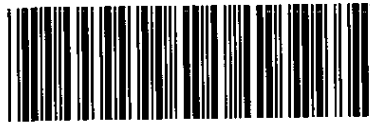


FRIDAY



\*R88KRQAO\*  
RP 28/06/2019 #13  
COMPANIES HOUSE

Claim No.: 759/2019

**IN THE CENTRAL LONDON COUNTY COURT**

**BUSINESS AND PROPERTY WORK**

**IN THE MATTER OF TELECOM PLUS PLC, UTILITY WAREHOUSE LIMITED, GAS PLUS SUPPLY LIMITED, ELECTRICITY PLUS SUPPLY LIMITED, UTILITIES PLUS LIMITED AND TELECOMMUNICATIONS MANAGEMENT LIMITED**

**AND IN THE MATTER OF THE COMPANIES ACT 2006**

**BEFORE DISTRICT JUDGE LAMBERT**

**DATED 12 JUNE 2019**

**BETWEEN:**

**(1) TELECOM PLUS PLC**

**(2) UTILITY WAREHOUSE LIMITED**

**(3) GAS PLUS SUPPLY LIMITED**

**(4) ELECTRICITY PLUS SUPPLY LIMITED**

**(5) UTILITIES PLUS LIMITED**

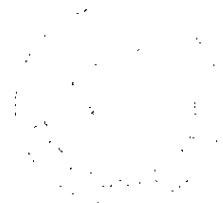
**(6) TELECOMMUNICATIONS MANAGEMENT LIMITED**

**and**

**THE REGISTRAR OF COMPANIES**

**Claimants**

**Defendant**



**~~THE~~ ORDER**

UPON the application of the Claimants by Part 8 claim form dated 30 April 2019 (the "**Application**")

AND UPON reading the witness statement of David Baxter dated 16 April 2019

AND UPON the Defendant, the Registrar of Companies, having indicated by letter dated 4 April 2019 that she does not object to the relief sought by the Application

AND UPON Npower Limited and Barclays Bank Plc, the holders of the relevant registered Charges (as defined below) over the Companies to which the Application relates, having indicated their consent to the Application by letters dated 15 March 2019 and 27 March 2019

AND UPON the Court being satisfied that the MR04 forms listed in Schedules 1 to 6 to this Order (the "**MR04 Forms**"), which were filed with and registered by the Registrar of Companies in relation to the charges listed in Schedules 1 to 6 of this Order (the "**Charges**"), were filed without the authority of the relevant Claimant (within the meaning of section 1096(1)(a) of the Companies Act 2006 (the "**2006 Act**")) and are factually inaccurate (within the meaning of section 1096(1)(b) of the 2006 Act) in that the MR04 Forms (i) wrongly show that the Charges were satisfied in part when in fact all Charges remain outstanding in full and (ii) misidentify the chargors of the Charges

AND UPON hearing Anna Scharnetzky, Counsel for the Claimants

IT IS DECLARED THAT:

1. The MR04 Forms were filed without the authority of the relevant Claimant within the meaning of section 1096(1)(a) of the 2006 Act.
2. The MR04 Forms are factually inaccurate within the meaning of section 1096(1)(b) of the 2006 Act.

AND IT IS ORDERED THAT:

1. Following service of this Order on the Registrar of Companies, in accordance with section 1096(1) of the 2006 Act, the Registrar of Companies shall forthwith remove Forms MR04 from the register.
2. Pursuant to section 859M of the 2006 Act, the Registrar of Companies shall rectify the mis-statements in the MR04 Forms so as to show each of the Charges as "outstanding" once more.
3. The Claimants shall serve this Order on the Registrar of Companies.
4. The Claimants shall serve a copy of this Order on Ms Paula Daly. Any application to set aside, vary or rescind this Order must be made no later than seven days after service of the Order.
5. No order as to costs.

**Service of this Order**

Two sealed copies of this Order have been provided to the serving party: FAO: Harriet Evans, RPC, Tower Bridge House, St Katharine's Way, London, E1W 1AA

*Harriet*  
13.6.19





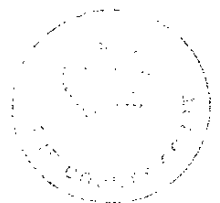
## **SCHEDULE 1 – TELECOM PLUS PLC**

### **List of MR04 forms (and relevant charges) registered in relation to Telecom Plus plc:**

- (1) Form MR04 delivered to the Registrar of Companies for registration on 23 March 2018 and subsequently registered in relation to the debenture created on 20 December 2013 by Telecom Plus plc (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 23 December 2013 with charge code 0326 3464 0011).
- (2) Form MR04 delivered to the Registrar of Companies for registration on 11 April 2018 and subsequently registered in relation to the debenture created on 20 December 2013 by Telecom Plus plc (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 23 December 2013 with charge code 0326 3464 0011).
- (3) Form MR04 delivered to the Registrar of Companies for registration on 16 March 2018 and subsequently registered in relation to a debenture created on 14 December 2015 by Telecom Plus plc (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 18 December 2015 with charge code 0326 3464 0012).
- (4) Form MR04 delivered to the Registrar of Companies for registration on 20 March 2018 and subsequently registered in relation to a debenture created on 14 December 2015 by Telecom Plus plc (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 18 December 2015 with charge code 0326 3464 0012).
- (5) Form MR04 delivered to the Registrar of Companies for registration on 24 February 2018 and subsequently registered in relation to the debenture created on 1 April 2017 by Telecom Plus plc (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 3 April 2017 with charge code 0326 3464 0013).
- (6) Form MR04 delivered to the Registrar of Companies for registration on 20 March 2018 and subsequently registered in relation to the debenture created on 1 April 2017 by Telecom Plus plc (and certain of its subsidiaries) in favour of Npower Limited (and

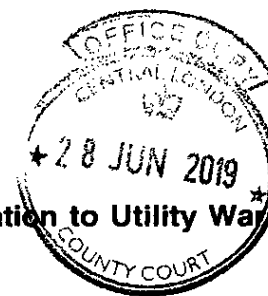
which was registered by the Registrar of Companies on 3 April 2017 with charge code 0326 3464 0013).

- (7) Form MR04 delivered to the Registrar of Companies for registration on 10 August 2018 and subsequently registered in relation to the debenture created on 1 April 2017 by Telecom Plus plc (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 3 April 2017 with charge code 0326 3464 0013).



## **SCHEDULE 2 - UTILITY WAREHOUSE LIMITED**

### **List of MR04 forms (and relevant charges) registered in relation to Utility Warehouse Limited:**



1. Form MR04 delivered to the Registrar of Companies for registration on 24 February 2018 and subsequently registered in relation to the debenture created on 1 April 2017 by Utility Warehouse Limited (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 4 April 2017 with charge code 0459 4421 0001).
2. Form MR04 delivered to the Registrar of Companies for registration on 20 March 2018 and subsequently registered in relation to the debenture created on 1 April 2017 by Utility Warehouse Limited (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 4 April 2017 with charge code 0459 4421 0001).
3. Form MR04 delivered to the Registrar of Companies for registration on 10 August 2018 and subsequently registered in relation to the debenture created on 1 April 2017 by Utility Warehouse Limited (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 4 April 2017 with charge code 0459 4421 0001).
4. Form MR04 delivered to the Registrar of Companies for registration on 16 March 2018 and subsequently registered in relation to a debenture created on 1 April 2017 by Utilities Warehouse Limited (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 5 April 2017 with charge code 0459 4421 0002).
5. Form MR04 delivered to the Registrar of Companies for registration on 21 March 2018 and subsequently registered in relation to a debenture created on 1 April 2017 by Utilities Warehouse Limited (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 5 April 2017 with charge code 0459 4421 0002).
6. Form MR04 delivered to the Registrar of Companies for registration on 10 August 2018 and subsequently registered in relation to a debenture created on 1 April 2017 by Utilities Warehouse Limited (and certain of its subsidiaries) in favour of Barclays

Bank plc (as security agent) (and which was registered by the Registrar of Companies on 5 April 2017 with charge code 0459 4421 0002).



### **SCHEDULE 3 - GAS PLUS SUPPLY LIMITED**

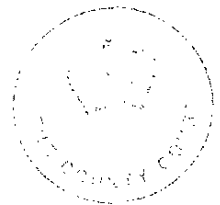


#### **List of MR04 forms (and relevant charges) registered in relation to Gas Plus Supply Limited:**

1. Form MR04 delivered to the Registrar of Companies for registration on 10 April 2018 and subsequently registered in relation to the debenture created on 20 December 2013 by Gas Plus Supply Limited (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 23 December 2013 with charge code 0519 9935 0001).
2. Form MR04 delivered to the Registrar of Companies for registration on 13 April 2018 and subsequently registered in relation to the debenture created on 20 December 2013 by Gas Plus Supply Limited (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 23 December 2013 with charge code 0519 9935 0001).
3. Form MR04 delivered to the Registrar of Companies for registration on 10 August 2018 and subsequently registered in relation to the debenture created on 20 December 2013 by Gas Plus Supply Limited (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 23 December 2013 with charge code 0519 9935 0001).
4. Form MR04 delivered to the Registrar of Companies for registration on 17 March 2018 and subsequently registered in relation to a debenture created on 14 December 2015 by Gas Plus Supply Limited (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 18 December 2015 with charge code 0519 9935 0003).
5. Form MR04 delivered to the Registrar of Companies for registration on 20 March 2018 and subsequently registered in relation to a debenture created on 14 December 2015 by Gas Plus Supply Limited (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 18 December 2015 with charge code 0519 9935 0003).
6. Form MR04 delivered to the Registrar of Companies for registration on 10 August 2018 and subsequently registered in relation to a debenture created on 14 December 2015 by Gas Plus Supply Limited (and certain of its subsidiaries) in favour of Barclays

Bank plc (as security agent) (and which was registered by the Registrar of Companies on 18 December 2015 with charge code 0519 9935 0003).

7. Form MR04 delivered to the Registrar of Companies for registration on 24 February 2018 and subsequently registered in relation to the debenture created on 1 April 2017 by Gas Plus Supply Limited (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 3 April 2017 with charge code 0519 9935 0004).
8. Form MR04 delivered to the Registrar of Companies for registration on 20 March 2018 and subsequently registered in relation to the debenture created on 1 April 2017 by Gas Plus Supply Limited (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 3 April 2017 with charge code 0519 9935 0004).
9. Form MR04 delivered to the Registrar of Companies for registration on 10 August 2018 and subsequently registered in relation to the debenture created on 1 April 2017 by Gas Plus Supply Limited (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 3 April 2017 with charge code 0519 9935 0004).





## **SCHEDULE 4 - ELECTRICITY PLUS SUPPLY LIMITED**

### **List of MR04 forms (and relevant charges) registered in relation to Electricity Plus Supply Limited:**

1. Form MR04 delivered to the Registrar of Companies for registration on 10 April 2018 and subsequently registered in relation to the debenture created on 20 December 2013 by Electricity Plus Supply Limited (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 23 December 2013 with charge code 0519 9936 0002).
2. Form MR04 delivered to the Registrar of Companies for registration on 13 April 2018 and subsequently registered in relation to the debenture created on 20 December 2013 by Electricity Plus Supply Limited (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 23 December 2013 with charge code 0519 9936 0002).
3. Form MR04 delivered to the Registrar of Companies for registration on 17 March 2018 and subsequently registered in relation to a debenture created on 14 December 2015 by Electricity Plus Supply Limited (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 18 December 2015 with charge code 0519 9936 0004).
4. Form MR04 delivered to the Registrar of Companies for registration on 20 March 2018 and subsequently registered in relation to a debenture created on 14 December 2015 by Electricity Plus Supply Limited (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 18 December 2015 with charge code 0519 9936 0004).
5. Form MR04 delivered to the Registrar of Companies for registration on 10 August 2018 and subsequently registered in relation to a debenture created on 14 December 2015 by Electricity Plus Supply Limited (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 18 December 2015 with charge code 0519 9936 0004).
6. Form MR04 delivered to the Registrar of Companies for registration on 24 February 2018 and subsequently registered in relation to the debenture created on 1 April 2017 by Electricity Plus Supply Limited (and certain of its subsidiaries) in favour of Npower

Limited (and which was registered by the Registrar of Companies on 3 April 2017 with charge code 0519 9936 0005).

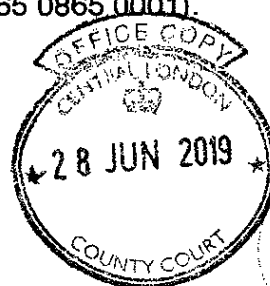
7. Form MR04 delivered to the Registrar of Companies for registration on 20 March 2018 and subsequently registered in relation to the debenture created on 1 April 2017 by Electricity Plus Supply Limited (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 3 April 2017 with charge code 0519 9936 0005).
8. Form MR04 delivered to the Registrar of Companies for registration on 10 August 2018 and subsequently registered in relation to the debenture created on 1 April 2017 by Electricity Plus Supply Limited (and certain of its subsidiaries) in favour of Npower Limited (and which was registered by the Registrar of Companies on 3 April 2017 with charge code 0519 9936 0005).



## **SCHEDULE 5 - UTILITIES PLUS LIMITED**

### **List of MR04 forms (and relevant charges) registered in relation to Utilities Plus Limited:**

1. Form MR04 delivered to the Registrar of Companies for registration on 25 April 2018 and subsequently registered in relation to a debenture created on 5 October 2016 by Utilities Plus Limited (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 7 October 2016 with charge code 0365 0865 0001).
2. Form MR04 delivered to the Registrar of Companies for registration on 25 April 2018 and subsequently registered in relation to a debenture created on 5 October 2016 by Utilities Plus Limited (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 7 October 2016 with charge code 0365 0865 0001).
3. Form MR04 delivered to the Registrar of Companies for registration on 10 August 2018 and subsequently registered in relation to a debenture created on 5 October 2016 by Utilities Plus Limited (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 7 October 2016 with charge code 0365 0865 0001).



## **SCHEDULE 6 - TELECOMMUNICATIONS MANAGEMENT LIMITED**

### **List of MR04 forms (and relevant charges) registered in relation to Telecommunications Management Limited:**

1. Form MR04 delivered to the Registrar of Companies for registration on 24 February 2018 and subsequently registered in relation to a debenture created on 14 December 2015 by Telecommunications Management Limited (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 18 December 2015 with charge code 0359 2271 0007).
2. Form MR04 delivered to the Registrar of Companies for registration on 20 March 2018 and subsequently registered in relation to a debenture created on 14 December 2015 by Telecommunications Management Limited (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 18 December 2015 with charge code 0359 2271 0007).
3. Form MR04 delivered to the Registrar of Companies for registration on 10 August 2018 and subsequently registered in relation to a debenture created on 14 December 2015 by Telecommunications Management Limited (and certain of its subsidiaries) in favour of Barclays Bank plc (as security agent) (and which was registered by the Registrar of Companies on 18 December 2015 with charge code 0359 2271 0007).

