

7-10733/13
MG01

Particulars of a mortgage or charge



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

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FRIDAY



A1LCPFUY

A23

09/11/2012

#162

COMPANIES HOUSE

For official use

1 Company details

Company number 0 2 8 8 4 3 4 7

Company name in full Firstsite Limited (the "Company")

2

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 0 5 1 1 2 0 1 2

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 (the "Charge")

4 Amount secured

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

Amount secured

All or any monies and liabilities which are for the
time being and from time to time (and whether on or
at any time after demand) due, owing or payable, or
expressed to be due, owing or payable, in
whatsoever manner to ACE (as defined hereafter) by
the Company pursuant to the Deed of Undertaking (as
defined hereafter) whether actually or
contingently, solely or jointly and whether as
principal or surety, and whether or not ACE shall
have been an original party to the relevant
transaction, including, without limitation interest
and all other charges or expenses which ACE may
charge or incur in respect of any of those matters,
as well after as before any demand made or decree
or judgment obtained under the Charge (the "**Secured
Liabilities**").

Continuation page

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

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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

Name

The Arts Council of England ("ACE")

Address

14 Great Peter's Street

London

Postcode

S W 1 P 3 N Q

Name

Address

Postcode

Continuation page

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

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

Security

1.1 The Company with Full Title Guarantee (as defined hereafter) agreed to charge as continuing security for the payment and discharge of the Secured Liabilities to ACE by way of first legal mortgage the Property (as defined hereafter).

1.2 As further security for the Secured Liabilities, the Company agreed to assign and covenant to assign absolutely to ACE all its right title interest and benefit in and to all rents or other amounts present or future and whether payable now or in the future by all lessees sub lessees licensees or occupiers of the Property.

Restrictions

2.1 The Company agreed not to without the previous consent of ACE

2.1.1 sell, assign, subcontract, subparticipate or in any other fashion dispose of the Property, or

2.1.2 create or permit to subsist or arise any any mortgage charge pledge lien assignment hypothecation security interest preferential right or trust arrangement or other encumbrance security agreement or arrangement of any kind or any right conferring a priority of payment or any right or option on the Property or any part thereof, subject as aforesaid any mortgage of or charge on the Property created by the Company (otherwise than in favour of ACE) shall be expressed to be subject to the Charge.

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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

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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).

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Signature

Please sign the form here

Signature

Signature

X




Blaise Caplan

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	Natalie Coates
Company name	Blake Laphorn
(Ref	NCC.292814.10
Address	New Kings Court
	Tollgate
	Chandler's Ford
Post town	Eastleigh
County/Region	Hampshire
Postcode	S O 5 3 3 L G
Country	UNITED KINGDOM
DX	155850 EASTLEIGH 7
Telephone	023 8085 7092
 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	
<input type="checkbox"/> The company name and number match the information held on the public Register	
<input type="checkbox"/> You have included the original deed with this form	
<input type="checkbox"/> You have entered the date the charge was created	
<input type="checkbox"/> You have supplied the description of the instrument	
<input type="checkbox"/> You have given details of the amount secured by the mortgagee or chargee	
<input type="checkbox"/> You have given details of the mortgagee(s) or person(s) entitled to the charge	
<input type="checkbox"/> You have entered the short particulars of all the property mortgaged or charged	
<input type="checkbox"/> You have signed the form	
<input type="checkbox"/> 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	

In accordance with
Section 860 of the
Companies Act 2006

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**4****Amount secured**

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

Amount secured

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Particulars of a mortgage or charge



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

Please give the name and address of the mortgagee(s) or person(s) entitled to the charge

Name

Address

Postcode

Name

Address

Postcode

Name

Address

Postcode

Name

Address

Postcode

Name

Address

Postcode

Name

Address

Postcode

Name

Address

Postcode

Name

Address

Postcode

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<p>6</p>	<p>Short particulars of all the property mortgaged or charged</p> <p>Please give the short particulars of the property mortgaged or charged</p>	
<p>Short particulars</p>	<p>Definitions:</p> <p>Deed of Undertaking - means the deed dated 8 February 2010 as varied by a deed of variation dated on or around the date of the Charge and made between ACE and the Company pursuant to which the Company gave a limited guarantee of the obligations of Colchester Borough Council and undertook to enter into the Charge,</p> <p>Full Title Guarantee -has the meaning ascribed by the Law of Property (Miscellaneous Provisions) Act 1994, and</p> <p>Property - means the leasehold property known as Visual Arts Facility (Firstsite Newsite) St Botolphs Quarter Colchester Essex as the same is registered at HM Land Registry with Title No EX877953 and any part or parts of it and including all rights attached or appurtenant to it and all buildings fixtures from time to time situate on it</p>	



CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

**COMPANY NO. 2884347
CHARGE NO 2**

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES
HEREBY CERTIFIES THAT A LEGAL MORTGAGE DATED 5
NOVEMBER 2012 AND CREATED BY FIRSTSITE LIMITED FOR
SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE
COMPANY TO THE ARTS COUNCIL OF ENGLAND 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 9 NOVEMBER
2012

GIVEN AT COMPANIES HOUSE, CARDIFF THE 12 NOVEMBER
2012

DX



Companies House



**THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES**