

# M

CHFP025

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

\*insert full name  
of Company

## COMPANIES FORM No. 395

### Particulars of a mortgage or charge

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

Pursuant to section 395 of the Companies Act 1985

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

For official use

Company number

13

01140056  
4292372 (CONFIRMED BY FAX)

Name of company

\* FOGARTY HOLDINGS LIMITED

Date of creation of the charge

17 September 2009

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

DEBENTURE

Amount secured by the mortgage or charge

All the Company's monies and liabilities of any kind which will from time to time (and whether on or at any time after demand) be due, owing or incurred under or pursuant to an A Loan Note Instrument constituting £250,000 variable rate 2019 secured loan notes entered into between the Company and Fogarty (Filled Products) Limited, in whatsoever manner to the Chargeholder, whether actually or contingently, solely or jointly and whether as principal or surety and whether or not the Chargeholder was an original party to the relevant transaction together with the Chargeholder's charges and commission interest and expenses.

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

CAPITAL CRANFIELD TRUSTEES LIMITED (COMPANY NUMBER: 03683883)  
NEW LIVERPOOL HOUSE, 15-17 ELDON STREET, LONDON

Postcode EC2M 7LD

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

Browne Jacobson LLP  
44 Castle Gate  
Nottingham  
NG1 7BJ

For official Use (06/200  
Mortgage Section



PMO 22/09/2009 336  
COMPANIES HOUSE  
\*AXNLODH\*  
A11 22/09/2009 90  
COMPANIES HOUSE

Time critical reference

Short particulars of all the property mortgaged or charged

1. By way of legal mortgage all the freehold and leasehold property now vested in or charged to the Company;
2. By way of fixed charge:-
  - (a) all estates or interests in any freehold and leasehold property now and in the future vested in or charged to the Company except the property charged by para 1 above;
  - (b) all the plant machinery and fixtures and fittings of the Company present and future;
  - (c) all furniture, furnishings, equipment, tools and other chattels of the Company present and future not regularly disposed of in the ordinary course of business;
  - (d) all the goodwill and uncalled capital of the Company present and future;
  - (e) all stocks, shares and other securities of the Company present and future;
  - (f) all intellectual property rights choses in action and claims of the Company present and future and the proceeds of any insurance from time to time affecting the property.
3. By way of floating charge all the undertaking and all property assets and rights of the Company present and future not subject to a fixed charge under paras 1 and 2 above.


Please do not write in this margin

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

C + P

Particulars as to commission allowance or discount (note 3)

Signed



Date

17/09/09

On behalf of [company] [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



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

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

COMPANY NO. 4292372  
CHARGE NO. 3

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES  
HEREBY CERTIFIES THAT A DEBENTURE DATED 17  
SEPTEMBER 2009 AND CREATED BY FOGARTY HOLDINGS  
LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME  
DUE FROM THE COMPANY TO CAPITAL CRANFIELD  
TRUSTEES LIMITED 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 22  
SEPTEMBER 2009

GIVEN AT COMPANIES HOUSE, CARDIFF THE 24 SEPTEMBER  
2009

*D. Sel.*



Companies House  
— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES