

# M

COMPANIES FORM No. 395

## Particulars of a mortgage or charge

# 395

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

CHFP025

Please do not write in this margin

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

\*insert full name of Company

Pursuant to section 395 of the Companies Act 1985

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

For official use

Company number

1 144

3997571

Name of company

\* Barracuda Pubs and Bars Limited

Date of creation of the charge

22 December 2008

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

Standard Security by Barracuda Pubs and Bars Limited in favour of The Royal Bank of Scotland plc

Amount secured by the mortgage or charge

Means all present and future obligations and liabilities (whether actual or contingent and whether owed jointly or severally or alone or in any other capacity whatsoever) of the Obligor to: (a) the Security Trustee under any Senior Finance Document or Mezzanine Finance Document; and (b) the Senior Finance Parties (or any of them) under or pursuant to any Senior Finance Document; and (c) the Mezzanine Finance Parties (or any of them) under or pursuant to any Mezzanine Finance Document; and (d) any Delegate under the Senior Facilities Agreement or the Mezzanine Facilities Agreement in respect of indebtedness under or pursuant to any Senior Finance Document or Mezzanine Finance Document, as the case may be; and (e) any Receiver (as defined in the Senior Facilities Agreement) appointed under the Standard Security or any other Security granted by the Obligor in connection with any Senior Finance Document or Mezzanine Finance Document (including all monies covenanted to be paid under the Standard Security), provided that no obligation or liability shall be included in the definition of "Secured Obligations" to the extent that, if it were so included, the Standard Security (or any part of it) would constitute unlawful financial assistance within the meaning of sections 151 and 152 of the Companies Act 1985

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

The Royal Bank of Scotland plc (registered number SC090312) whose registered office is at 36 St Andrew Square, Edinburgh

Postcode EH2 2XB

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

DLA Piper Scotland LLP  
Rutland Square  
EDINBURGH  
EH1 2AA

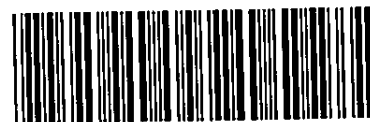
Ref: SRS/89942/120335/22394676.1

Time critical reference

For official Use (06/2005)  
Mortgage Section

Post room

SATURDAY



\*AU62760P\*

A12

27/12/2008

143

COMPANIES HOUSE

Short particulars of all the property mortgaged or charged

ALL and WHOLE the tenant's interest in the Lease between Kemble Estates Limited, Barracuda Pubs and Bars Limited and Barracuda Group Limited dated 22 and 29 January 2007 and registered in the Land Register of Scotland under Title Number DMB79867 of the premises described in and let by the Lease being the subjects known as and forming 8 James Street, Helensburgh G84 8AS

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)

None

Signed DIA Ppl

Date 24/12/07.

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

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

*† 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.
- 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 must be made payable to **Companies House**.
- 6 The address of the Registrar of Companies is: Companies House, Crown Way, Cardiff CF14 3UZ

# M

## COMPANIES FORM No. 398

### Notice of registration in Scotland or Northern Ireland of a charge comprising property situate there

# 398

CHFP025

Please do not  
write in  
this margin

Pursuant to section 398(4) of the Companies Act 1985

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

To the Registrar of Companies  
(Address overleaf)

Company number

03997571

Name of company

\* Barracuda Pubs and Bars Limited

\* insert full name  
of company

| Scott Ferrier

of DLA Piper Scotland LLP

§ give date and  
parties to charge

certify that the charge § dated 25 November 2008 by Barracuda Pubs and Bars Limited  
(registered number 03997571) in favour of The Royal Bank of Scotland plc  
(registered number SC090312)

of which a true copy is annexed to this form was presented for registration on 22 December 2008

† delete as  
appropriate

in [Scotland] ~~IN NORTHERN IRELAND~~

Signed

*Scott Ferrier*

Date 24/12/08.

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

DLA Piper Scotland LLP  
Rutland Square  
EDINBURGH  
EH1 2AA

DX: ED271 Edinburgh  
Ref: SRS/89942/120335/22401746.1

For official Use  
Mortgage Section

Post room

## Notes

The address for the Registrar of Companies is:-

Companies House  
Crown Way  
Cardiff  
CF14 3UZ



**FILE COPY**

**CERTIFICATE OF THE REGISTRATION  
OF A MORTGAGE OR CHARGE**

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

**COMPANY NO. 3997571**

**CHARGE NO. 144**

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES  
HEREBY CERTIFIES THAT A STANDARD SECURITY WHICH  
WAS PRESENTED FOR REGISTRATION IN SCOTLAND ON 22  
DECEMBER 2008 AND CREATED BY BARRACUDA PUBS AND  
BARS LIMITED FOR SECURING ALL MONIES DUE OR TO  
BECOME DUE FROM THE COMPANY TO ROYAL BANK OF  
SCOTLAND PLC AND THE SENIOR FINANCE PARTIES (OR ANY  
OF THEM) AND THE MEZZANINE FINANCE PARTIES (OR ANY  
OF THEM) AND ANY DELEGATE AND ANY RECEIVER ON ANY  
ACCOUNT WHATSOEVER UNDER THE TERMS OF THE  
AFOREMENTIONED INSTRUMENT CREATING OR EVIDENCING  
THE CHARGE WAS REGISTERED PURSUANT TO CHAPTER 1  
PART XII OF THE COMPANIES ACT 1985 ON THE 27 DECEMBER  
2008

GIVEN AT COMPANIES HOUSE, CARDIFF THE 30 DECEMBER  
2008



*Companies House*  
— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES