

MG01

Particulars of a mortgage or charge

094447/26



**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  
register particulars of a charge for a  
company. To do this, please  
use form MG01s

FRIDAY



A04 \*A1E2R7E2\* 27/07/2012 #38  
COMPANIES HOUSE

**1 Company details**

Company number 0 7 6 7 7 6 9 2

Company name in full Company 1957 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 Date of creation of charge**

Date of creation d1 d7 m0 m8 y2 y0 y1 y1

**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 Charge

**4 Amount secured**

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

Amount secured

- all present and future obligations and liabilities (whether actual or contingent, whether owed jointly, severally or in any other capacity whatsoever and of whatsoever amount) (and whether on or at any time after demand) be due, owing or incurred in whatsoever manner to the Mortgagee and whether or not the Mortgagee shall have been an original party to the relevant transaction,
- all costs, charges and expenses incurred and all other monies paid by or in connection with the Legal Charge or the Property
- interest discount commission or other lawful charges and expenses and interest shall be computed and compounded

**Continuation page**

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

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## 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 Alumet Systems (UK) Limited

Address Senator House, Bourne End, Kineton Road Industrial Estate,

Southam, Warwickshire

Postcode C V 4 7 0 N A

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

By way of fixed charge,-

All leasehold property known as the Former Spa Ballroom, Spencer Street, Leamington Spa, CV31 3NF registered at HM Land Registry with Title No WK448389 and WK448396 ("the Property")

all right title and intent of the Company to and in any proceeds of any activities from time to time held upon the Property,

any goodwill existing from time to time attaching to the Property by reason of the carrying on at the Property any business of the Company or a predecessor,

any share held by the Company in any tenant's or occupier's management company affecting the Property or any estate of which the Property forms part,

the benefit of licences and the right to recover and receive any compensation payable in respect any licences,

all the right title and intent of the Borrower to receive all rents and other payments under any lease of the Property under which the Borrower is entitled to receive as landlord and to hold the same unto Alumet absolutely subject to re-assignment on redemption,

By way of floating charge the unfixed plant and machinery, implements utensils furniture stock in trade chattels and equipment of the Company on the Property

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## 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

Nil

### 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 870).


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 866). 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

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## 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 Ashley Simms

Company name Shakespeares

Address Somerset House

Temple Street

Birmingham

Post town

County/Region

Postcode

B 2 5 D J

Country

DX 702312 Birmingham 10

Telephone 0121 237 3000



### 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



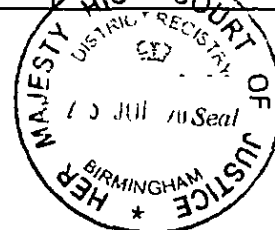
### Further information

For further information, please see the guidance notes on the website at [www.companieshouse.gov.uk](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)**

# General Form of Judgment or Order

|  |              |
|--|--------------|
| In the High Court of Justice<br>Chancery Division<br>Birmingham<br>District Registry |              |
| Claim Number   | 2BM30014     |
| Date   | 23 July 2012 |



|                                 |  |
|---------------------------------|--|
| ALUMET SYSTEMS (UK) LIMITED     | 1 <sup>st</sup> Claimant<br>Ref L.1 300455.6.JBH.JRW |
| COMPANY 1957 LIMITED            | 1 <sup>st</sup> Defendant<br>Ref                     |
| THE ROSE & CROWN RATLEY LIMITED | 2 <sup>nd</sup> Defendant<br>Ref                     |

Before District Judge Roger Sheldrake sitting at Birmingham District Registry, Civil Justice Centre, The Priory Courts, 33 Bull Street, Birmingham, B4 6DS.

**UPON THE APPLICATION** by an Part 8 Claim Form dated 20 February 2012 (as amended by Order of District Judge Musgrave dated 22 February 2012) of the above named Claimant

**AND UPON READING** the Amended Part 8 Claim Form, the Witness Statements of John Bailey Hughes dated 4 January 2012 and Victoria Jane Perks Simpson dated 8 February 2012.

**AND THE COURT** being satisfied

1. That the omission to deliver to the Registrar of Companies pursuant to Section 860 and 870 of the Companies Act 2006 ("the Act") the security hereinafter mentioned together with the prescribed particulars thereof was due to inadvertence and/or accident and that it is just and equitable to grant relief pursuant to Section 873 of the Act; and

2. That the Legal Charge entered into between the Claimant and the First Defendant on 17 August 2011 does not reflect the common and contractual intention of the parties due to the omission of title number WK448396 from reference under Schedule 1 of that Legal Charge by way of common mistake and that it is just and equitable in the circumstances to grant relief by way of rectification of the Legal Charge in the form set out below at paragraph 6

## IT IS ORDERED

1 The time for delivering to the Registrar of Companies for registration the legal charge against Company 1957 Limited in favour of the Claimant dated 17 August 2011 be extended for a period of 21 days from the date of this Order (the "Legal Charge")

- 2 The time for delivering to the Registrar of Companies for registration the legal charge against The Rose and Crown Ratley Limited in favour of the Claimant dated 17 August 2011 be extended for a period of 21 days from the date of this Order.
3. The time for delivering to the Registrar of Companies for registration the legal charge against Company 1957 Limited in favour of the Claimant dated 17 August 2010 be extended for a period of 21 days from the date of this Order.
4. The Claimant shall serve this Order on the Registrar of Companies
5. This Order is without prejudice to the rights of any person acquired between the date of the creation of the Security and the date of its actual registration
6. Schedule 1 of the Legal Charge be rectified and read in accordance with the common intention of the Claimant and Defendant as follows:

Schedule 1

The Property

The Leasehold properties known as the Ground Floor, First Floor and Second Floor, the former Spa Ballroom, Spencer Street, Leamington Spa, CV31 3NF registered at HM Land Registry with absolute title under title numbers WH448389 and WK448396.

- 7 There be no order as to costs.

Dated 13 July 2012



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

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

**COMPANY NO. 7677692  
CHARGE NO. 4**

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES  
HEREBY CERTIFIES THAT A LEGAL CHARGE DATED 17  
AUGUST 2011 AND CREATED BY COMPANY 1957 LIMITED FOR  
SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE  
COMPANY TO ALUMET SYSTEMS (UK) LIMITED ON ANY  
ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO  
CHAPTER 1 PART 25 OF THE COMPANIES ACT 2006 ON THE 27  
JULY 2012

GIVEN AT COMPANIES HOUSE, CARDIFF THE 1 AUGUST 2012

*de*



*Companies House*  
— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES