
FINAL NOTICE

To: All Motors Cardiff (Mr Andrew Latte trading as)

**Of: 13a Ipswich Road
Cardiff
CF23 9AQ**

FRN: 726647

Dated: 17 August 2017

ACTION

1. For the reasons set out in this Final Notice, the Authority hereby takes the following action against Mr Latte.
2. The Authority issued to Mr Latte the Decision Notice which notified him that for the reasons given below and pursuant to section 55J of the Act, the Authority had decided to cancel Mr Latte's Part 4A permission.
3. Mr Latte has not referred the matter to the Tribunal within 28 days of the date on which the Decision Notice was issued to him.
4. Accordingly, the Authority has today cancelled Mr Latte's Part 4A permission.

DEFINITIONS

5. The definitions below are used in this Final Notice:

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

"the Authority" means the Financial Conduct Authority;

"the Decision Notice" means the Decision Notice issued to Mr Latte dated 10 July 2017;

"Mr Latte's Part 4A permission" means the permission granted by the Authority to All Motors Cardiff (Mr Andrew Latte trading as) pursuant to Part 4A of the Act;

"the Overdue Balance" means the amount owed by Mr Latte to the Authority totalling £395, comprising: an invoice dated 9 August 2016 for £250 for an administrative fee in respect of late submission of the CCR007 Return, which was due for payment by 8 September 2016; and an invoice for £145 dated 9 September 2016 in respect of periodic fees and levies, which was due for payment by 9 October 2016;

"the Principles" means the Authority's Principles for Businesses;

"the Return" means the CCR007 (key data) return for the period ended 30 April 2016, which Mr Latte was due to submit to the Authority by 14 June 2016;

"the suitability Threshold Condition" means the threshold condition stated in Paragraph 2E of Schedule 6 to the Act;

"SUP" means the Authority's Supervision Manual, part of the Handbook;

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

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

"the Warning Notice" means the Warning Notice issued to Mr Latte dated 19 June 2016.

REASONS FOR ACTION

6. On the basis of the facts and matters and conclusions described in the Warning Notice and in the Decision Notice, it appears to the Authority that Mr Latte is failing to satisfy the suitability Threshold Condition, in that the Authority is not satisfied that Mr Latte is a fit and proper person having regard to all the circumstances, including whether Mr Latte managed his business in such a way as to ensure that his affairs were conducted in a sound and prudent manner.
7. This is because Mr Latte has failed to comply with the regulatory requirements to submit the Return and pay the Overdue Balance. Mr Latte has not been open and co-operative in all his dealings with the Authority, in that he has failed to respond adequately to the Authority's repeated requests for him to submit the Return and pay the Overdue Balance, 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.

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8. These failures, which are significant in the context of Mr Latte's suitability, lead the Authority to conclude that Mr Latte has failed to manage his business in such a way as to ensure that his affairs are conducted in a sound and prudent manner, that he is not a fit and proper person, and that he is therefore failing to satisfy the Threshold Conditions in relation to the regulated activities for which Mr Latte has had a permission.

DECISION MAKER

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

IMPORTANT

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

Publicity

11. 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 Latte or prejudicial to the interest of consumers.
12. The Authority intends to publish such information about the matter to which this Final Notice relates as it considers appropriate.

Authority Contact

13. For more information concerning this matter generally, please contact Prea Deans at the Authority (direct line: 020 7066 2272).

John Kirby
Enforcement and Market Oversight Division