



Registration of a Charge

Company name: **STEWART MILNE GROUP LIMITED**

Company number: **SC057709**



X9IEFCF4

Received for Electronic Filing: **23/11/2020**

Details of Charge

Date of creation: **12/11/2020**

Charge code: **SC05 7709 0229**

Persons entitled: **ALMOND VALLEY LTD**

Brief description: **(FIRST) ALL AND WHOLE THE SUBJECTS REGISTERED IN THE LAND REGISTER OF SCOTLAND UNDER TITLE NUMBER PTH16526 AND (SECOND) ALL AND WHOLE OUR ONE HALF PRO INDIVISO SHARE IN THE SUBJECTS REGISTERED IN THE LAND REGISTER OF SCOTLAND UNDER TITLE NUMBERS PTH34439, PTH37576, PTH36084 AND PTH39094**

Contains fixed charge(s).

Contains negative pledge.

Authentication of Form

This form was authorised by: **a person with an interest in the registration of the charge.**

Authentication of Instrument

Certification statement: **I CERTIFY THAT SAVE FOR MATERIAL REDACTED PURSUANT TO S.859G OF THE COMPANIES ACT 2006 THE ELECTRONIC COPY INSTRUMENT DELIVERED AS PART OF THIS APPLICATION**

**FOR REGISTRATION IS A CORRECT COPY OF THE ORIGINAL
INSTRUMENT.**

Certified by:

PINSENT MASONS LLP



CERTIFICATE OF THE REGISTRATION OF A CHARGE

Company number: 57709

Charge code: SC05 7709 0229

The Registrar of Companies for Scotland hereby certifies that a charge dated 12th November 2020 and created by STEWART MILNE GROUP LIMITED was delivered pursuant to Chapter A1 Part 25 of the Companies Act 2006 on 23rd November 2020 .

Given at Companies House, Edinburgh on 23rd November 2020

The above information was communicated by electronic means and authenticated by the Registrar of Companies under section 1115 of the Companies Act 2006



Companies House



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES

Ref: MIL/1193/09378/JAS/JWLJ

 Burness Paul

STANDARD SECURITY

by

**STEWART MILNE GROUP LIMITED AND STEWART MILNE HOMES (ARBROATH)
LIMITED**

in favour of

ALMOND VALLEY LTD

SUBJECTS: Almond Valley, Perth

WE, (i) Stewart Milne Group Limited, a company incorporated under the Companies Acts (Registered Number SC057709) and having our Registered Office at Peregrine House, Mosscroft Avenue, Westhill Business Park, Westhill, Aberdeen, AB32 6TQ and (ii) Stewart Milne Homes (Arbroath) Limited (formerly King Development Company Limited further to Certificate of Incorporation on Change of Name given at Companies House on 21st February 2019), a company incorporated under the Companies Acts (Registered Number SC115534) and having our Registered Office at Peregrine House, aforesaid, (together the "Grantor") in security of the obligations undertaken by us and due to Almond Valley Ltd, a company incorporated under the Companies Acts (Registered Number 12498965) and having their Registered Office at Castle Chambers, 43 Castle Street, Liverpool, L2 9TL (hereinafter referred to as "AVL") in terms of the Planning Co-operation Agreement between us, the Grantor and Anthony Michael Bayliss, Chartered Accountant of Castle Chambers, 43 Castle Street, Liverpool, L2 9TL and Jonathan Robert Mitchell Henson of Rysland, Mount Tabor Road, Perth, PH2 7DE the present trustees under the Will of Mrs Hilda Jane (or Johanna) Caroline Pilkington (otherwise Mrs Hilda Caroline Pilkington) constituted by missives concluded between Pinsents Masons LLP on behalf of Pilkington and Burness Paull LLP on behalf of the Grantor, said missives dated 15 and 17 August 2017 and assigned to AVL by way of formal letters to be dated 4 and 9 November 2020, in relation to the Security Subjects (as hereinafter defined) and as may be amended or re-stated from time to time DO HEREBY, for our respective interests in the said Planning Co-operation Agreement, GRANT a Standard Security in favour of AVL over (First) ALL and WHOLE the subjects registered in the Land Register of Scotland under Title Number PTH16526 and (Second) ALL and WHOLE our one half pro indiviso share in the subjects registered in the Land Register of Scotland under Title Numbers PTH17934, PTH19538, PTH34439, PTH37576, PTH36084 and PTH39094 (all the said subjects being together "the Security Subjects"); The Standard Conditions specified in Schedule 3 to the Conveyancing and Feudal Reform (Scotland) Act 1970 as amended and any lawful variation thereof operative for the time being shall apply and those standard conditions shall be varied as follows (the numbering corresponding with the numbering of the standard conditions as they appear in that Schedule):

1(a) shall apply having regard to the fact that the Security Subjects are agricultural land;

5(a) the obligation shall be to insure for reinstatement value and not market value;

6 shall not apply

12 shall not apply in so far as it relates to the expenses of the preparation and execution of these presents and any variation, restriction and discharge hereof and the recording hereof

The said Stewart Milne Group Limited and Stewart Milne Homes (Arbroath) shall each at any time during the continuance of this standard security be entitled to grant deeds of conditions or other real rights (other than that of ownership), servitudes and wayleaves in respect of their respective interests in the Security Subjects for the purpose of developing the Security Subjects for residential, primary school and community facility purposes and that without any requirement to obtain the consent of the Grantee.

And we grant warrandice but excluding therefrom (i) Bond and Floating Charge by Stewart Milne Group Limited in favour of The Governor and Company of the Bank of Scotland dated 29 March 1996 and registered in the Register of Charges on 9 April 1996, (ii) Bond and Floating Charge by Stewart Milne Homes (Arbroath) Limited (therein named King Development Company Limited) in favour of

Bank of Scotland plc registered in Scotland Number SC327000, Registered Office The Mound, Edinburgh EH1 1YZ registered in the Register of Charges on 5 November 2007 (iii) Floating Charge by Stewart Milne Group Limited in favour of Bank of Scotland plc dated 7 and registered in the Register of Charges on 11, both November 2013 (iv) Debenture by Stewart Milne Group Limited in favour of Bank of Scotland plc dated 7 and registered in the Register of Charges on 11, both November 2013 (v) Floating Charge by Stewart Milne Homes (Arbroath) Limited (therein named King Development Company Limited) in favour of Bank of Scotland plc registered in the Register of Charges on 11 November 2013 and (vi) any existing standard security over the Security Subjects (or any part(s) thereof) by the said Stewart Milne Group Limited and/or the said Stewart Milne Homes (Arbroath) Limited in favour of Bank of Scotland plc; IN WITNESS WHEREOF these presents consisting of this and the preceding page are executed as follows:

Subscribed for Stewart Milne Group Limited

at Edinburgh

on 14 September 2020

by

Gerald Campbell Milne

Full Name (Director/Attorney)

before this witness

Chloe Milne

Full Name (Witness)

[Redacted]

[Redacted]

[Redacted]

Address

[Redacted Signature]
Signature of Director/Attorney

[Redacted Signature]
Signature of Witness

Subscribed for Stewart Milne Homes (Arbroath) Limited

at EDINBURGH X

on 21 SEPTEMBER 2020 X

by GRANT CAMPBELL MORGAN X

Full Name (Director/Attorney)

before this witness

CHLOE MORGAN X

Full Name (Witness)

[REDACTED] X
[REDACTED] X
[REDACTED] X

Address

[REDACTED] X
Signature of Director/Attorney

[REDACTED] X
Signature of Witness