



Registration of a Charge

Company Name: **CALA MANAGEMENT LIMITED**

Company Number: **SC013655**



Received for filing in Electronic Format on the: **13/03/2024**

XCYTLC9E

Details of Charge

Date of creation: **06/03/2024**

Charge code: **SC01 3655 0548**

Persons entitled: **THE CITY OF EDINBURGH COUNCIL**

Brief description: **ALL AND WHOLE THE THREE AREAS SHOWN OUTLINED AND COLOURED RED ON THE PLAN ANNEXED AND EXECUTED AS RELATIVE HERETO, WHICH SUBJECTS FORM PART AND PORTION OF THE PROPERTY KNOWN AS AND FORMING ST. CRISPINS SCHOOL, 19 WATERTOUN ROAD, EDINBURGH EH9 3HZ, WHICH SUBJECTS FORM PART AND PORTION OF THE SUBJECTS DESCRIBED IN AND DISPONED BY DISPOSITION BY JAMES MILLER AND PARTNERS LIMITED IN FAVOUR OF THE LORD PROVOST MAGISTRATES AND COUNCIL OF THE CITY OF EDINBURGH DATED 24 DECEMBER 1952 AND RECORDED IN THE DIVISION OF THE GENERAL REGISTER OF SASINES FOR THE COUNTY OF MIDLOTHIAN ON 8 JANUARY 1953, AND WHICH SUBJECTS ARE CURRENTLY UNDERGOING REGISTRATION IN THE LAND REGISTER OF SCOTLAND UNDER TITLE NUMBER MID238701 WITH APPLICATION NUMBER 23MID09647.**

Contains negative pledge.

Authentication of Form

This form was authorised by: **a person with an interest in the registration of the charge.**

Authentication of Instrument

Certification statement: **I CERTIFY THAT SAVE FOR MATERIAL REDACTED PURSUANT TO S.859G OF THE COMPANIES ACT 2006 THE ELECTRONIC COPY INSTRUMENT DELIVERED AS PART OF THIS APPLICATION FOR REGISTRATION IS A CORRECT COPY OF THE ORIGINAL INSTRUMENT.**

Certified by: **MORTON FRASER MACROBERTS LLP**



CERTIFICATE OF THE REGISTRATION OF A CHARGE

Company number: 13655

Charge code: SC01 3655 0548

The Registrar of Companies for Scotland hereby certifies that a charge dated 6th March 2024 and created by CALA MANAGEMENT LIMITED was delivered pursuant to Chapter A1 Part 25 of the Companies Act 2006 on 13th March 2024 .

Given at Companies House, Edinburgh on 13th March 2024

The above information was communicated by electronic means and authenticated by the Registrar of Companies under section 1115 of the Companies Act 2006



Companies House



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES

STANDARD SECURITY
by
CALA MANAGEMENT LIMITED
in favour of
THE CITY OF EDINBURGH
COUNCIL

2024
KC7/AE/01393.00677



MORTON
FRASER
MACROBERTS
LLP

WE, CALA Management Limited, incorporated under the Companies Acts with registered number SC013655 and having our registered office at Adam House, 5 Mid New Cullins, Edinburgh, EH11 4DU ("CALA"), in security of the obligation to pay the Price Tranche 3 and 33.33% of the Corporate Property Charge (as defined in the Missives aftermentioned) undertaken by us and due to The City of Edinburgh Council, a local authority constituted in terms of the Local Government etc (Scotland) Act 1994 and having its principal office at Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG (the "Council") in terms of the Missives between us, CALA and the Council constituted by formal letters exchanged between Burness Paull LLP on behalf of CALA and Morton Fraser LLP on behalf of the Council dated 14 and 15 June 2021, 12, 16 and 26 August 2021, 7 September 2021, 13 and 15 October 2021, 1 and 2 November 2021, 28 January 2022, 20 and 25 April 2022, and 2 and 3 March 2023 (the "Missives") (as same may be further varied, amended, supplemented, novated or replaced from time to time) in relation to the Security Subjects (as hereinafter defined) DO HEREBY GRANT a Standard Security in favour of the Council over ALL and WHOLE the three areas shown outlined and coloured red on the plan annexed and executed as relative hereto (the "Plan"), which subjects form part and portion of the property known as and forming St. Crispins School, 19 Watertoun Road, Edinburgh EH9 3HZ, which subjects form PART and PORTION of the subjects described in and disposed by Disposition by James Miller and Partners Limited in favour of the Lord Provost Magistrates and Council of the City of Edinburgh dated 24 December 1952 and recorded in the Division of the General Register of Sasines for the County of Midlothian on 8 January 1953, and which subjects are currently undergoing registration in the Land Register of Scotland under Title Number MID238701 with application number 23MID09647; TOGETHER WITH by way of inclusion and not exception the whole parts, privileges and pertinents thereof and CALA's whole respective right, title and interest present and future in and to the Security Subjects ("the Security Subjects"); The standard conditions specified in Schedule 3 to the Conveyancing and Feudal Reform (Scotland) Act 1970 (the "Act"), and any lawful variation thereof operative for the time being, shall apply under declaration that the said Standard Conditions shall be varied to the effect specified in the Schedule of Variations of Standard Conditions annexed and executed as relative hereto; And CALA grant warrandice: IN WITNESS WHEREOF these presents consisting of this page, together with the schedule and the plan annexed are executed as follows:-

SUBSCRIBED for and on behalf of CALA Management Limited by its attorney, CALA Homes (East) Limited in terms of a Power of Attorney dated 1 January 2024

at FALKIRK

on 4TH MARCH 2024

by

Derek Lumsden

Print Full name

Director of CALA Homes (East) Limited

Derek A Hamilton

Print Full Name

Director of CALA Homes (East) Limited

This is the Schedule of Variations referred to in the foregoing Standard Security granted by CALA Management Limited in favour of The City of Edinburgh Council Limited.


SCHEDULE

- 1 Standard Conditions 1, 2, 4 and 6 shall be delete and shall not apply.
- 2 Standard Condition 5 shall be varied to the effect that CALA shall not be obliged to (i) insure the security subjects in the name of the Council or (ii) deposit the policy of insurance with the Council, and PROVIDED THAT for the avoidance of doubt, the existence of any outstanding claim shall not prevent the Council from discharging this Standard Security in accordance with the terms of the Missives;
- 3 Condition 7 of the Standard Conditions shall apply as if references to "the standard conditions" therein are references to the Standard Conditions as varied hereby.
- 4 Condition 12 of the Standard Conditions is amended by the deletion of the words "for the whole expenses of the preparation and execution of the standard security and any variation, restriction and discharge thereof and, where any of those deeds are recorded, the recording thereof,".
- 5 CALA shall be entitled at any time during the continuance of the Standard Security to create a security or charge over the Security Subjects ranking subsequent to the Standard Security without any requirement to obtain the consent of the Council subject to notifying the Council within 2 working days of the creation of any such security or charge.
- 6 CALA shall at any time during the continuance of the Standard Security be entitled to grant deeds of conditions or other real rights, servitudes and wayleaves in respect of the Security Subjects and that without any requirement to obtain the consent of the Council, but provided always that where the areas to benefit or are to be burdened include areas within the Security Subjects and those within the larger subjects owned by CALA shown outlined by a broken red line on the Plan (in terms of the deed of conditions or other deed creating real rights, servitudes and wayleaves or a preceding or subsequent deed by CALA) there shall, where appropriate, be uniformity in treatment of units between those units located or to be located on the Security Subjects and those units located or to be located on the said larger subjects owned by CALA.
- 7 Should CALA at any time during the continuance of the Standard Security require to enter into any agreements with the local planning, roads, or any other relevant authority which are intended to create real burdens in relation to the title of the Security Subjects and which are required to facilitate, or as a precondition to the grant of any of the consents required for, development of the Security Subjects, the Council shall require to consent to the entering into of such agreements, such consent not to be unreasonably withheld or unreasonably delayed, and for the avoidance of doubt if no response is received from the Council within ten working days of CALA's written request for approval, the Council's consent shall be deemed to have been given.
- 8 Each of the provisions of the Standard Security is severable and distinct from the others and if at any time one or more of such provisions is or becomes invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby.
- 9 Words and expressions used in this Schedule shall unless the context otherwise requires have the same meanings as words and expressions in Schedule 3 of the Conveyancing and Feudal Reform (Scotland) Act 1970.

- 10 The headings in this Schedule are for guidance only and shall not affect the interpretation of the provisions hereof.



Director of CALA Homes (East) Limited



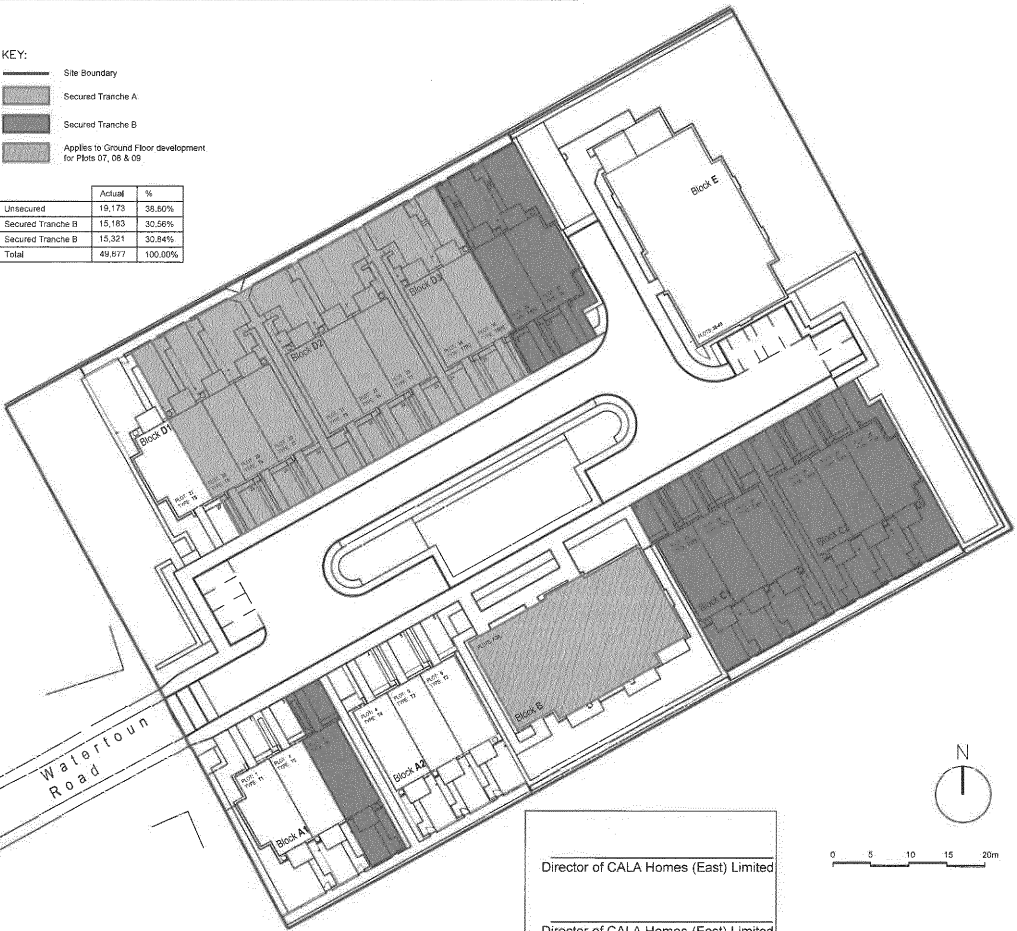
Director of CALA Homes (East) Limited

This is the plan referred to in the foregoing standard security by CALA Management Limited in favour of The City of Edinburgh Council

KEY:

- Site Boundary
- Secured Tranche A
- Secured Tranche B
- Applies to Ground Floor development for Pairs 07, 08 & 09

| | Actual | % |
|-------------------|--------|---------|
| Unsecured | 19,173 | 38.60% |
| Secured Tranche B | 15,163 | 30.56% |
| Secured Tranche B | 15,321 | 30.84% |
| Total | 49,657 | 100.00% |



Director of CALA Homes (East) Limited

Director of CALA Homes (East) Limited

| REVISIONS | Initial | Check |
|----------------------|---------|-------|
| Revision/Description | | |
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CALA MANAGEMENT LIMITED
Cairnlee House, Callendar Business Park
Callendar Road, Falkirk, FK1 1XE
Tel 01324 600000 Fax 01324 600001
www.cala.co.uk

JOB TITLE:
**ST CRISPIN'S COURT
EDINBURGH**

DRAWING TITLE:
STANDARD SECURITY PLAN

| | | |
|---------------|-----------------|----------------|
| SCALE: 1:500 | SHEET SIZE: A3 | DATE: FEB 2024 |
| DRAWN BY: JH | | |
| SITE: EA00207 | DRG No: SEC-001 | REV: - |

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