Legal Mortgage and references to the Charged Property shall include references to any part of it</p>	

MG01 - continuation page

Particulars of a mortgage or charge

6	Short particulars of all the property mortgaged or charged	
	Please give the short particulars of the property mortgaged or charged	
Short particulars	<p>"Encumbrance" any mortgage, charge (whether fixed or floating, legal or equitable), pledge, lien, assignment by way of security or other security interest securing any obligation of any person, or any other agreement or arrangement having a similar effect</p> <p>"Facility Agreement" the facility agreement dated 30 July 2010 between the Chargor and the Lender for the provision of the loan facilities secured by the Legal Mortgage,</p> <p>"Fixed Plant and Equipment" all plant, machinery or equipment of any kind which does not for any reason constitute a fixture, but is now or at any time directly or indirectly attached by any means and for any purpose to any land or building, whether or not it is removable or intended to form part of the land or building and all associated warranties and maintenance contracts</p> <p>"Intercreditor Agreement" the intercreditor deed dated 30 July 2010 between the Lender, the Chargor Barclays Bank Plc and the Pension Trustee,</p> <p>"Pension Trustee" Caparo Pensions Schemes Trustees Limited in its capacity as trustee for the Caparo 1988 Pension Scheme with PSR no 10150656,</p> <p>"Permitted Encumbrance" any Encumbrance created in favour of the Lender, Barclays Bank Plc or the Pension Trustee in accordance with the Intercreditor Agreement,</p> <p>"Property" all that freehold property known as 1 Rod Mill, Appleby - Frodingham Works, Rod Mill Road, Scunthorpe as the same is registered at the Land Registry with title number HS225193</p> <p>"Rent" all amounts payable to or for the benefit of the Chargor by way of rent, licence fee, service charge, dilapidations, ground rent and rent charge in respect of any part of the Property and other monies payable to or for the benefit of the Chargor in respect of occupation or usage of any part of the Property, including (without limitation) for display of advertisements on licence or otherwise</p>	

MG01

Particulars of a mortgage or charge

7 Particulars as to commission, allowance or discount (if any)

Please insert the amount or rate percent of any commission, allowance or discount paid or made either directly or indirectly by the company to any person on consideration of his

- subscribing or agreeing to subscribe, whether absolutely or conditionally, or
- procuring or agreeing to procure subscriptions, whether absolute or conditional,

for any debentures included in this return. The rate of interest payable under the terms of the debentures should not be entered

Commission allowance or discount

None

8 Delivery of instrument

You must deliver the original instrument (if any) creating or evidencing the charge and these prescribed particulars to the Registrar of Companies within 21 days after the date of creation of the charge (section 860). If the property is situated and the charge was created outside the United Kingdom (UK), you must deliver the information to the Registrar within 21 days after the date on which the instrument could have been received in the UK in the normal course of post and assuming you had posted it promptly (section 866).

We will accept a verified copy of the instrument creating the charge where the property charged is situated and the charge was created outside the UK (section 870). The company or the person who has delivered the copy to the Registrar must verify it to be a correct copy and sign it. Where a body corporate gives the verification, an officer of that body must sign it. We will also accept a verified copy where section 867(2) applies (property situated in another part of UK).

9 Signature

Please sign the form here

Signature

Signature

X  X

This form must be signed by a person with an interest in the registration of the charge

MG01

Particulars of a mortgage or charge



Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form and will establish where we return the original documents. The contact information you give will be visible to searchers of the public record.

Contact name Claire Gibson

Company name TLT LLP

Address

Post town

County/Region

Postcode

E C 2 V 7 J E

Country

DX 431 London Chancery Lane

Telephone 0203 465 4136



Certificate

We will send your certificate to the presenter's address if given above or to the Company's Registered Office if you have left the presenter's information blank.



Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following

- ☒ The company name and number match the information held on the public Register
- ☒ You have included the original deed with this form
- ☒ You have entered the date the charge was created
- ☒ You have supplied the description of the instrument
- ☒ You have given details of the amount secured by the mortgagee or chargee
- ☒ You have given details of the mortgagee(s) or person(s) entitled to the charge
- ☒ You have entered the short particulars of all the property mortgaged or charged
- ☒ You have signed the form
- ☒ You have enclosed the correct fee



Important information

Please note that all information on this form will appear on the public record.



How to pay

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

Make cheques or postal orders payable to 'Companies House'.



Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the appropriate address below:

For companies registered in England and Wales
The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ
DX 33050 Cardiff

For companies registered in Scotland
The Registrar of Companies, Companies House,
Fourth floor, Edinburgh Quay 2,
139 Fountainbridge, Edinburgh, Scotland, EH3 9FF
DX ED235 Edinburgh 1
or LP - 4 Edinburgh 2 (Legal Post)

For companies registered in Northern Ireland:
The Registrar of Companies, Companies House,
Second Floor, The Linenhall, 32-38 Linenhall Street,
Belfast, Northern Ireland, BT2 8BG
DX 481 N R Belfast 1



Further information

For further information, please see the guidance notes on the website at www.companieshouse.gov.uk or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.companieshouse.gov.uk



CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

Pursuant to section 869(5) & (6) of the Companies Act 2006

**COMPANY NO. 1860172
CHARGE NO. 5**

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES
HEREBY CERTIFIES THAT A LEGAL MORTGAGE DATED 30
JULY 2010 AND CREATED BY CAPARO MERCHANT BAR PLC
FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM
THE COMPANY TO BANK OF BARODA ON ANY ACCOUNT
WHATSOEVER UNDER THE TERMS OF THE AFOREMENTIONED
INSTRUMENT CREATING OR EVIDENCING THE CHARGE WAS
REGISTERED PURSUANT TO CHAPTER 1 PART 25 OF THE
COMPANIES ACT 2006 ON THE 11 AUGUST 2010

GIVEN AT COMPANIES HOUSE, CARDIFF THE 17 AUGUST 2010

Dt



Companies House
— for the record —



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES