

MR01

Particulars of a charge

602572/23

Oyez



Go online to file this information
www.gov.uk/companieshouse

A fee is payable with this form
Please see 'How to pay' on the back

☒ **What this form is for**
You may use this form to register
a charge created or evidenced by
an instrument.

☒ **What this form is NOT for**
You may not use this form to
register a charge where there is
instrument. Use form MR08.

THURSDAY



A22 *A666PUL4* #140
11/05/2017
COMPANIES HOUSE

This form **must be delivered to the Registrar for registration within 21 days** beginning with the day after the date of creation of the charge. If delivered outside of the 21 days it will be rejected unless it is accompanied by a court order extending the time for delivery.

☒ You **must** enclose a certified copy of the instrument with this form. This will be scanned and placed on the public record. **Do not send the original.**

1

Company details

Company number 7 3 5 0 4 0

Company name in full ENGLISH NATIONAL BALLET

For official use

Filling in this form

Please complete in typescript or in
bold black capitals.

All fields are mandatory unless
specified or indicated by *

2

Charge creation date

Charge creation date 0 9 0 5 2 0 1 7

3

Names of persons, security agents or trustees entitled to the charge

Please show the names of each of the persons, security agents or trustees
entitled to the charge.

Name ROYAL COLLEGE OF MUSIC /
(company number RC000458)

Name

Name

Name

If there are more than four names, please supply any four of these names then
tick the statement below.

☐ I confirm that there are more than four persons, security agents or
trustees entitled to the charge.

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4

Brief description

Please give a short description of any land, ship, aircraft or intellectual property registered or required to be registered in the UK subject to a charge (which is not a floating charge) or fixed security included in the instrument.

Brief description

Basement, lower ground, upper ground, first, second, third and fourth floors of Queen Alexandra's House, Kensington Gore

Please submit only a short description. If there are a number of plots of land, aircraft and/or ships, you should simply describe some of them in the text field and add a statement along the lines of, "for more details please refer to the instrument".

Please limit the description to the available space.

5

Other charge or fixed security

Does the instrument include a charge (which is not a floating charge) or fixed security over any tangible or intangible or (in Scotland) corporeal or incorporeal property not described above? Please tick the appropriate box.

☐ Yes

☒ No

6

Floating charge

Is the instrument expressed to contain a floating charge? Please tick the appropriate box.

☐ Yes Continue

☒ No Go to Section 7

Is the floating charge expressed to cover all the property and undertaking of the company?

☐ Yes

7

Negative Pledge

Do any of the terms of the charge prohibit or restrict the company from creating further security that will rank equally with or ahead of the charge? Please tick the appropriate box.

☐ Yes

☒ No

8

Trustee statement

You may tick the box if the company named in Section 1 is acting as trustee of the property or undertaking which is the subject of the charge.

☐

¹ This statement may be filed after the registration of the charge (use form MR06).

9

Signature

Please sign the form here.

Signature

Signature

X Veale Warkbrough Vizard X

This form must be signed by a person with an interest in the charge.

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Particulars of a charge



Presenter information

You do not have to give any contact information, but if you do, it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name

jah/jgd/2rq83/0004

Company name

Veale Wasbrough Vizards LLP

Address

Barnards Inn

86 Fetter Lane

London

Post town

County/Region

Postcode

E C 4 A 1 A D

Country

DX

DX 6 LONDON/CHANCERY LANE

Telephone

020 7665 0809



Certificate

We will send your certificate to the presenter's address if given above or to the company's Registered Office if you have left the presenter's information blank.



Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have included a certified copy of the instrument with this form.
- ☐ You have entered the date on which the charge was created.
- ☐ You have shown the names of persons entitled to the charge.
- ☐ You have ticked any appropriate boxes in Sections 3, 5, 6, 7 & 8.
- ☐ You have given a description in Section 4, if appropriate.
- ☐ You have signed the form.
- ☐ You have enclosed the correct fee.
- ☐ Please do not send the original instrument; it must be a certified copy.



Important information

Please note that all information on this form will appear on the public record.



How to pay

A fee of £23 is payable to Companies House in respect of each mortgage or charge filed on paper.

Make cheques or postal orders payable to 'Companies House.'



Where to send

You may return this form to any Companies House address. However, for expediency, we advise you to return it to the appropriate address below:

For companies registered in England and Wales:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.

For companies registered in Scotland:

The Registrar of Companies, Companies House,
Fourth floor, Edinburgh Quay 2,
139 Fountainbridge, Edinburgh, Scotland, EH3 9FF.
DX ED235 Edinburgh 1
or LP - 4 Edinburgh 2 (Legal Post).

For companies registered in Northern Ireland:

The Registrar of Companies, Companies House,
Second Floor, The Linenhall, 32-38 Linenhall Street,
Belfast, Northern Ireland, BT2 8BG.
DX 481 N.R. Belfast 1.



Further information

For further information, please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse



FILE COPY

CERTIFICATE OF THE REGISTRATION OF A CHARGE

Company number: 735040

Charge code: 0073 5040 0005

The Registrar of Companies for England and Wales hereby certifies that a charge dated 9th May 2017 and created by ENGLISH NATIONAL BALLET was delivered pursuant to Chapter A1 Part 25 of the Companies Act 2006 on 11th May 2017.

DX

Given at Companies House, Cardiff on 18th May 2017



Companies House



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES

Land Registry

Legal charge of a registered estate

I certify this to be a true copy of the original

Heale Washburn Vizards
Heale Washburn Vizards
Hards Inn
Hetter Lane
London EC4A 1AD

CH1

This form should be accompanied by either Form AP1 or Form FR1

Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

Conveyancer is a term used in this form. It is defined in rule 217A, Land Registration Rules 2003 and includes persons authorised under the Legal Services Act 2007 to provide reserved legal services relating to land registration and includes solicitors and licensed conveyancers.

Leave blank if not yet registered.

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Give full name(s).

Complete as appropriate where the borrower is a company.

Give full name(s).

Complete as appropriate where the lender is a company. Also, for an overseas company, unless an arrangement with Land Registry exists, lodge either a certificate in Form 7 in Schedule 3 to the Land Registration Rules 2003 or a certified copy of the constitution in English or Welsh, or other evidence permitted by rule 183 of the Land Registration Rules 2003.

Each proprietor may give up to three addresses for service, one of which must be a postal address whether or not in the UK (including the postcode, if any). The others can be any combination of a postal address, a UK DX box number or an electronic address.

| | |
|---|--|
| 1 | Title number(s) of the property: NGL345714 |
| 2 | Property: Basement, lower ground, upper ground, first, second, third and fourth floors of Queen Alexandra's House, Kensington Gore |
| 3 | Date: 9 MAY 2017 |
| 4 | Borrower: English National Ballet <u>For UK incorporated companies/LLPs</u> Registered number of company or limited liability partnership including any prefix: 735040 <u>For overseas companies</u> (a) Territory of incorporation: (b) Registered number in the United Kingdom including any prefix: |
| 5 | Lender for entry in the register: Royal College of Music <u>For UK incorporated companies/LLPs</u> Registered number of company or limited liability partnership including any prefix: RC000458 <u>For overseas companies</u> (a) Territory of incorporation: (b) Registered number in the United Kingdom including any prefix: |
| 6 | Lender's intended address(es) for service for entry in the register: Prince Consort Road, London SW7 2BS |

Place 'X' in any box that applies.

Add any modifications.

Place 'X' in the appropriate box(es).

You must set out the wording of the restriction in full.

Standard forms of restriction are set out in Schedule 4 to the Land Registration Rules 2003.

Insert details of the sums to be paid (amount and dates) and so on.

7

The borrower with

- ☒ full title guarantee
☐ limited title guarantee

subject to the following modifications:

- 7.1 the words "at his own cost" in the covenants implied by section 2(1)(b) of the Law of Property (Miscellaneous Provisions) Act 1994 (the "1994 Act") are replaced by the words "at the Transferee's cost".
- 7.2 the words "and could not reasonably be expected to" are deleted from the covenant implied by section 3(1) of the 1994 Act.
- 7.3 the covenants implied by sections 3 and 4(1)(b) of the 1994 Act shall be limited so that the Transferor will have no liability under them for the consequences of any breach of the terms of the Lease relating to the physical state of the Property.
- 7.4 for the purposes of section 6(2)(a) of the 1994 Act, the Transferee's actual knowledge shall be deemed to include:
- (a) the entries in any public register; and
 - (b) public requirements (as defined in the Standard Commercial Property Conditions (Second Edition)).

charges the property by way of legal mortgage as security for the payment of the sums detailed in panel 9

8

- ☒ The lender is under an obligation to make further advances and applies for the obligation to be entered in the register
- ☒ The borrower applies to enter the following standard form of restriction in the proprietorship register of the registered estate:

No disposition of the registered estate (other than a charge) by the proprietor of the registered estate, or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a written consent signed by the proprietor for the time being of the charge dated 9 MAY 2017 in favour of Royal College of Music referred to in the charges register or their conveyancer.

9

Additional provisions

9.1 Interpretation

In this deed:

"Lease" means the lease dated 24 January 1979 and made between (1) Queen Alexandra's House Association (2) The London Festival Ballet Trust Limited and (3) The Commissioners for the Exhibition of 1851; and

"Sale Agreement" means the agreement for the sale of the Property dated 23 October 2015 and made between (1) English National Ballet and (2) Royal College of Music.

9.2 Covenant for payment

The borrower covenants with the lender that it shall pay and discharge all:

- (a) monies owed to the lender pursuant to clauses 4.5 and 4.6 of the Sale Agreement; and
- (b) costs and expenses properly incurred by the lender in connection with the preservation and enforcement of the security given under this deed.

9.3 Charities Act 2011

- (a) The land charged is held by English National Ballet, a non-exempt charity, and this charge is not one falling within section 124(9) of the Charities Act 2011, so that the restrictions imposed by section 124 of that Act apply.
- (b) The trustees of the charity, being the persons who have the general control and management of its administration certify that:
 - (i) they have power under the provisions establishing the charity and regulating its purposes and administration to effect this charge; and
 - (ii) they have obtained and considered such advice as is mentioned in section 124(2) of the Charities Act 2011.

The borrower must execute this charge as a deed using the space opposite. If there is more than one borrower, all must execute. Forms of execution are given in Schedule 9 to the Land Registration Rules 2003. If a note of an obligation to make further advances has been applied for in panel 8 this document must be signed by the lender or its conveyancer.

10 Execution

Executed as a deed by
ENGLISH NATIONAL BALLET
 acting by a director and its
 secretary/two directors

x 
 Director

x 
 Director/Secretary

Executed as a deed on behalf
 of the trustees by *Granville Turner*
 and *Christopher Saul*
 two of their number under an
 authority conferred pursuant to
 section 333 of the Charities Act
 2011 in the presence of:

x 
 Authorised signatory

x 
 Authorised signatory

Signature of witness

x 

Name (in BLOCK CAPITALS)

x

KAREN THIES-P. HARRISON


Address

x

THE OLD RECTORY FLAT 6, 17
 PUTTENHAM TRING PRINGS OF
 HP23 4DS TGERAG,
 LONDON W5 5PQ

Executed as a deed by
ROYAL COLLEGE OF MUSIC
 acting by a director and
 its secretary/two directors

x 
 Director

x 
 Director/Secretary

WARNING

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

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