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## FINAL NOTICE

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**To:** David John Hewitt trading as Bexley Insurance Centre

**Address:** Bexley Insurance Centre  
67 Royal Oak Road  
Bexleyheath  
Kent  
DA6 7HQ

**FRN:** 300766

**Dated:** 12 August 2014

### **ACTION**

1. For the reasons set out in this Final Notice, the Authority hereby cancels Mr Hewitt's Part 4A permission pursuant to section 55J of the Act.
2. The Authority gave Mr Hewitt a Decision Notice on 2 July 2014 (the "Decision Notice") which notified him that the Authority had decided to take the above action. Mr Hewitt has not referred the matter to the Tribunal within 28 days of the date on which the Decision Notice was given to him.

### **DEFINITIONS**

3. The definitions below are also used in this Final Notice:

"the Act" means the Financial Services and Markets Act 2000;

"the Authority" means the body corporate previously known as the Financial Services Authority and renamed on 1 April 2013 as the Financial Conduct Authority;

"Mr Hewitt" means David John Hewitt trading as Bexley Insurance Centre;

"Mr Hewitt's Part 4A permission" means Mr Hewitt's permission granted pursuant to Part 4A of the Act;

"the Overdue Balance" means regulatory fees and levies owed to the Authority totalling £3,145.22;

"RMAR" means the Retail Mediation Activities Return;

"the Threshold Conditions" means the threshold conditions set out in Schedule 6 of the Act;

"the Tribunal" means the Upper Tribunal (Tax and Chancery Chamber).

## **REASONS FOR ACTION**

4. On the basis of the facts and matters and conclusions described in the Warning Notice issued to Mr Hewitt dated 28 May 2014 and in the Decision Notice, it appears to the Authority that Mr Hewitt is failing to satisfy the Threshold Conditions, in that the Authority is not satisfied that Mr Hewitt is a fit and proper person having regard to all the circumstances, including whether he manages his business in such a way as to ensure that its affairs are conducted in a sound and prudent manner.
5. Mr Hewitt has:
  - a. failed to submit the RMAR for the period ended 31 October 2013;
  - b. failed to pay the Overdue Balance; and
  - c. repeatedly failed to comply promptly with the regulatory requirements to submit RMARs and to pay fees and levies owed to the Authority (details of these failures are set out in the Decision Notice, an extract of which is attached to and forms part of this Final Notice).
6. Mr Hewitt has not been open and co-operative in all his dealings with the Authority, in that he has failed to respond to the Authority's repeated requests for him to submit RMARs and to pay fees and levies owed to the Authority, and has thereby failed to comply with Principle 11 of the Authority's Principles for Businesses and to satisfy the Authority that he is ready, willing and organised to comply with the requirements and standards under the regulatory system.
7. These failures lead the Authority to conclude that Mr Hewitt has failed to manage his business in such a way as to ensure that its affairs are conducted in a sound and prudent manner, and that he is not a fit and proper person, and that he is therefore failing to satisfy the Threshold Conditions in relation to the regulatory activities for which Mr Hewitt has had a permission.

**DECISION MAKER**

8. The decision which gave rise to the obligation to give this Final Notice was made by the Regulatory Decisions Committee.

**IMPORTANT**

9. This Final Notice is given to Mr Hewitt in accordance with section 390(1) of the Act.

**PUBLICITY**

10. Sections 391(4), 391(6) and 391(7) of the Act apply to the publication of information about the matter to which this Final Notice relates. Under those provisions, the Authority must publish such information about the matter to which this Final Notice relates as the Authority considers appropriate. The information may be published in such manner as the Authority considers appropriate. However, the Authority may not publish information if such publication would, in the opinion of the Authority, be unfair to Mr Hewitt or prejudicial to the interests of consumers.
11. The Authority intends to publish such information about the matter to which this Final Notice relates as it considers appropriate.

**AUTHORITY CONTACT**

12. For more information concerning this matter generally, please contact Dilip Vekariya at the Authority (direct line: 020 7066 5520).

**John Kirby**  
**Enforcement and Financial Crime Division**

**EXTRACT FROM THE DECISION NOTICE DATED 2 JULY 2014 ISSUED BY THE AUTHORITY TO MR DAVID JOHN HEWITT TRADING AS BEXLEY INSURANCE CENTRE**

**"FACTS AND MATTERS RELIED ON**

1. Mr Hewitt was authorised by the Authority on 14 January 2005 to conduct insurance mediation business.

**Retail Mediation Activities Returns**

2. Mr Hewitt has, since June 2012, repeatedly failed to submit promptly his RMAR. As set out in Table A below, Mr Hewitt has failed to submit his last four RMARs on time (or at all). In particular, two of these RMARs were late by a significant period of 118 and 147 days respectively.

Table A

<b>Return period end date</b>	<b>RMAR due date</b>	<b>Enforcement referral accepted date</b>	<b>RMAR submission date</b>	<b>Days late</b>
30/04/2012	14/06/2012	23/08/2012	15/10/2012	118 days
31/10/2012	12/12/2012	N/A	Outstanding	567 days (as at 02 July 2014)
30/04/2013	13/06/2013	19/08/2013	07/11/2013	147 days
31/10/2013	12/12/2013	31/03/2014	Outstanding	202 days (as at 02 July 2014)

3. Further, as a result Mr Hewitt has been referred to Enforcement on two previous occasions – in August 2012 and August 2013. On both referrals, Mr Hewitt only took steps to comply after formal proceedings to cancel his permission had commenced.

**Regulatory Fees and Levies**

4. Mr Hewitt has also, since July 2012, repeatedly failed to pay promptly fees and levies owed to the Authority, as set out in Table B below. Mr Hewitt has failed to pay promptly (or at all) all of his last six invoices. In particular, Mr Hewitt has been late in paying his last two annual Authority periodic fees and levies. The periodic fees and levies for 2012/2013 were paid 312 days late.

Table B

<b>Invoice date</b>	<b>Invoice amount</b>	<b>Payment due date</b>	<b>Date paid</b>	<b>Days late</b>
29/06/2012	£2,063.76	29/07/2012	06/06/2013	312 days
04/07/2012	£250.00	03/08/2012	06/06/2013	307 days
08/01/2013	£250.00	07/02/2013	Outstanding	510 days (as at 02 July 2014)
08/07/2013	£250.00	07/08/2013	Outstanding	329 days (as at 02 July 2014)
25/08/2013	£2,645.22	25/10/2013	Outstanding	250 days (as at 02 July 2014)
21/01/2014	£250.00	20/02/2014	12/03/2014	23 days

5. Further, as a result Mr Hewitt has been referred to Enforcement on one occasion, in January 2013. On this occasion, regulatory enforcement action was taken but subsequently discontinued as Mr Hewitt made belated payment of the outstanding fees. However, Mr Hewitt only took steps to comply after formal proceedings to cancel his permission had commenced."

**END OF EXTRACT**