

# M

CHWP000

COMPANIES FORM No. 466(Scot)

## Particulars of an instrument of alteration to a floating charge created by a company registered in Scotland

# 466

A fee of £10 is payable to Companies House in respect of each register entry for a mortgage or charge

COMPANIES HOUSE  
**FEE PAID**  
EDINBURGH

Please do not  
write in  
this margin

Pursuant to section 410 and 466 of the Companies Act 1985

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

\* insert full name  
of company

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

For official use

Company number

   2

SC235861

Name of company

\* SUB CLUB (SCOTLAND) LIMITED

Date of creation of the charge (note 1)

20 November 2002

Description of the instrument creating or evidencing the charge or of any ancillary document which has been altered (note 1)

Bond and Floating Charge

Names of the persons entitled to the charge

Bantop Limited, a Company incorporated under the Companies Acts (Company Number SC84129) and having its Registered Office at 7 Lynedoch Street, Glasgow (formerly at 22 Jamaica Street, Glasgow)

Short particulars of all the property charged

All sums and obligations already due or which may hereafter become due from time to time by the Company

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

Dallas McMillan  
Solicitors  
Shaftesbury House  
5 Waterloo Street  
Glasgow G2 6AY

AH/BANT001/1/SM

For official use  
Charges Section

Post room

  
SCT S8PB5HSE 0345  
COMPANIES HOUSE 21/01/03

Names, and addresses of the persons who have executed the instrument of alteration (note 2)

Sub Club (Scotland) Limited (Company No. SC235861), Registered Office  
7 Lynedoch Street, Glasgow G3 6EF  
Tennent Caledonian Breweries Limited, Registered Office, Porter Tun House  
Capability Green, Luton, Bedfordshire LE1 3LS  
Bantop Limited, Registered Office sometime at 22 Jamiaca Street, Glasgow  
and now 7 Lynedoch Street, Glasgow

*Please do not  
write in  
this margin*

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

Date(s) of execution of the instrument of alteration

21 and 28 November 2002 and  
16 January 2003

A statement of the provisions, if any, imposed by the instrument of alteration prohibiting or restricting the creation by the company of any fixed security or any other floating charge having, priority over, or ranking pari passu with the floating charge

None in Instrument of Alteration

Short particulars of any property released from the floating charge

None

The amount, if any, by which the amount secured by the floating charge has been increased

Nil

Please do not  
write in  
this margin

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

Sub Club (Scotland) Limited has granted Standard Securities and Bonds and Floating Charges in favour of each of Bantop Limited and Tennant Caledonian Breweries Limited. Each of the Floating Charges contain a prohibition against the granting of any fixed Security to rank prior to or *pari passu* with the said Bonds and Floating Charges. The instrument of alteration acts as a variation of both Floating Charges to the effect that the Standard Security granted in favour of Bantop Limited and the Standard Security granted in favour of Tennant Caledonian Breweries Limited shall notwithstanding their dates of creation, rank prior to the Bond and Floating Charges granted in favour of both Bantop Limited and Tennant Caledonian Breweries Limited.

The Standard Security in favour of Tennant Caledonian Breweries Limited and any sum or sums thereby secured shall in respect of all sums due and become due without any limitation whatsoever be ranked and preferred on the subjects and on the rents thereof and on the proceeds of sale thereof or any part thereof in the event of a sale of same prior and preferable to the Standard Security in favour of Bantop Limited, the Bond and Floating Charge in favour of Tennant Caledonian Breweries Limited and the Bond and Floating Charge in favour of Bantop Limited.

Once the Standard Security in favour of Tennant Caledonian Breweries Limited has been satisfied in full, the Standard Security in favour of Bantop Limited shall, for all sums due and to become due thereunder, be ranked and preferred on the said subjects and on the rents thereof and on the proceeds of sale thereof or any part thereof in the event of a sale of the same in priority and preference to the Bond and Floating Charge in favour of Tennant Caledonian Breweries Limited and the Bond and Floating Charge in favour of Bantop Limited.

In the event that all sums due to Tennant Caledonian Breweries and Bantop Limited are not settled in full in terms of the foregoing, the two Bonds and Floating Charges will rank as follows, namely:-

- (a) The Tennant Caledonian Brewers Limited Bond and Floating Charge will rank prior to Bantop Limited Floating Charge until all sums due or to become due to Tennant Caledonian Brewers Limited have been paid in full and
- (b) Thereafter the Bantop Limited Bond and Floating Charge will rank prior to the Bond and Floating Charge in favour of Tennant Caledonian Brewers Limited

Continuation of the statement of the provisions, if any, imposed by the instrument of alteration varying or otherwise regulating the order of the ranking of the floating charge in relation to fixed securities or to other floating charges

Please do not  
write in  
this margin

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

Signed Dariusz Nowinski as  
Agent of Baxco Limited Date 20.1.03.  
On behalf of ~~[company]~~ [chargee]†

A fee of £10 is  
payable to  
Companies House  
in respect of each  
register entry for a  
mortgage or  
charge.  
(See Note 5)

#### Notes

1. A description of the instrument e.g. "Instrument of Charge" "Debenture" etc as the case may be, should be given. For the date of creation of a charge see section 410(5) of the Companies Act.

† delete as  
appropriate

2. In accordance with section 466(1) the instrument of alteration should be executed by the company, the holder of the charge and the holder of any other charge (including a fixed security) which would be adversely affected by the alteration.

3. A certified copy of the instrument of alteration, together with this form with the prescribed particulars correctly completed must be delivered to the Registrar of Companies within 21 days after the date of execution of that instrument.

4. A certified copy must be signed by or on behalf of the person giving the certification and where this is a body corporate it must be signed by an officer of that body.

5. Cheques and Postal Orders are to be made payable to **Companies House**.

6. The address of the Registrar of Companies is:-  
Companies Registration Office, 37 Castle Terrace, Edinburgh EH1 2EB

# FILE COPY



## **CERTIFICATE OF THE REGISTRATION OF AN ALTERATION TO A FLOATING CHARGE**

Company number 235861

I hereby certify that particulars of an instrument of alteration dated  
16 JANUARY 2003

were delivered pursuant to section 410 of the Companies Act, 1985,  
on 21 JANUARY 2003.

The instrument relates to a charge created on 20 NOVEMBER 2002  
by SUB CLUB (SCOTLAND) LIMITED

in favour of BANTOP LIMITED

for securing ALL SUMS DUE, OR TO BECOME DUE

Given at Companies House, Edinburgh  
22 JANUARY 2003



C O M P A N I E S   H O U S E



N.B. Searchers may find it desirable to refer to the documents mentioned in column (2) for more detailed particulars

# REGISTER of Charges, Alterations to Charges,

COMPANY: SC235861 CHARGE: 2

(1) Date of Registration	(2) Serial Number of Document on File	(3) Date of Creation of each Charge and Description thereof	(4) Date of the aquisition of the Property	(5) Amount secured by the Charge  £	(6) Short Particulars of the Property Charged	(7) Names of the Persons entitled to the Charge
04/12/2002		20/11/02 BOND & FLOATING CHARGE		ALL SUMS DUE, OR TO BECOME DUE	UNDERTAKING AND ALL PROPERTY AND ASSETS PRESENT AND FUTURE OF THE COMPANY INCLUDING UNCALLED CAPITAL	BANTOP LIMITED

# Memoranda of Satisfaction and Appointments etc. of Receivers

N.B. Searchers may find it desirable to refer to the documents mentioned in column (2) for more detailed particulars

COMPANY: SC235861 CHARGE: 2

(8)	(9)	(10)	(11)	(12)		
In the case of a floating charge, a statement of the provisions, if any, prohibiting or restricting the creation by the company of any fixed security or any other floating charge having priority over, or ranking <i>pari passu</i> with the floating charge.	In the case of a floating charge, a statement of the provisions if any regulating the order in which the floating charge shall rank with any other subsisting or future floating charges or fixed securities over the property the subject of the floating charge or any part of it.	Amount or rate per cent of the Commission Allowance or discount	Memoranda of Satisfaction	Receiver		
				Name	Date of Appointment	Date of Ceasing to act
COMPANY ARE EXPRESSLY PROHIBITED FROM CREATING SUBSEQUENT FIXED SECURITY HAVING PRIORITY OVER OR RANKING EQUALLY WITH THE FLOATING CHARGE						

N.B. Searchers may find it desirable to refer to the documents mentioned in column (2) for more detailed particulars

COMPANY: SC235861 CHARGE: 2

Instruments of Alteration to a Floating Charge					
(13) Date of Execution	(14) Names of the persons who have executed the Instrument	(15) The provisions, if any, prohibiting or restricting the creation by the Company of any fixed security or any other floating charge having priority over, or ranking <i>pari passu</i> with, the floating charge.	(16) The provisions, if any, varying or otherwise regulating the order of the ranking of the floating charge in relation to fixed securities or to other floating charges.	(17) Short particulars of any property released from the floating charge	(18) The amount, if any, by which the amount secured by the floating charge has been increased.  £
	BANTOP LIMITED TENNENT CALEDONIAN BREWERIES LIMITED SUB CLUB (SCOTLAND) LIMITED				