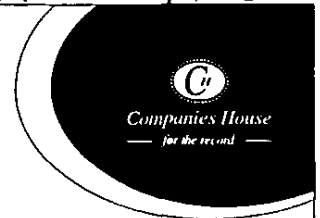


# MG01

## Particulars of a mortgage or charge

191722/13



A fee is payable with this form  
We will not accept this form unless you send the correct fee  
Please see 'How to pay' on the last page

☒ **What this form is for**  
You may use this form to register  
particulars of a mortgage or charge  
in England and Wales or Northern  
Ireland

☐ **What this form is NOT for**  
You cannot use this form to  
particulars of a charge for a  
company To do this, please  
form MG01s

SATURDAY



A36 \*AJ1UNOVU\* 271  
06/11/2010  
COMPANIES HOUSE

1

### Company details

Company number 0 6 9 6 8 0 5 7

Company name in full New Earth Solutions (West) Limited

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

### Date of creation of charge

Date of creation 2 7 1 0 2 0 1 0

3

### Description

Please give a description of the instrument (if any) creating or evidencing the  
charge, e.g. 'Trust Deed', 'Debenture', 'Mortgage', or 'Legal charge'

Description

Third party legal mortgage and guarantee between New Earth Solutions (West) Limited and New  
Earth Recycling & Renewables (Infrastructure) Plc

4

### Amount secured

Please give us details of the amount secured by the mortgage or charge

Amount secured

All present and future monies, obligations and liabilities owed by  
either New Earth Solutions Facilities Management Number 2 Limited  
(company number 07078017) ("NESFM2") and/or New Earth  
Solutions (West) Limited (company number 06968057) ("the  
Mortgagor") to New Earth Recycling and Renewables (Infrastructure)  
Plc (company number 123613C) ("the Lender") whether actual or  
contingent and whether owed jointly or severally, as principal or  
surety and/or in any other capacity, under or in connection with any or  
all of the Loan Note Instrument (meaning the loan notes constituting  
12% secured subordinated class 2 loan notes 2025 of £1 each and  
8 75% secured class loan notes 2025 of £1 each originally issued by  
NESFM2 on 12 April 2010) together with all interest accruing in  
respect of such monies or liabilities ("the Secured Liabilities")

#### Continuation page

Please use a continuation page if  
you need to enter more details

# MG01

## Particulars of a mortgage or charge

**5**

### Mortgagee(s) or person(s) entitled to the charge (if any)

Please give the name and address of the mortgagee(s) or person(s) entitled to the charge

Name

New Earth Recycling &amp; Renewables (Infrastructure) Plc

Address

International House, Castle Hill, Victoria Road, Douglas, Isle of Man

Postcode

I M 2 4 R B

Name

Address

Postcode

**Continuation page**

Please use a continuation page if you need to enter more details

**6**

### Short particulars of all the property mortgaged or charged

Please give the short particulars of the property mortgaged or charged

**Continuation page**

Please use a continuation page if you need to enter more details

Short particulars

(A) By way of first legal mortgage, the leasehold interest in Unit 16, Access 18, Kings Weston Lane, Bristol (being registered with leasehold title absolute at the Land Registry with title number BL122241) ("the Property"), and

(B) By way of first fixed charge


(i) All of the Mortgagor's rights in any policies of insurance relating to the Property, including the proceeds of any claims under such policies, to the extent not effectively assigned at (iii) below, and

(ii) All authorisations (statutory or otherwise) held or required in connection with the Mortgagor's business carried on at the Property or the use of any of the assets and property for the time being subject to any mortgage, charge (whether fixed, floating, legal or equitable), pledge, lien, assignment by way of security or other security interest securing any obligation of any person, or any other agreement or arrangement having a similar effect, created by this third party legal mortgage and guarantee between the Mortgagor and the Lender and all rights in connection with them

(iii) The assignment by the Mortgagor to the Lender of all of the Mortgagor's rights in any policies of insurance relating to the Property, including the proceeds of any claims under such policies provided that sub-assignment shall not constitute the Lender as mortgagee in possession

MG01

Particulars of a mortgage or charge

|                                  |  |  |
|----------------------------------|--|--|
| <b>7</b>                         | <p><b>Particulars as to commission, allowance or discount (if any)</b></p> <p>Please insert the amount or rate percent of any commission, allowance or discount paid or made either directly or indirectly by the company to any person on consideration of his</p> <ul style="list-style-type: none"> <li>- subscribing or agreeing to subscribe, whether absolutely or conditionally, or</li> <li>- procuring or agreeing to procure subscriptions, whether absolute or conditional,</li> </ul> <p>for any debentures included in this return The rate of interest payable under the terms of the debentures should not be entered</p>   |  |
| Commission allowance or discount |  |  |
| <b>8</b>                         | <p><b>Delivery of instrument</b></p> <p>You must deliver the original instrument (if any) creating or evidencing the charge and these prescribed particulars to the Registrar of Companies within 21 days after the date of creation of the charge (section 860) If the property is situated and the charge was created outside the United Kingdom (UK), you must deliver the information to the Registrar within 21 days after the date on which the instrument could have been received in the UK in the normal course of post and assuming you had posted it promptly (section 866)</p> <p>We will accept a verified copy of the instrument creating the charge where the property charged is situated and the charge was created outside the UK (section 870) The company or the person who has delivered the copy to the Registrar must verify it to be a correct copy and sign it Where a body corporate gives the verification, an officer of that body must sign it We will also accept a verified copy where section 867(2) applies (property situated in another part of UK)</p> |  |
| <b>9</b>                         | <p><b>Signature</b></p> <p>Please sign the form here</p> <p>Signature  X</p> <p>This form must be signed by a person with an interest in the registration of the charge</p>   |  |

# MG01

## Particulars of a mortgage or 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 and will establish where we return the original documents. The contact information you give will be visible to searchers of the public record.

Contact name **Andrew Roberts**

Company name **Wilsons Solicitors LLP**

Address **Steynings House**

**Summerlock Approach**

Post town **Salisbury**

County/Region **Wiltshire**

Postcode **S P 2 7 R J**

Country **UK**

DX **DX 58003 Salisbury 1**

Telephone **01722 412412**



### 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 the original deed with this form
- ☐ You have entered the date the charge was created
- ☐ You have supplied the description of the instrument
- ☐ You have given details of the amount secured by the mortgagee or chargee
- ☐ You have given details of the mortgagee(s) or person(s) entitled to the charge
- ☐ You have entered the short particulars of all the property mortgaged or charged
- ☐ You have signed the form
- ☐ You have enclosed the correct fee



### Important information

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



### How to pay

**A fee of £13 is payable to Companies House in respect of each mortgage or charge**

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.companieshouse.gov.uk](http://www.companieshouse.gov.uk) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

**This form is available in an alternative format. Please visit the forms page on the website at [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk)**



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

**Pursuant to section 869(5) & (6) of the Companies Act 2006**

**COMPANY NO. 6968057  
CHARGE NO. 3**

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES  
HEREBY CERTIFIES THAT A THIRD PARTY LEGAL MORTGAGE  
AND GUARANTEE DATED 27 OCTOBER 2010 AND CREATED BY  
NEW EARTH SOLUTIONS (WEST) LIMITED FOR SECURING ALL  
MONIES DUE OR TO BECOME DUE FROM NEW EARTH  
SOLUTIONS FACILITIES MANAGEMENT NUMBER 2 LIMITED  
AND/OR THE COMPANY TO NEW EARTH RECYCLING &  
RENEWABLES (INFRASTRUCTURE) PLC ON ANY ACCOUNT  
WHATSOEVER UNDER THE TERMS OF THE AFOREMENTIONED  
INSTRUMENT CREATING OR EVIDENCING THE CHARGE WAS  
REGISTERED PURSUANT TO CHAPTER 1 PART 25 OF THE  
COMPANIES ACT 2006 ON THE 6 NOVEMBER 2010

GIVEN AT COMPANIES HOUSE, CARDIFF THE 9 NOVEMBER  
2010



*Companies House*  
— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES