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COMPANIES FORM No. 410(Scot)

Particulars of a charge created by a company registered in Scotland

COMPANIES HOUSE
FEE PAID
EDINBURGH

410

A fee of £10 is payable to Companies House in
respect of each register entry for a mortgage or
charge

CHFP025

Please do not
write in this
margin

Pursuant to section 410 of the Companies Act 1985

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

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

For official use

Company number

112

SC227833

Name of company

November Leisure Limited (the "Owner")

* insert full name
of company

Date of creation of the charge (note 1)

3 September 2003

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

Commercial Property Standard Security (the "Standard Security")

Amount secured by the charge

All present and future sums of money (however arising) due and that may
become due to the Bank in terms of the Personal Bond.

In this form 410:

"Personal Bond" means the personal bond granted by the Owner in favour of
the Bank dated 29 August 2003 as varied, amended or supplemented from time
to time.

Names and addresses of the persons entitled to the charge

The Governor and Company of the Bank of Scotland (the "Bank") having its
Head Office at The Mound, Edinburgh EH1 1YZ

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

MacLay Murray & Spens
3 Glenfinlas Street
Edinburgh
EH3 6AQ

AMR/SMK/BAN.13.841

For official use
Charges Section

Post room



Short particulars of all the property charged.

All and whole the property known as 58A North Castle Street, Edinburgh more particularly described in Part 1 of the Schedule to the Standard Security, a copy of which is annexed hereto.

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)

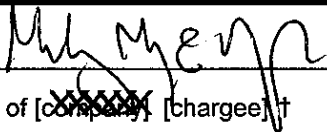
In this form 410, any reference to any person is to be construed to include that person's assignees or transferees or successors in title, whether direct or indirect.

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

NIL

A fee of £10 is
payable to
Companies House
in respect of each
register entry for a
mortgage or
charge.
(See Note 5)

Signed



Date 12/09/03

On behalf of ~~[company]~~ [chargee]†

Notes

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

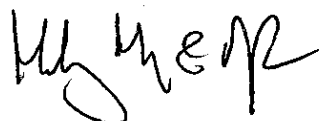
† delete as
appropriate

SCHEDULE REFERRED TO IN THE
FOREGOING STANDARD SECURITY

by
November Leisure Limited
in favour of
The Governor and Company of the Bank of Scotland

PART 1

ALL and WHOLE (IN THE FIRST PLACE) ALL and WHOLE that shop (presently used as restaurant premises) Number Fifty eight A Castle Street (otherwise North Castle Street), Edinburgh in Lothian Region and for the purpose of registration of writs in the County of Midlothian, with the saloon behind the same and the cellars underneath being the subjects and others more particularly described in and disposed by Disposition by George Dillon Hearne Kirkcaldy in favour of Thomas Chrystie dated Twenty seventh April and recorded in the Particular Register of Sasines *et cetera* for the Sheriffdoms of Edinburgh *et cetera* on Fifteenth May, both Eighteen hundred and Sixty one; with the exception of (Primo) ALL and WHOLE that dwellinghouse Number Fifty eight Castle Street (otherwise Fifty eight North Castle Street), Edinburgh, consisting of kitchen and lumber room in the area, parlour with closet off on the street or dining room flat and four rooms and bathroom on the drawing room flat, which dwellinghouse and others comprise the subjects described (Second) in Disposition by the Judicial Factor on the Estate of the late Archibald Jamieson with consent thereinmentioned in favour of William Henry Mill and David James Younger dated Thirtieth December, Eighteen hundred and Ninety nine and Second January Nineteen hundred and recorded in the Division of the General Register of Sasines for the County of Edinburgh (now Midlothian) on Third January, Nineteen hundred; and (Secundo) ALL and WHOLE that area or piece of ground forming a private lane running in a south south-east direction and leading from an existing door set in the western extremity of the wall forming the south south-east face of the rear buildings of Fifty eight A Castle Street, Edinburgh, to Young Street Lane North, Edinburgh which area or piece of ground is more fully described in, disposed by and shown coloured red and marked "Private Lane Numbers 54, 58A" on the plan annexed and signed as relative to Disposition by Discount Bank (Overseas) Limited with consent of Cosmo Tamburro in favour of the Partners of and Trustees for the firm of J & F Anderson, Writers to the Signet, Edinburgh dated Eighth and Sixteenth and recorded in the said Division of the General Register of Sasines on Twenty third, all days of January, Nineteen hundred and Seventy; AND (IN THE SECOND PLACE) ALL and WHOLE that shop (presently used as restaurant premises) on the street level forming Number Sixty Castle Street (otherwise North Castle Street), Edinburgh, in the said Region and County extending from the street front to the back of the tenement of which the said shop forms a part, together with the areas (formerly used as a bakehouse) and oven occupying two storeys or flats underneath said shop and extending under the pavement in front thereof, and together also with the following adjoining accommodation, videlicet:- (First) that room with water closet situated at the back of said tenement on the street floor thereof and opening from the north wall of the said shop, (Second) that small cellar with stairway leading thereto opening from the stairway next mentioned, (Third) the stairway leading from the upper of said two storeys or flats underneath the said shop to a water closet on or near the street floor with a right in common with the owner of the shop forming Number Sixty two Castle Street, aforesaid to the said water closet, (Fourth) that cellar opening from the north wall of the lower of said two storeys or flats and situated near the back of said tenement, (Fifth) that cellar opening from the north wall of the lower of said two storeys or flats near the front of said oven, and (Sixth) a right of free access to the subjects hereby secured by the stairway entering from Number Sixty A Castle Street, aforesaid; Together with a right in common with the other proprietors of said tenement to the solum of ground on which said tenement is erected and to the drains, soil and other pipes and the whole other rights common and mutual to the proprietors of said tenement, and with right of access to the chimney tops and roof by the passages and stairs and hatchways leading thereto for the purpose of cleaning vents and other necessary purposes and to the drains, soil and other pipes of said tenement which subjects (IN THE SECOND PLACE) hereby secured form part of ALL and WHOLE that one flat or storey entering by a few steps from Castle Street, a part of two storeys or flats below the same and the front and back areas, cellars and offices thereto pertaining to that tenement of land and houses lying on the northwest corner of Castle Street and south side of Queen Street, which subjects last mentioned are more particularly described in Instrument of Sasine in favour of Mrs Helen Mylen or McKay, dated Twenty third and recorded in the said Particular Register at Edinburgh on Twenty fifth, both days of May, Eighteen hundred and Twenty; which subjects (IN THE FIRST PLACE) and (IN THE SECOND PLACE) hereby secured are respectively secured TOGETHER WITH (First) the goodwill insofar as heritable of the business (known as Cosmo Ristorante) carried on therein, (Second) the whole rights, common, mutual or sole effeiring thereto, (Third) the parts, privileges and pertinents thereof, (Fourth) the whole fixtures and fittings therein and thereon



and (Fifth) the Owner's whole right, title and interest, present and future, therein and thereto; TOGETHER ALSO WITH the servitude right of way constituted by Deed of Servitude and Conditions by the Partners of and Trustees for the firm of Anderson Strathern WS in favour of David Edward Murray dated Sixth and Twenty-seventh September and recorded in the said Division of the General Register of Sasines on Thirteenth December, both months Nineteen hundred and Ninety four.

PART 2

NONE

PART 3

NONE

David W. Murray
(DAVID WILLIAM MURRAY HURNE)

(to be executed by the Owner)

Murray

FILE COPY



CERTIFICATE OF THE REGISTRATION OF A CHARGE

Company number 227833

I hereby certify that a charge created by

NOVEMBER LEISURE LIMITED

on 3 SEPTEMBER 2003

for securing ALL SUMS DUE, OR TO BECOME DUE

in favour of

THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND

was delivered pursuant to section 410 of the Companies Act, 1985,
on 16 SEPTEMBER 2003

Given at Companies House, Edinburgh
19 SEPTEMBER 2003



C O M P A N I E S H O U S E



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES

N.B. Searchers may find it desirable to refer to the documents mentioned in column (2) for more detailed particulars

REGISTER of Charges, Alterations to Charges,

COMPANY: SC227833 CHARGE: 2

(1) Date of Registration	(2) Serial Number of Document on File	(3) Date of Creation of each Charge and Description thereof	(4) Date of the aquisition of the Property	(5) Amount secured by the Charge £	(6) Short Particulars of the Property Charged	(7) Names of the Persons entitled to the Charge
16/09/2003 COMMERCIAL	PROPERTY	3/ 9/03 STANDARD SECURITY		ALL SUMS DUE, OR TO BECOME DUE	58A NORTH CASTLE STREET, EDINBURGH	THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND

Memoranda of Satisfaction and Appointments etc. of Receivers

N.B. Searchers may find it desirable to refer to the documents mentioned in column (2) for more detailed particulars

COMPANY: SC227833 CHARGE: 2

(8)	(9)	(10)	(11)	(12)		
				Receiver		
In the case of a floating charge, a statement of the provisions, if any, prohibiting or restricting the creation by the company of any fixed security or any other floating charge having priority over, or ranking <i>pari passu</i> with the floating charge.	In the case of a floating charge, a statement of 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 the subject of the floating charge or any part of it.	Amount or rate per cent of the Commission Allowance or discount	Memoranda of Satisfaction	Name	Date of Appointment	Date of Ceasing to act