

## **Undertaking to a loan agreement dated 13<sup>th</sup> May 2019**

### **Between:**

**Green Gale Limited (07044502)** a company incorporated under the laws of the England and Wales, whose registered office is at Hawthorn House, North Roddymoor Farm, Billy Row, Crook, County Durham, DL15 9TB **(the “Company”)**

-and-

**Thomas Alan Race** and **James Benjamin Race** as Trustees of Evergreen Pension Scheme whose serving address is situate at Hawthorn House, North Roddymoor Farm, Billy Row, Crook, County Durham, DL15 9TB **(the “Trustees”)**

### **Whereas:**

The Trustees of the Evergreen Pension Scheme have registered a legal charge dated 10<sup>th</sup> April 2015 against the “Charged Assets” which means a floating charge over the whole of the undertaking and assets of the Chargee.

### **The Directors of Green Gale Limited undertake that:**

As a consequence of the Company’s undertakings to the Trustees and so as not to diminish any and all existing or future legal charges and debentures, the Company undertakes to the Trustees to treat any new legal charges and debentures made in accordance with Companies Act 2006 (P25.C2 S882) to hold those series issued as pari passu with any existing charge.

Pursuant to Companies Act 2006 (P25.C2 S882 (4)) any failure to deliver the charge to the registrar does not affect the validity of any of those debentures issued after 10<sup>th</sup> April 2015.

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Director  
Green Gale Limited

.....  
Thomas Alan Race  
Trustee

.....  
James Benjamin Race  
Trustee