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COMPANIES FORM NO. 410(Scot)

## Particulars of a charge created by a company registered in Scotland

A fee of £13 is payable to Companies House in respect of each register entry for a mortgage or charge.

Pursuant to section 410 of the Companies Act 1985

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

For official use

5

Company number

SC005832

Name of company

JAMES JONES & SONS LIMITED (the "Company")

Date of creation of the charge (note 1)

11 MARCH 2009

Description of the instrument (if any) creating or evidencing the charge (note 1)

FLOATING CHARGE (the "Floating Charge")

Amount secured by the charge

All the Company's liabilities to Lombard North Central plc ("Lombard") of any kind and in any currency (whether present or future actual or contingent and whether incurred alone or jointly with another) including banking charges, commission, interest, costs and expenses.

Names and addresses of the persons entitled to the charge

Lombard North Central plc ("Lombard")

3 Princess Way, Redhill RH1 1NP

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

Dundas & Wilson CS LLP  
191 West George Street  
Glasgow  
G2 2LD  
REF. CAM/Lombard

For official Use  
Charges Section

SATURDAY



\*SM67R8J9\*

SCT

28/03/2009

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COMPANIES HOUSE

Please do not  
write in  
this margin

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

\*Insert full name  
of Company

### Short particulars of all the property charged

The whole of the property (including uncalled capital) which is or may be from time to time while the security is in force comprised in the property and undertaking of the Company.

*Note:- The Floating Charge contains provisions by which the Company undertakes to Lombard that it will:-*

- (a) *not without the previous written consent of Lombard dispose of any of the Company's heritable, freehold or leasehold property or any estate or interest therein or (other than in the ordinary course of business) any of its other property assets or rights; and*
- (b) *not without the previous written consent of Lombard grant or accept a renunciation or surrender of any lease or licence of or part with or share possession or occupation of the Company's heritable freehold or leasehold property or any part of it.*

Please do not write in this margin

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

Statement, in the case of a floating charge, as to any restrictions on power to grant further securities and any ranking provision (note 2)

The Floating Charge provides that:-

- (i) except with the previous written consent of Lombard, the Company will not create or permit to arise any fixed or floating charge or lien (including in each case one which ranks after the Floating Charge as well as one which has priority over or ranks pari passu with the Floating Charge) on any of its undertaking, property, assets or rights, other than in favour of Lombard;
- (ii) unless otherwise agreed in writing by Lombard, the Floating Charge shall, subject to Section 464(2) of the Companies Act 1985 and to the provision referred to in (iii) below, rank in priority to any fixed security or any other floating charge which shall be created by the Company after its execution of the Floating Charge;
- (iii) any fixed security granted by the Company in favour of Lombard either before or after the Company's execution of the Floating Charge shall in all respects rank in priority to the Floating Charge.

Particulars as to commission, allowance or discount paid (see section 413(3))

For and on behalf of Dundas & Wilson CS LLP

Signed *David C. Smith*

Date 25 MARCH 2009

On behalf of chargee

A fee of £13 is payable to Companies House in respect of each register entry for a mortgage or charge. (See Note 5)

### Notes

†delete as appropriate

- 1 A description of the instrument e.g. "Standard Security" "Floating Charge" etc. should be given. For the date of creation of a charge see section 410(5) of the Act. (Examples - date of signing of an Instrument of Charge; date of recording/registration of a Standard Security; date of intimation of an Assignment.)
- 2 In the case of a floating charge a statement should be given of (1) the restrictions, if any, on the power of the company to grant further securities ranking in priority to, or pari passu with the floating charge; and/or (2) 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 which is the subject of the floating charge or any part of it.
- 3 A certified copy of the instrument, if any, creating or evidencing the charge, 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 the creation of the charge. In the case of a charge created out of the United Kingdom comprising property situated outside the U.K., within 21 days after the date on which the copy of the instrument creating it could, in due course of post, and if despatched with due diligence, have been received in the U.K. Certified copies of any other documents relevant to the charge should also be delivered.
- 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 House,  
37 Castle Terrace  
Edinburgh EH1 2EB

DX 235 Edinburgh or LP - 4 Edinburgh 2



**FILE COPY**

**CERTIFICATE OF THE REGISTRATION  
OF A CHARGE**

COMPANY NO. 5832  
CHARGE NO. 5

I HEREBY CERTIFY THAT A CHARGE CREATED BY JAMES  
JONES & SONS LIMITED

ON 11 MARCH 2009

FOR SECURING ALL SUMS DUE OR TO BECOME DUE

IN FAVOUR OF LOMBARD NORTH CENTRAL PLC

WAS DELIVERED PURSUANT TO SECTION 410 OF THE  
COMPANIES ACT 1985 ON 28 MARCH 2009

GIVEN AT COMPANIES HOUSE, EDINBURGH 31 MARCH 2009



*Companies House*  
— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES