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COMPANIES FORM NO. 395

# 395

**Particulars of a mortgage or charge**

Pursuant to section 395 of the Companies Act 1985

Please do not  
write in  
this marginPlease complete  
legibly, preferably  
in black type, or  
bold block lettering\*insert full name  
of company

To the Registrar of Companies

For official use

Company number

[ T T T ]  
[ 3 ]

3346172

Name of company

\* HOTEL DU VIN (TUNBRIDGE WELLS) LIMITED

Date of creation of the charge

30<sup>th</sup> day of JULY 1997 ✓

Description of the instrument (if any) creating or evidencing the charge (note 2)

Legal Charge of Licensed Premises

Amount secured by the mortgage or charge

All the Company's liabilities to The Royal Bank of Scotland plc (the 'Bank') of any kind and in any currency (whether present or future actual or contingent and whether incurred alone or jointly with another) including banking charges, commission, interest, costs and expenses.

Names and addresses of the mortgagees or persons entitled to the charge

The Royal Bank of Scotland plc

36 St Andrew Square

Edinburgh

Postcode

EH2 2YB

Presentor's name address and  
reference (if any):ENSOR BYFIELD  
EQUITY COURT  
73-75 MILLBROOK RD EAST  
SOUTHAMPTON

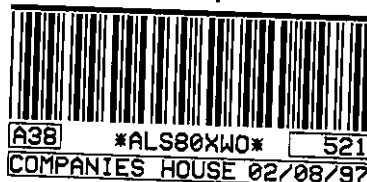
Manchester 3

REF JMA

Time critical reference

For official Use  
Mortgage Section

Post room



1 By way of legal mortgage:-

CALVERLEY HOTEL TUNBRIDGE WELLS KENT  
TITLE NUMBER K369961

(the 'Property') including all covenants and rights affecting or concerning the Property.

2 By way of fixed charge:-

- 2.1 The plant, machinery and fixtures and fittings of the Company now and in the future at the Property.
- 2.2 The furniture furnishings equipment tools and other chattels of the Company now and in the future at the Property and not regularly disposed of in the ordinary course of business.
- 2.3 The benefit of all justices, excise or other licences or registration certificates held from time to time in connection with the business carried on at the Property and the right to recover and receive any compensation payable at any time on account of the non-renewal of such licences.
- 2.4 The present and future goodwill of any business carried on at the Property by or on behalf of the Company and the proceeds of any insurance from time to time affecting the Property or the assets and the licences referred to above.

Note:- The Legal Charge contains covenants by the Company with the Bank not without the Bank's prior written consent to:

- (a) create or permit to arise any mortgage charge or lien on the charged property, nor to dispose of the charged property;
- (b) grant or accept a surrender of any lease or licence or part with or share possession or occupation of the Property.

Please do not  
write in  
this margin

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

Particulars as to commission allowance or discount (note 3)

Signed Enson Byfield Date 18th August 1997

On behalf of ~~[company]~~ [mortgagee/chargee]†

†delete as  
appropriate

Notes

- 1 The original instrument (if any) creating or evidencing the charge, together with these prescribed particulars correctly completed must be delivered to the Registrar of Companies within 21 days after the date of creation of the charge (section 395). If the property is situated and the charge was created outside the United Kingdom delivery to the Registrar must be effected within 21 days after the date on which the instrument could in due course of post, and if dispatched with due diligence, have been received in the United Kingdom (section 398). A copy of the instrument creating the charge will be accepted where the property charged is situated and the charge was created outside the United Kingdom (section 398) and in such cases the copy must be verified to be a correct copy either by the company or by the person who has delivered or sent the copy to the registrar. The verification must be signed by or on behalf of the person giving the verification and where this is given by a body corporate it must be signed by an officer of that body. A verified copy will also be accepted where section 398(4) applies (property situate in Scotland or Northern Ireland) and Form No. 398 is submitted.
- 2 A description of the instrument, eg "Trust Deed", "Debenture", "Mortgage" or "Legal Charge", etc, as the case may be, should be given.
- 3 In this section there should be inserted the amount or rate per cent. of the commission, allowance or discount (if any) paid or made either directly or indirectly by the company to any person in consideration of his:
  - (a) subscribing or agreeing to subscribe, whether absolutely or conditionally, or
  - (b) procuring or agreeing to procure subscriptions, whether absolute or conditional,for any of the debentures included in this return. The rate of interest payable under the terms of the debentures should not be entered.
- 4 If any of the spaces in this form provide insufficient space the particulars must be entered on the prescribed continuation sheet.

FILE COPY



## CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

Pursuant to section 401(2) of the Companies Act 1985

COMPANY No. 03346172

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A LEGAL CHARGE OF LICENCED PREMISES DATED THE 30th JULY 1997 AND CREATED BY HOTEL DU VIN (TUNBRIDGE WELLS ) LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO THE ROYAL BANK OF SCOTLAND plc ON ANY ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 2nd AUGUST 1997.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 6th AUGUST 1997.

*M. Connelley*  
M. Connelley

for the Registrar of Companies



C O M P A N I E S   H O U S E

Post  
22/8/97