

**395****M**

CHFP041

## 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.**

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



6293667

Name of company

\* R & L Properties No 5 Limited ("the Chargor")

Date of creation of the charge

1 October 2007

28/9/07

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

Standard Security

Amount secured by the mortgage or charge

All present and future obligations and liabilities (whether actual or contingent and whether owned jointly or severally or in any other capacity whatsoever) of each Obligor to any Finance Party under any Finance Document, except for any obligation which, if it were so included, would result in the Standard Security contravening Section 151-158 of the Companies Act 1985.

SEE PAPER APART FOR DEFINITIONS

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

Barclays Capital Mortgage Servicing Limited (as agent and trustee), 1  
Churchill Place, London

Postcode E14 5HP

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

Dundas & Wilson CS LLP  
Saltire Court  
20 Castle Terrace  
Edinburgh EH1 2EN  
ARN/AAT/BAR011 0110

Time critical reference

For official use (02/2006)  
Mortgage Section

Post room

WEDNESDAY



\*ATWY0TOE\*

A23

10/10/2007

611

COMPANIES HOUSE

Short particulars of all the property mortgaged or charged

The Chargor's whole right, title and interest in respect of the Properties

SEE PAPER APART FOR DEFINITIONS

Please do not  
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bold block  
lettering

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

†Delete as  
appropriate

Particulars as to commission allowance or discount (note 3)

NONE

Signed

Date 8 October 2007

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

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 are to be made payable to **Companies House**
- 6 The address of the Registrar of Companies is - Companies House, Crown Way, Cardiff CF4 3UZ

**This is the Paper Apart referred to in the foregoing Form 395 in respect of the Standard Security granted by R & L Properties No 5 Limited in favour of Barclays Capital Mortgage Servicing Limited as agent and trustee**

Credit Agreement means credit agreement dated 2007 between (among others) the Chargor and Barclays Capital Mortgage Servicing Limited as amended and supplemented from time to time

"Finance Documents" has the meaning given to it in the Credit Agreement

"Finance Party" has the meaning given to it in the Credit Agreement

"Obligor" has the meaning given to it in the Credit Agreement

"Schedule" means the Schedule annexed and executed as relative hereto

"Properties" means **(First) ALL and WHOLE** the sub-tenant's interest in the Sub Lease between Scottish & Newcastle G2 Limited and Kilt Caymanco 3 Limited dated 20 August 2007 and registered in the Land Register under Title Numbers ARG14001, DMB80765, ANG47920 and FFE86976 in respect of (A) the subjects known as and forming MacGochans, 1 Longrow South, Campbeltown, (B) the subjects known as and forming Jack Dempseys, 1 Hillview Place, Alexandria, (C) the subjects known as and forming the Ship Inn, 21 Marketgate and 41a Ladybridge Street, Arbroath and (D) the subjects known as and forming the Abbey Inn, Cupar Road, Newburgh, Cupar and (Second) ALL and WHOLE the sub-tenant's interest in the Sub Lease between Kilt Caymanco 3 Limited and Scottish and Newcastle G2 Limited dated 20 August 2007 and registered in the Land Register under Title Numbers CLK12869, ANG47924, CLK12870 and AYR79700 in respect of (1) the subjects known as 'Cross Keys', 118 and 120 Stirling Street, Alva, FK12 5EH (2) the subjects known as 'Mickey Coyles' Public House, 21-23 Old Hawkhill, Dundee DD1 5EU (3) the subjects known as and forming the Thistle Bar, 1 Mill Street, Junction Place, Alloa and (4) the subjects known as and forming The Wee Train, 22 Wallace Street, Galston, KA4 8HP

A handwritten signature or mark, possibly a stylized 'L' or a signature, located below the main text block.

**Certificate of registration in  
Scotland or Northern Ireland  
of a charge comprising property  
situate there**

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

Please do not  
write in  
this margin

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

\* Insert full name  
of company

To the Registrar of Companies  
(Address overleaf)

For official use Company number

☐ ☐ ☐

6293667

Name of company

\* R&L Properties No 5 Limited

I, Amber Ann Thomson

of Dundas & Wilson CS LLP

Saltire Court

20 Castle Terrace

Edinburgh

EH1 2EN

† give date and  
parties to charge

certify that the charge Standard Security by R&L Properties No 5 Limited to  
Barclays Capital Mortgage Servicing Limited as Agent and Trustee dated 28 September  
2007

‡ delete as  
appropriate

of which a true copy is annexed to this form was presented for registration on 1 October 2007  
in [Scotland] ~~[Northern Ireland]~~

Signed

*Am L*

Date 8 October 2007

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

Dundas & Wilson CS LLP  
Saltire Court  
20 Castle Terrace  
Edinburgh EH1 2EN

ARN / AAT / BARCL  
-0110

For official use (02/06)  
Mortgage section

Post room

## Notes

The address of 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 06293667

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A STANDARD SECURITY WHICH WAS PRESENTED FOR REGISTRATION IN SCOTLAND ON 01 OCTOBER 2007 AND DATED THE 28th SEPTEMBER 2007 AND CREATED BY R & L PROPERTIES NO 5 LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM EACH OBLIGOR TO ANY FINANCE PARTY 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 10th OCTOBER 2007

GIVEN AT COMPANIES HOUSE, CARDIFF THE 16th OCTOBER 2007

*P. Ceri*



*Companies House*

— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES