

M

CHWP000

COMPANIES FORM No. 466(Scot)

**Particulars of an instrument of
alteration to a floating charge created
by a company registered in Scotland****466**

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

*Please do not
write in
this margin*

Pursuant to section 410 and 466 of the Companies Act 1985

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

** insert full name
of company*

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

For official use

Company number

189

SC013655

Name of company

* CALA Management Limited

Date of creation of the charge (note 1)

21 December 2009

Description of the instrument creating or evidencing the charge or of any ancillary document which has
been altered (note 1)

Floating Charge

Names of the persons entitled to the charge

Bank of Scotland plc (Company Number SC327000) and having its registered office at the Mound,
Edinburgh, EH1 1YZ as agent and security trustee

Short particulars of all the property charged

The whole of the property, assets and rights (including uncalled capital) which is or may from time to
time of the Chargor (the "Charged Assets")

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

Pinsent Masons LLP
13 Queen's Road
Aberdeen
AB15 4YL
DX AB 32 ABERDEEN

For official use (02/06)

Charges Section

Post room

THURSDAY



S7IAJ0CX

SCT

08/11/2018

#291

COMPANIES HOUSE

Names, and addresses of the persons who have executed the instrument of alteration (note 2)

John Tocher for and on behalf of the Bank of Scotland plc, Commercial Banking, 4th Floor, Citymark, 150 Fountainbridge, Edinburgh EH3 9PE

Ross MacLennan and David Fraser Carr, for and on behalf of CALA Management Limited, Adam House, 5 Mid New Cultins, Edinburgh, EH11 4DU

Philip Alexander McDonald, residing at Avenida Pintor Fernando Soria 7, Bloque 11, ESC5, 4C Izquierda 03540, Alicante, Spain

Mrs Lynda Margaret McDonald or Bruce, residing at Kamiri, Ellon, Aberdeenshire, AB41 8EQ

Mr Derek Bruce McDonald residing at Sunnyside Stables, Kirk Brae, Cults

Mrs Lesley Mary McDonald or Davidson, residing at Fernlea, Lyne of Skene, Westhill, AB32 7BQ

*Please do not
write in
this margin*

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

Date(s) of execution of the instrument of alteration

18 October 2018

30 October 2018

A statement of the provisions, if any, imposed by the instrument of alteration prohibiting or restricting the creation by the company of any fixed security or any other floating charge having, priority over, or ranking pari passu with the floating charge

N/A

Short particulars of any property released from the floating charge

N/A

The amount, if any, by which the amount secured by the floating charge has been increased

N/A

A statement of the provisions, if any, imposed by the instrument of alteration varying or otherwise regulating the order of the ranking of the floating charge in relation to fixed securities or to other floating charges

*Please do not
write in
this margin*

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

The parties agree that the Standard Security will rank prior to all of the Floating Charges and the Debentures in respect of all sums and/or obligations secured by the Standard Security, notwithstanding the terms of the Floating Charges, the Debentures and/or any previous alterations to any or all of them

N/A

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

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

Signed

RODNEY WHITE,
PARTNER, PINSENT
MASON LLP.

Date

07.11.2018

On behalf of ☒ company ☐ chargee

Notes

1. A description of the instrument e.g. "Instrument of Charge" "Debenture" etc as the case may be, should be given. For the date of creation of a charge see section 410(5) of the Companies Act.
2. In accordance with section 466(1) the instrument of alteration should be executed by the company, the holder of the charge and the holder of any other charge (including a fixed security) which would be adversely affected by the alteration.
3. A certified copy of the instrument of alteration, together with this form with the prescribed particulars correctly completed must be delivered to the Registrar of Companies within 21 days after the date of execution of that instrument.
4. A certified copy must be signed by or on behalf of the person giving the certification and where this is a body corporate it must be signed by an officer of that body.
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 are to be made payable to **Companies House**.
6. The address of the Registrar of Companies is: Companies Registration Office, 139 Fountainbridge, Edinburgh EH3 9FF
DX 235 Edinburgh or LP - 4 Edinburgh 2

☐ delete as appropriate



FILE COPY

**CERTIFICATE OF THE REGISTRATION
OF AN ALTERATION TO A FLOATING CHARGE**

COMPANY NO. 13655

CHARGE NO. 189

I HEREBY CERTIFY THAT PARTICULARS OF AN INSTRUMENT
OF ALTERATION DATED 30 OCTOBER 2018 WERE DELIVERED
PURSUANT TO SECTION 878 OF THE COMPANIES ACT 2006
ON 8 NOVEMBER 2018

THE INSTRUMENT RELATES TO A CHARGE CREATED ON 21
DECEMBER 2009

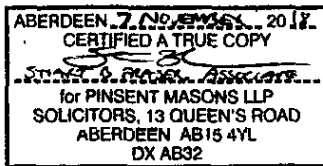
BY CALA MANAGEMENT LIMITED

IN FAVOUR OF
BANK OF SCOTLAND PLC

FOR SECURING ALL SUMS DUE OR TO BECOME DUE

GIVEN AT COMPANIES HOUSE, EDINBURGH 13 NOVEMBER 2018

BANK OF SCOTLAND



Commercial Banking
4th Floor, Citymark
150 Fountainbridge
Edinburgh
EH3 9PE

Tel 01733 885 783

Fax 0844 984 1582

Email: SAM@Lloydsbanking.com

CALA Management Limited
Adam House
5 Mid New Cultins
Edinburgh
EH11 4DU

and

Philip Alexander McDonald and others (the "Sellers")
c/o Stronachs LLP
Solicitors
28 Albyn Place
Aberdeen
AB10 1FW

Date: 18 October 2018

Dear Sirs

Customer: CALA Management Limited (Company Number SC013655) ("the Customer")
Subjects: Subjects at Sunnyside, Cults, Aberdeen

We refer to (i) the floating charge granted in our favour by the Customer and dated 29 November 2007 and registered with the Registrar of Companies on 5 December 2007 and (ii) the floating charge granted in our favour by our Customer and dated 21 December 2009 and registered with the Registrar of Companies on 23 December 2009 and (iii) the floating charge in our favour by our Customer and dated 10 July 2018 and registered with the Registrar of Companies on 19 July 2018 (together or individually "Floating Charges") and (iv) the debenture granted in our favour by the Customer and dated 21 December 2009 and registered with the Registrar of Companies on 23 December 2009 and (v) the debenture granted in our favour by the Customer and dated 29 June 2010 and registered with the Registrar of Companies on 7 July 2010 (together or individually, and in all cases being deemed to include reference to the floating charges created thereunder, "Debentures") and confirm:

1. that at this date we have taken no steps to crystallise any of the Floating Charges or any of the Debentures and are not aware of any circumstances arising which would lead to the crystallisation of the Floating Charges or Debentures;

www.bankofscotlandcommercial.co.uk

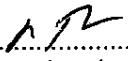
Please contact us if you'd like this letter in Braille, large print or on audio tape


We accept calls via Text Relay. Calls may be monitored or recorded in case we need to check we have carried out your instructions correctly and to help improve our quality of service. Bank of Scotland plc Registered office: The Mound, Edinburgh EH1 1YZ. Registered in Scotland No. SC327000. Authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority under registration number 169628. Bank of Scotland plc is covered by the Financial Services Compensation Scheme and the Financial Ombudsman Service. (Please note that due to the schemes' eligibility criteria not all Bank of Scotland business customers will be covered by these schemes.) Part of Lloyds Banking Group. The Lloyds Banking Group includes Bank of Scotland plc and a number of other companies using brands including Lloyds, Halifax and Bank of Scotland, and their associated companies.

pm

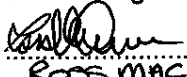
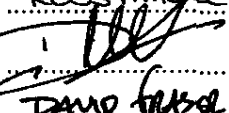
2. we consent to the grant by the Customer of a first ranking standard security in favour of the Sellers over the subjects at Sunnyside, Cults, Aberdeen shown coloured pink and yellow on the Plan annexed and executed as relative hereto ("Property") in security of certain obligations provided for in the contract between the Sellers and the Customer in respect of *inter alia* the Property, dated said standard security 12 October 2018 and to be registered in the Land Register of Scotland ("the Standard Security") and that notwithstanding the terms of the Floating Charges and/or the Debentures and we acknowledge that the Standard Security ranks prior to all of the Floating Charges and the Debentures;
3. the parties agree that the Standard Security will rank prior to all of the Floating Charges and the Debentures in respect of all sums and/or obligations secured by the Standard Security, notwithstanding the terms of the Floating Charges, the Debentures and/or any previous alterations to any or all of them;
4. this letter may be relied upon by the Sellers as ranking the Standard Security (in questions as between the Sellers and us and/or our successors in ownership of the debt of the Customer) in the manner provided for in paragraph 3 hereof; and
5. this letter constitutes an instrument of alteration of the Floating Charges and Debentures created by a company registered in Scotland pursuant to section 466 of the Companies Act 1985 and/or Section 859O of the Companies Act 2006 (and accordingly this letter constitutes an instrument of alteration of each of the Floating Charges and the Debentures).

Yours faithfully


 For and on behalf of
 Bank of Scotland plc
 Attorney
 Name: JOHN TOOMER


 Witness
 Name: RYAN GAVEN
 Address: New Aberdeen Horse
111 Exel Gray Street, Edinburgh. EH3 9BN.

We, CALA Management Limited, a company incorporated under the Companies Acts (Registered No SC013655) and having its Registered Office at Adam House, 5 Mid New Cultins, Edinburgh, EH11 4DU, acknowledge and accept the foregoing letter

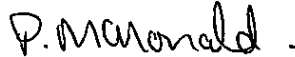

ROSS MACLENNAN ~~Director / Secretary~~ / Authorised Signatory
 Name

DAVID FRASER ~~Director~~ / Authorised Signatory
 Name

Power.

We, Philip Alexander McDonald, residing at Avenida Pintor Fernando Soria-7, Bloque 11, ESC5, 4C Izquierda 03540, Alicante, Spain, Mrs Lynda Margaret McDonald or Bruce, residing at Kamiri, Ellon, Aberdeenshire, AB41 8EQ, Mr Derek Bruce McDonald, residing at Sunnyside Stables, Kirk Brae, Cults, Mrs Lesley Mary McDonald or Davidson, residing at Fernlea, Lyne of Skene, Westhill, AB32 7BQ, acknowledge receipt of the foregoing letter and accept the provisions thereof.

Subscribed by PHILIP ALEXANDER MCRONALD
at ALICANTE.

on 30 OCTOBER 2018
before this witness

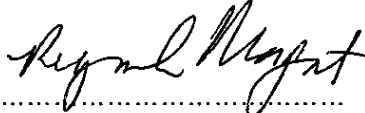

Signature of PHILIP ALEXANDER
MCRONALD

REYNO DE LEON MAGAT

Full Name (Witness)

AVENIDA PINTOR FERNANDO SORIA 12
ESCALERA 7, 1-B, DERECHA
03540, ALICANTE, SPAIN

Address


Signature of Witness

Subscribed by MRS LYNDA MARGARET MCRONALD
or BRUCE
at

on 2018
before this witness

Signature of MRS LYNDA
MARGARET MCRONALD or
BRUCE

Full Name (Witness)

Address

Signature of Witness

We, Philip Alexander McRonald, residing at Avenida Pintor Fernando Soria-7, Bloque 11, ESC5, 4C Izquierda 03540, Alicante, Spain, Mrs Lynda Margaret McRonald or Bruce, residing at Kamiri, Ellon, Aberdeenshire, AB41 8EQ, Mr Derek Bruce McRonald, residing at Sunnyside Stables, Kirk Brae, Cults, Mrs Lesley Mary McRonald or Davidson, residing at Fernlea, Lyne of Skene, Westhill, AB32 7BQ, acknowledge receipt of the foregoing letter and accept the provisions thereof.

Subscribed by PHILIP ALEXANDER MCRONALD
at

on 2018
before this witness

.....
Signature of PHILIP ALEXANDER
MCRONALD

.....
Full Name (Witness)
.....
.....
.....


Address

.....
Signature of Witness

Subscribed by MRS LYNDA MARGARET MCRONALD
or BRUCE

at BOGHEAD STEADING, ELLON

on 18.10.18 2018
before this witness


.....
Signature of MRS LYNDA
MARGARET MCRONALD or
BRUCE

.....
Full Name (Witness)

LINSEY THOMSON-FULLERTON

.....
Address

BOGHEAD STEADING,
BEREFOLD,
ELLON
AB41 8EQ.


.....
Signature of Witness

Subscribed by DEREK BRUCE MCRONALD

at COLTS, ABERDEEN

on 18TH OCTOBER, 2018
before this witness



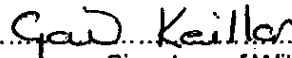
Signature of DEREK BRUCE
MCRONALD

GAIL KEILLOR

Full Name (Witness)

MAINS OF CLASHFARQUHAR
DOWNIES VILLAGE PORTZETHEN
ABERDEEN AB12 4QX

Address



Signature of Witness

Subscribed by MRS LESLEY MARY MCRONALD or
DAVIDSON
at

on 2018
before this witness

Signature of MRS LESLEY MARY
MCRONALD or DAVIDSON

Full Name (Witness)

Address

Signature of Witness

Subscribed by DEREK BRUCE MCRONALD
at

on 2018
before this witness

Signature of DEREK BRUCE
MCRONALD

Full Name (Witness)

Address

Signature of Witness

Subscribed by MRS LESLEY MARY MCRONALD or
DAVIDSON

at *Fairlea A832 76Q*

on *18 October* 2018
before this witness

Lesley M Davidson
Signature of MRS LESLEY MARY
MCRONALD or DAVIDSON

Mrs Suzanne Niven
Full Name (Witness)

13 St. Romans Circle
Peterculter
ABERDEEN AB14 0NE

Address

Suzanne Niven
Signature of Witness