

316137 / 13

In accordance with  
Sections 859A and  
859J of the Companies  
Act 2006

# MR01

## Particulars of a charge



Companies House

A fee is payable with this form  
Please see 'How to pay' on the  
last page

You can use the Web  
Please go to www.companieshouse.gov.uk

☒ **What this form is for**  
You may use this form to register  
a charge created or evidenced by  
an instrument

☒ **What this form is NOT for**  
You may not use this form to  
register a charge where the  
instrument is not a legal charge



A22 \*A2B018QA\* #79  
21/06/2013  
COMPANIES HOUSE

This form **must be delivered to the Registrar for registration within 21 days** beginning with the day after the date of creation of the charge. If delivered outside of the 21 days it will be rejected unless it is accompanied by a court order extending the time for delivery.

You **must** enclose a certified copy of the instrument with this form. This will be scanned and placed on the public record.

### 1 Company details

Company number 0 1 9 9 4 1 2 2

Company name in full HALTON BOROUGH TRANSPORT LIMITED

For official use

→ **Filling in this form**  
Please complete in typescript or in  
bold black capitals

All fields are mandatory unless  
specified or indicated by \*

### 2 Charge creation date

Charge creation date 1 2 0 6 2 0 1 3

### 3 Names of persons, security agents or trustees entitled to the charge

Please show the names of each of the persons, security agents or trustees  
entitled to the charge

Name HALTON BOROUGH COUNCIL

Name

Name

Name

If there are more than four names, please supply any four of these names then  
tick the statement below

☐ I confirm that there are more than four persons, security agents or  
trustees entitled to the charge

# MR01

## Particulars of a charge

<b>4</b>	<b>Description</b>	<p>Please give a short description of any land (including buildings), ship, aircraft or intellectual property registered (or required to be registered) in the UK which is subject to this fixed charge or fixed security</p>	<p><b>Continuation page</b> Please use a continuation page if you need to enter more details</p>
Description	<p>All that the Company's freehold estate in the bus depot situate at Moor Lane Widnes shown edged red on plan 1 attached to the Debenture and forming part of the land registered at Land Registry with title absolute under title number CH285289</p> <p>AND</p> <p>All that the Company's leasehold estate in the bus park situate at Caldwell Road Widnes shown edged red on plan 2 attached to the Debenture</p>		
<b>5</b>	<b>Fixed charge or fixed security</b>	<p>Does the instrument include a fixed charge or fixed security over any tangible or intangible (or in Scotland) corporeal or incorporeal property not described above? Please tick the appropriate box</p> <p><input checked="" type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p>	
<b>6</b>	<b>Floating charge</b>	<p>Is the instrument expressed to contain a floating charge? Please tick the appropriate box</p> <p><input checked="" type="checkbox"/> <b>Yes</b> Continue</p> <p><input type="checkbox"/> <b>No</b> Go to <b>Section 7</b></p> <p>Is the floating charge expressed to cover all the property and undertaking of the company?</p> <p><input checked="" type="checkbox"/> <b>Yes</b></p>	
<b>7</b>	<b>Negative Pledge</b>	<p>Do any of the terms of the charge prohibit or restrict the chargor from creating any further security that will rank equally with or ahead of the charge? Please tick the appropriate box</p> <p><input checked="" type="checkbox"/> <b>Yes</b></p> <p><input type="checkbox"/> <b>No</b></p>	

MR01

Particulars of a charge

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Trustee statement <sup>①</sup>

You may tick the box if the company named in Section 1 is acting as trustee of the property or undertaking which is the subject of the charge

☐

<sup>①</sup> This statement may be filed after the registration of the charge (use form MR06)

9

Signature

Please sign the form here

Signature

Signature

X

ME Reaney

X

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

# MRO1

## Particulars of a charge



### Presenter information

We will send the certificate to the address entered below. All details given here will be available on the public record. You do not have to show any details here but, if none are given, we will send the certificate to the company's Registered Office address.

Contact name Edward Austin - Legal Services

Company name Halton Borough Council

Address Municipal Building 4th floor

Kingsway

Post town Widnes

County/Region Cheshire

Postcode W A 8 7 Q F

Country

DX

Telephone 0151 533



### 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 a certified copy of the instrument with this form
- ☐ You have entered the date on which the charge was created
- ☐ You have shown the names of persons entitled to the charge
- ☐ You have ticked any appropriate boxes in Sections 3, 5, 6, 7 & 8
- ☐ You have given a description in Section 4, if appropriate
- ☐ You have signed the form
- ☐ You have enclosed the correct fee
- ☐ Please do not send the original instrument, it must be a certified copy



### 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 filed on paper.

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](http://www.companieshouse.gov.uk) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.companieshouse.gov.uk)



**FILE COPY**

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

Company number. 1994122

Charge code: 0199 4122 0003

The Registrar of Companies for England and Wales hereby certifies that a charge dated 12th June 2013 and created by HALTON BOROUGH TRANSPORT LIMITED was delivered pursuant to Chapter A1 Part 25 of the Companies Act 2006 on 21st June 2013.

Given at Companies House, Cardiff on 25th June 2013



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES

*B*

**HALTON BOROUGH TRANSPORT LIMITED**

**Company registration number 01994122**

**ISSUE OF A DEBENTURE FOR £100,000**

**DEBENTURE**

1 Halton Borough Council whose principal office is situate at the Municipal Building, Kingsway, Widnes, Cheshire WA8 7QF ('the Council') will pay, to Halton Borough Transport Limited whose registered office is Moor Lane Depot Moor Lane Widnes WA8 7AF ('the Company'), the sum of £100,000 being the principal moneys secured ('the Principal Moneys') by this Debenture

2 The Company will repay to the Council, or other the registered holder of this Debenture for the time being the Principal Moneys with interest as calculated below on the terms set out in this Debenture.

3 The Company shall repay the Principal Moneys to the Council over a period of seven years in equal half yearly instalments on the last days of March and September in each year, the first instalment being paid on 30 September 2013.

4. The Company shall pay to the Council interest on the amount of the Principal Moneys outstanding from time to time at the annual percentage rate of 2.38%, such interest to be payable half yearly in arrears on the last days of March and September in each year starting on 30 September 2013

5. As security for the payment of the Principal Moneys and interest reserved by this Debenture the Company charges to the Council

5.1 by way of fixed charge the Land listed in the Schedule, and all fixtures and fittings attached to that Land and all rents receivable from any leases granted out of that Land;

5.2 by way of floating charge with the repayment of the Principal Moneys and interest as set out in clause 4 its undertaking and all its property and assets, both present and future, including uncalled capital for the time being

6. This Debenture is issued subject to and with the benefit of the Conditions set out in Schedule Two below

*Certified a true copy  
of the original.*

*Edward Austin  
EDWARD AUSTIN  
Interim Group Solicitor  
Halton Borough Council  
12 June 2013*

## **SCHEDULE ONE**

### **The Land**

ALL THAT the Company's freehold estate in the bus depot situate at Moor Lane Widnes shown edged red on Plan 1 attached and forming part of the land registered at Land Registry with title absolute under title number CH285289

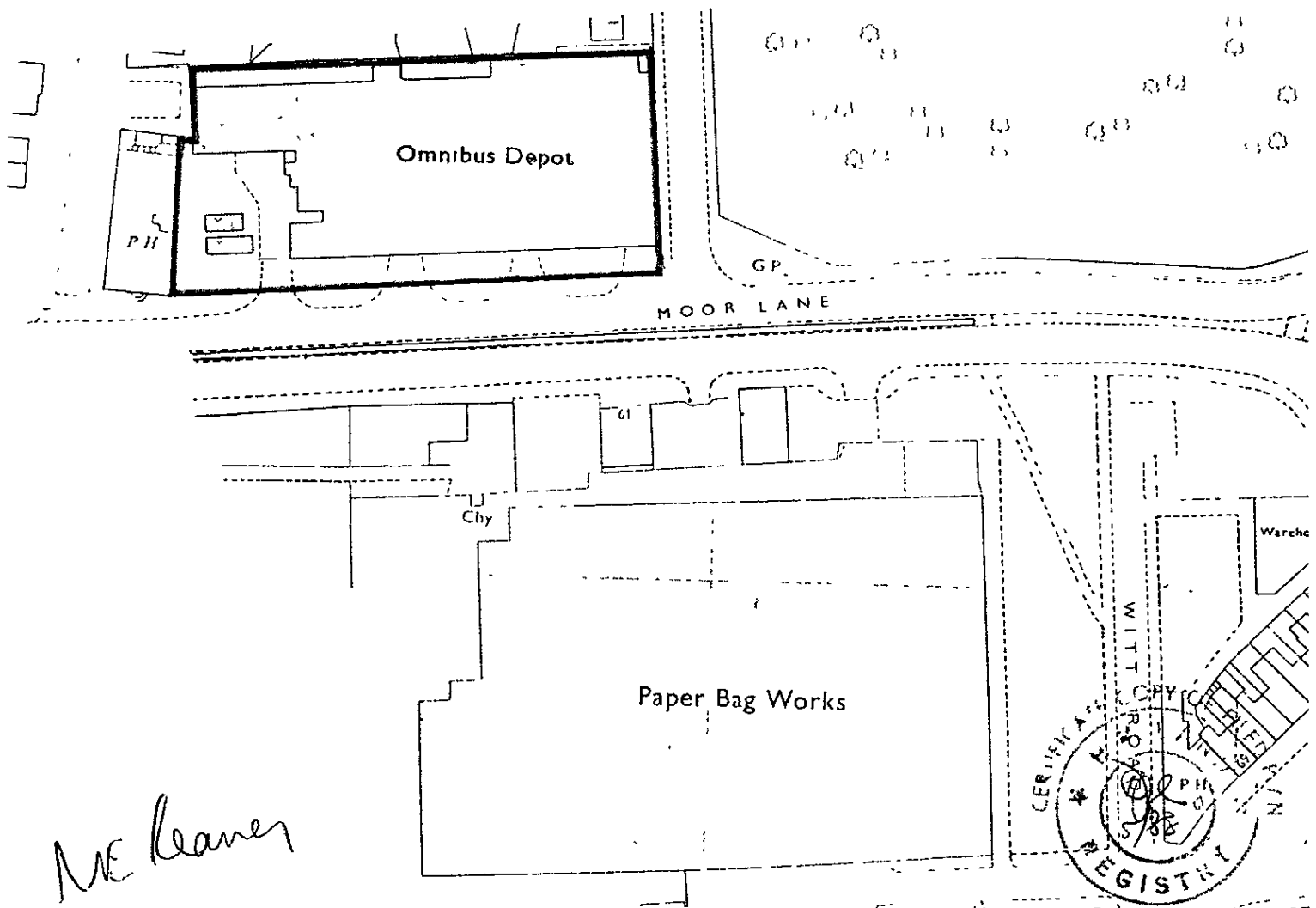
ALL THAT the Company's leasehold estate in the bus park situate at Caldwell Road Widnes shown edged red on Plan 2 attached title to which is to be registered at Land Registry

## **SCHEDULE TWO**

### **The Conditions**

- 1 This Debenture is a single Debenture for securing the Principal Moneys plus interest and is to rank as a fixed charge and separately as a floating charge on the property and assets hereby charged. Provided that the Company is not to be at liberty to create any future mortgage or charge on any of its property or assets (except specific charges for securing temporary loans or overdrafts in the ordinary course of business) ranking in priority to or ranking equally with this Debenture without the previous consent in writing of the registered holder or holders for the time being of this Debenture, or the personal representatives of a sole holder.
- 2 The Company will maintain a Register of Debentures will be kept and will enter in it the names, addresses and descriptions of the registered holders of this Debenture.
- 3 The registered holder will be regarded as exclusively entitled to the benefit of this Debenture, and all persons may act accordingly, and the Company shall not be bound to enter in the register notice of any trust or to recognise any other person as having any claim to or equitable or other interest in the same, save as ordered by the Court
- 4 Every transfer of this Debenture must be in writing under the hand or hands of the registered holder. The transfer must be delivered at the registered office of the Company with a fee of £35 plus VAT or other such reasonable fee as the Company shall from time to time elect and with such evidence of title or identity as the Company may reasonably require. The Company shall be entitled to retain the transfer document
- 5 No transfer will be registered during the seven days immediately preceding the respective days by this Debenture fixed for payment of interest

PLAN 1



McKeaney



# LAND REGISTRY

TITLE NUMBER

**CH285289**

SURVEY  
RENCE

SJ 5185

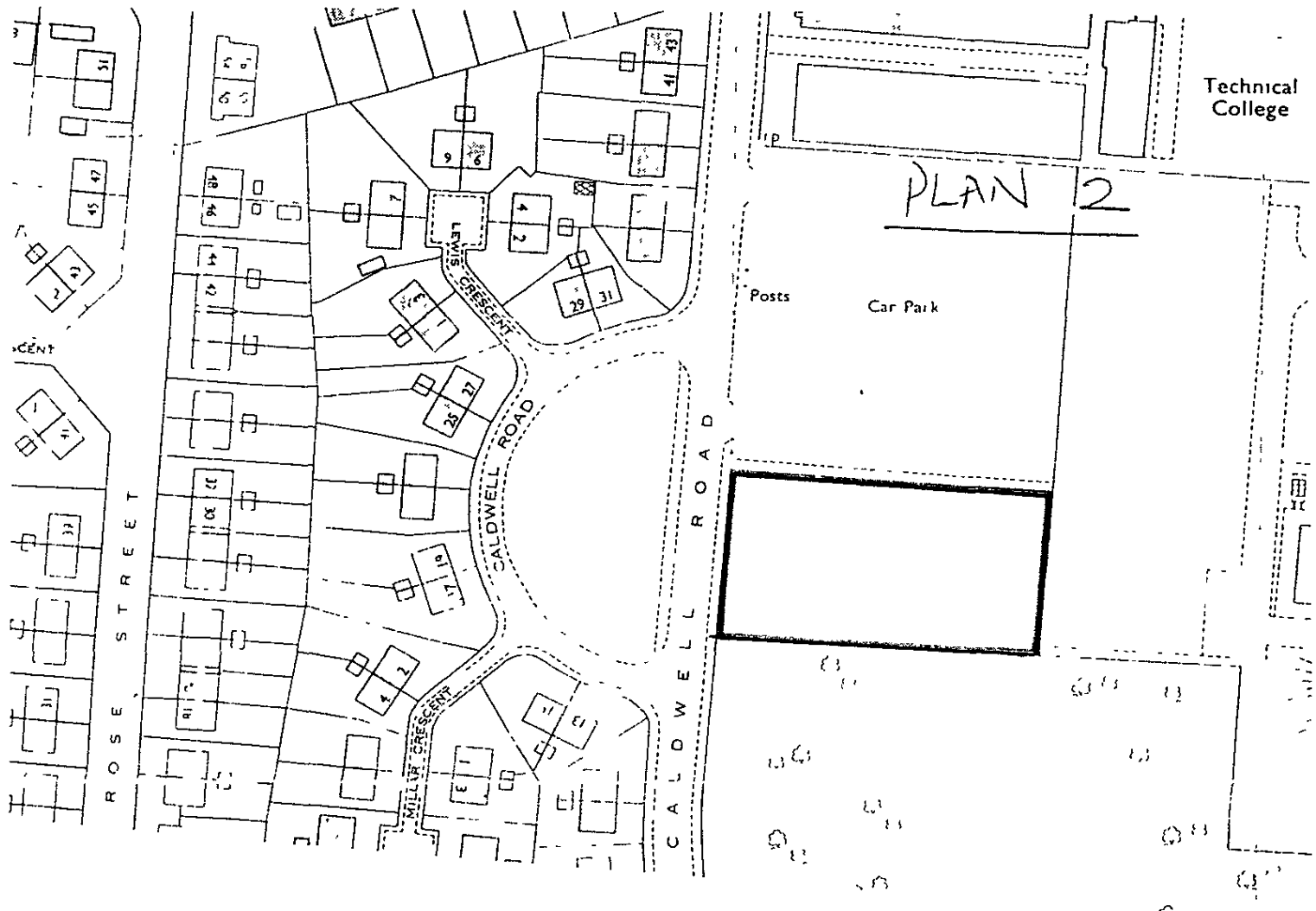
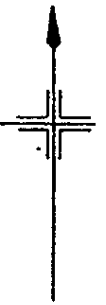
SECTION

Scale  
1/1250

IESHIRE

DISTRICT HALTON

© Crown copyright



*Mc Keaney*

6 The Principal Moneys and interest hereby secured will be paid without deduction counter-claim or set-off.

9. The Company may at any time give notice in writing to the registered holder of its intention to pay off this Debenture and upon the expiration of three months from such notice the Principal Moneys shall become payable

10 The Principal Moneys shall become immediately due and payable in full if any of the following occurs:

(A) If the Company defaults for a period of two months in the payment of any interest secured by this Debenture,

(B) If an order is made or a resolution is passed for the winding up of the Company;

(C) If a distress or execution be levied or enforced upon or against any of the chattels or property of the Company,

(D) If a Receiver is appointed of the Company's undertaking, property or assets or any part of its undertaking property or assets,

(E) If the Company ceases or threaten to cease to carry on its business

11. The registered holder of this Debenture may at any time after the Principal Moneys secured by this Debenture shall have become payable by writing under his or their hand or hands appoint a Receiver of the undertaking, property and assets charged by this Debenture with power for such Receiver in addition to exercising the powers conferred by the Law of Property Act 1925 ('the Act') to.

(A) manage and carry on the business of the Company

(B) take possession of, get in and collect the property and assets charged by this Debenture, and to sell, part-exchange, convert into money and realise the assets charged, and to convey the property sold in the name and on behalf of the Company free from the charges created by this Debenture, for which purpose the Company irrevocably appoints every such Receiver its attorney) and may at any time in like manner remove a Receiver so appointed and appoint another in their place with like powers Any Receiver so appointed shall so far as the law allows be deemed to be the agent of the Company for all purposes, and the holder or holders of this Debenture shall not be under any liability for his remuneration or otherwise All moneys received by any such Receiver shall, after providing for the matters specified in the first three paragraphs of Section 109(8) of the Act and in the Companies Act 2006 and for all costs, charges and expenses of and incidental to the exercise of the Receiver's powers, and subject to the provisions of the Act as to the application of insurance money, be applied in or towards satisfaction of the Principal Moneys and interest secured by this Debenture, and, subject as above, be held in trust for the

Company These provisions shall take effect by way of variation and extension of Sections 101 and 104 to 109 inclusive of the Act and those sections as amended, and the powers conferred on a mortgagee or Receiver by those sections, as so varied and extended, shall apply to and be exercisable by any such Receiver so far as applicable, and Section 103 of the Act shall not apply.

12 A notice may be served by the Company on the holder of this Debenture by personal service or by sending it through the post in a recorded delivery and signed for letter addressed in the case of the Council, to its principal address and in any other case to the registered address of such holder and any notice served by post shall be deemed to have been served on the day on which it is signed for, and in proving service of any such notice it shall be sufficient to prove that the letter was signed for

Given under the Common Seal of the Council and the Company

This 12 day of June 2013

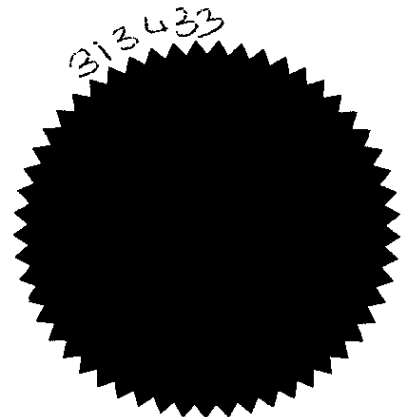
**THE COMMON SEAL of THE COUNCIL**


was affixed in the presence of:-

ME Reaney  
Authorised signature

313 433

Number in sealing register



EXECUTED as a deed by  JPL  
~~THE COMMON SEAL of THE COMPANY~~ —  
acting by  
was affixed in the presence of:-

Director



Secretary



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

Pursuant to section 869(2) of the Companies Act 2006

We certify that a mortgage or charge dated the 2013

and created by HALTON BOROUGH TRANSPORT LIMITED for securing £100,000

Was registered pursuant to Part 25 Chapter I of the Companies Act 2006, on

Given under my hand at the Companies Registration Office, Cardiff

Dated

.....

No 1994122

an authorised officer

DATED

HALTON BOROUGH TRANSPORT LIMITED

DEBENTURE for £100,000