

MG01

Particulars of a mortgage or charge



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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 regi
particulars of a charge for a Sco
company To do this, please use
form MG01s

FRIDAY



A37 12/10/2012 #267
COMPANIES HOUSE

1 Company details		For official use
Company number	3 4 6 2 1 8 3	→ Filing in this form Please complete in typescript or in bold black capitals All fields are mandatory unless specified or indicated by *
Company name in full	Mill Nurseries Limited ("Company")	
2 Date of creation of charge		
Date of creation	d0 d4 m1 m0 y2 y0 y1 y2	
3 Description		
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	Charge over goods dated 4 October 2012 made between (1) the Company and (2) Barclays Bank Plc ("Lender") ("Charge")	
4 Amount secured		
Amount secured	Please give us details of the amount secured by the mortgage or charge	
	(a) all present and future obligations and liabilities (whether as principal or surety, whether actual or contingent and whether owed jointly or severally or alone or in any other capacity whatsoever) of the Company to the Lender (including all monies covenanted to be paid under the Charge) and includes any liability (secured or unsecured) of the Company to a third party which subsequently becomes payable to the Lender by assignment or otherwise; and	
	(b) all interest, commission, fees, charges, costs and expenses which the Lender may charge to the Company in the course of its business or incur in respect of the Company or its affairs ("Secured Obligations").	
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		Continuation page Please use a continuation page if you need to enter more details
Name	Barclays Bank PLC		
Address	UK Banking Service Centre, PO Box 299		
	Birmingham		
Postcode	B 1 3 P F		
Name			
Address			
Postcode			

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	<p>The Company charges and agrees to charge by way of first fixed charge all of its present and future right, title and interest in and to:</p> <p>(a) the Holding;</p> <p>(b) the benefit of all contracts relating to the Holding; and</p> <p>(c) the proceeds of sale of the Holding.</p> <p>If and insofar as any charge or other security interest created pursuant to clause 4 (<i>Fixed Charge</i>) is ineffective as a fixed charge, then that charge shall take effect as a first floating charge over the relevant assets. In such a case the Lender may at any time by written notice to the Company convert that floating charge into a fixed charge as regards any assets specified in the notice.</p> <p>Note 1 - Negative Pledge</p> <p>The Company shall not do or agree to do any of the following without the prior written consent of the Lender.</p> <p>(a) create or permit to subsist any security interest or quasi-security interest on any Security Asset other than as created by this Charge except for a permitted security interest; or</p> <p>(b) sell, transfer, lease, lend or otherwise dispose of (whether by a single transaction or a number of transactions and whether related or not and whether voluntarily or involuntarily) the whole or any part of its interest in any Security Asset without the prior written consent of the Lender.</p> <p>Note 2 - The Charge contains the power to appoint a Receiver.</p> <p>Note 3 - The Charge contains a power of attorney.</p>		

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Particulars as to commission, allowance or discount (if any)

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

- subscribing or agreeing to subscribe, whether absolutely or conditionally, or
- procuring or agreeing to procure subscriptions, whether absolute or conditional,

for any debentures included in this return. The rate of interest payable under the terms of the debentures should not be entered

Commission, allowance or discount

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Delivery of instrument

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 870).

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 866). 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).

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Signature

Please sign the form here

Signature

Signature

X DLA Piper UK LLP

X

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

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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 Carol Conway

Company name DLA Piper UK LLP

Address Princes Exchange

Princes Square

LEEDS

Post town

County/Region

Postcode L S 1 4 B Y

Country

DX DX: 12017 LEEDS

Telephone 08700 111 111



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 or email 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

MG01 - continuation page

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6 Short particulars of all the property mortgaged or charged

Please give the short particulars of the property mortgaged or charged

Short particulars

Note 4 - Definitions

"**Holding**" means 373,100.881 ounces of silver owned by the Company and held at the Warehouse, as more particularly described in the schedule;

"**Receiver**" means a receiver or receiver and manager appointed by the Lender under this Charge,

"**Security Assets**" means all property and assets from time to time charged (or expressed to be charged) by or pursuant to this Charge;



CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

**COMPANY NO. 3462183
CHARGE NO. 6**

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES
HEREBY CERTIFIES THAT A CHARGE OVER GOODS DATED 4
OCTOBER 2012 AND CREATED BY MILL NURSERIES LIMITED
FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM
THE COMPANY TO BARCLAYS BANK 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 12 OCTOBER 2012

GIVEN AT COMPANIES HOUSE, CARDIFF THE 17 OCTOBER
2012

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Companies House
— for the record —



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES