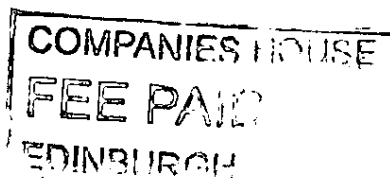


MG01s

Particulars of a charge created by a company registered in Scotland



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 charge created by a
Scottish company.

☐ **What this form is NOT for**
You cannot use this form to
particulars of a mortgage or
created by a company in Eng
and Wales or Northern Ireland
this, please use form MG01.

FRIDAY



SVJNHT47

SCT

08/04/2011

20

COMPANIES HOUSE

1 Company details

Company number S C 0 3 6 5 2 4

Company name in full CAPABILITY SCOTLAND (THE "COMPANY")

For official use

4

→ 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 ^d3 ^d1 ^m0 ^m3 ^y2 ^y0 ^y1 ^y1

3 Description

Please give a description of the instrument (if any) creating or evidencing the
charge e.g. 'Standard security', 'Floating charge' etc.

Description FLOATING CHARGE

4 Amount secured

Please give us details of the amount secured by the charge.

Amount secured PLEASE SEE CONTINUATION PAGE

Continuation page

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

MG01s

Particulars of a charge created by a company registered in Scotland

5 Mortgagee(s) or person(s) entitled to the charge

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 ALAN DAVID JAMES DICKSON

Address 11 ROSEBURN DRIVE, EDINBURGH

Postcode E H 1 2 5 N R

Name GEORGE FINNIGAN

Address THISTLEDENE, NIDDRY ROAD, WINCHBURGH, WEST LOTHIAN

Postcode E H 5 2 6 P P

6 Short particulars of all the property charged

Please give the short particulars of the property charged.

Continuation page

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

Short particulars ALL OF THE PROPERTY (INCLUDING UNCALLED CAPITAL) WHICH MAY FROM TIME TO TIME, WHILE THE FLOATING CHARGE IS IN FORCE, BE COMPRISED IN THE COMPANY'S PROPERTY AND UNDERTAKING ("SECURED PROPERTY").

MG01s

Particulars of a charge created by a company registered in Scotland

7 Statement, in the case of a floating charge, as to any restrictions on power to grant further securities and any ranking provision ①

PLEASE SEE PAPER APART

① 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.

8 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

N/A

9 Delivery of instrument

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 (UK), comprising property situated outside the UK, 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 UK. Certified copies of any other documents relevant to the charge should also be delivered.

10 Signature ②

Please sign the form here.

Signature

Signature

X 

GRANT DOCHERTY, PARTNER
BIGGART BAILLIE LLP
SOLICITORS TO THE MORTGAGEE

X

② Signature

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

MG01s

Particulars of a charge created by a company registered in Scotland



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

GETD/ABG/FRRK/40889.18

Company name

BIGGART BAILLIE LLP

Address

NO. 2 LOCHRIN SQUARE

96 FOUNTAINBRIDGE

Post town

EDINBURGH

County/Region

MIDLOTHIAN

Postcode

E H 3 9 Q A

Country

UNITED KINGDOM

DX

DX ED15

Telephone

0131 226 5541



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 deed (if any) 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 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 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 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

MG01s - continuation page

Particulars of a charge created by a company registered in Scotland

4

Amount secured

Please give us details of the amount secured by the charge.

Amount secured

THE AGGREGATE OF ALL MONEYS AND LIABILITIES, WHETHER OF PRINCIPAL, INTEREST, CHARGES, COMMISSIONS, COSTS (ON A FULL INDEMNITY BASIS) OR OTHERWISE IN WHATEVER CURRENCY WHICH MAY NOW OR AT ANY TIME HEREAFTER BE DUE OWING OR INCURRED BY THE COMPANY TO THE CREDITOR IN ANY MANNER WHATSOEVER (INCLUDING WITHOUT PREJUDICE TO THE GENERALITY OF THE FOREGOING UNDER THE TERMS OF THE MINUTE OF AGREEMENT (AS AMENDED FROM TIME TO TIME)) AND WHETHER ACTUAL OR CONTINGENT AND WHETHER ALONE OR JOINTLY WITH OTHER, AS PRINCIPAL, CAUTIONER, GUARANTOR, SURETY OR OTHERWISE, AND IN WHATEVER NAME OR STYLE ("SECURED LIABILITIES");

IN THE PARAGRAPH ABOVE, THE FOLLOWING TERMS HAVE THE FOLLOWING MEANINGS:

"CREDITOR" MEANS ALAN DAVID JAMES DICKSON, RESIDING AT 11 ROSEBURN DRIVE, EDINBURGH EH12 5NR; GEORGE FINNIGAN, RESIDING AT THISTLEDENE, NIDDRY ROAD, WINCHBURGH, WEST LOTHIAN, EH52 6PP; ROSEMARY ANNE BRAEKKAN, RESIDING AT 10 CRAWFURDS VIEW, LOCHWINNOCH, RENFREWSHIRE, PA12 4EJ; MARY DUFFY, RESIDING AT 38 RUSSELL STREET, JOHNSTONE, PA5 8EZ; AND MCGRIGORS PENSION TRUSTEES LIMITED, INCORPORATED IN SCOTLAND UNDER THE COMPANIES ACTS (REGISTERED NUMBER: SC102952) AND HAVING ITS REGISTERED OFFICE AT 141 BOTHWELL STREET, GLASGOW G2 7EQ BEING THE PRESENT TRUSTEE OF THE SCHEME AND THEIR SUCCESSORS IN OFFICE AS TRUSTEES OF THE SCHEME (THE PRESENT TRUSTEES AND SUCH SUCCESSORS IN OFFICE BEING TOGETHER THE "CREDITOR")

"MINUTE OF AGREEMENT" MEANS THE MINUTE OF AGREEMENT BETWEEN THE COMPANY AND THE CREDITOR DATED 12 DECEMBER 2007 AND 11 JANUARY 2008 AS AMENDED BY AN AMENDMENT AND RESTATEMENT AGREEMENT DATED ON OR AROUND THE DATE OF THE FLOATING CHARGE.

MG01s - continuation page

Particulars of a charge created by a company registered in Scotland

5 Mortgagee(s) or person(s) entitled to the charge

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

Name ROSEMARY ANNE BRAEKKAN

Address 10 CRAWFURDS VIEW, LOCHWINNOCH, RENFREWSHIRE

Postcode P A 1 2 4 E J

Name MARY DUFF

Address 38 RUSSELL STREET, JOHNSTONE

Postcode P A 5 8 E Z

Name MCGRIGORS PENSION TRUSTEES LIMITED (COMPANY NUMBER SC102952)

Address 141 BOTHWELL STREET, GLASGOW

Postcode G 2 7 E Q

Name

Address

Postcode

Name

Address

Postcode

Name

Address

Postcode

Name

Address

Postcode

Name

Address

Postcode

MG01s - continuation page

Particulars of a charge created by a company registered in Scotland

6	Short particulars of all the property charged	
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	Please give the short particulars of the property charged.	
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Short particulars	
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MG01S PAPER APART

CAPABILITY SCOTLAND (SC011330)

STATEMENT, IN THE CASE OF A FLOATING CHARGE, AS TO ANY RESTRICTIONS ON THE POWER TO GRANT FURTHER SECURITIES AND ANY RANKING PROVISION

1. EXCEPT AS MAY BE OTHERWISE AGREED IN WRITING BY THE CREDITOR AND SUBJECT TO SUB-SECTION (2) OF SECTION 464 OF THE COMPANIES ACT 1985:-
 - 1.1 THE FLOATING CHARGE SHALL RANK IN PRIORITY AND IN PREFERENCE TO:-
 - 1.1.1. ANY FIXED SECURITY (A "FIXED SECURITY") WITHIN THE MEANING OF SECTION 70(1) OF THE INSOLVENCY ACT WHICH MAY BE CREATED BY THE COMPANY AFTER THE CREATION OF THE FLOATING CHARGE, OTHER THAN ANY SUCH FIXED SECURITY IN FAVOUR OF THE CREDITOR WHICH SHALL IN ALL RESPECTS RANK IN PRIORITY AND IN PREFERENCE TO THE FLOATING CHARGE ; AND
 - 1.1.2. ANY OTHER FLOATING CHARGE WHICH MAY BE CREATED BY THE COMPANY AFTER THE CREATION OF THE FLOATING CHARGE.
 - 1.2 NO FIXED SECURITY, OTHER THAN ANY FIXED SECURITY IN FAVOUR OF THE CREDITOR, AND NO OTHER FLOATING CHARGE SHALL RANK IN PRIORITY OR PREFERENCE PRIOR TO OR EQUALLY WITH THE FLOATING CHARGE.
2. WITHOUT PREJUDICE TO THE PROVISIONS OF CLAUSE 1, UNTIL THE SECURED LIABILITIES HAVE BEEN IRREVOCABLY AND UNCONDITIONALLY REPAYED AND DISCHARGED IN FULL, THE COMPANY SHALL NOT, WITHOUT CONSENT IN WRITING OF THE CREDITOR, CREATE OR ATTEMPT TO CREATE OR PERMIT TO SUBSIST ANY SECURED INTEREST IN, OVER OR IN ANY WAY AFFECTING ANY OF THE SECURED PROPERTY.



FILE COPY

**CERTIFICATE OF THE REGISTRATION
OF A CHARGE**

COMPANY NO. 36524

CHARGE NO. 4

I HEREBY CERTIFY THAT A CHARGE CREATED BY
CAPABILITY SCOTLAND

ON 31 MARCH 2011

FOR SECURING ALL SUMS DUE OR TO BECOME DUE

IN FAVOUR OF ALAN DAVID JAMES DICKSON, GEORGE
FINNIGAN & OTHERS

WAS DELIVERED PURSUANT TO SECTION 878 OF THE
COMPANIES ACT 2006 ON 8 APRIL 2011

GIVEN AT COMPANIES HOUSE, EDINBURGH 11 APRIL 2011



Companies House
— for the record —



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES