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## FINAL NOTICE

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**To:** Capital Enterprises (Yorkshire) Limited

**Of:** 5 Wesley Street  
Castleford  
West Yorkshire  
WF10 1JG

**FSA Reference  
Number:** 305550

**Dated:** 23 September 2009

**TAKE NOTICE:** The Financial Services Authority of 25 The North Colonnade, Canary Wharf, London E14 5HS (the "FSA") gives Capital Enterprises (Yorkshire) Limited ("Capital"), final notice about a decision to cancel the permission granted to Capital to carry on regulated activities

### **1. ACTION**

- 1.1 The FSA gave Capital a Decision Notice on 12 August 2009 (the "Decision Notice") which notified Capital that for the reasons given below and pursuant to section 45 of the Financial Services and Markets Act 2000 (the "Act"), the FSA had decided to cancel the permission granted to Capital pursuant to Part IV of the Act ("Capital's Part IV permission").
- 1.2 Capital has not referred the matter to the Financial Services and Markets Tribunal within 28 days of the date on which the Decision Notice was given to Capital. Accordingly, the FSA has today cancelled Capital's Part IV permission.

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## **2. REASONS FOR ACTION**

- 2.1 On the basis of the facts and matters and conclusions described in its Warning Notice dated 1 July 2009 (the "Warning Notice"), and in the Decision Notice, it appears to the FSA that Capital is failing to satisfy the threshold conditions set out in Schedule 6 to the Act (the "Threshold Conditions").
- 2.2 This is because Capital has failed to pay fees and levies of £1,113.84 owed to the FSA, despite repeated requests that it does so.
- 2.3 This failing, which is significant in the context of Capital's suitability, leads the FSA to conclude that Capital is not conducting its business soundly and prudently and in compliance with proper standards and that it is not a fit and proper person, and that it is therefore failing to satisfy the Threshold Conditions in relation to the regulated activities for which it has a Part IV permission.

## **3. DECISION MAKER**

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

## **4. IMPORTANT**

- 4.1 This Final Notice is given to Capital in accordance with section 390(1) of the Act.

### **Publicity**

- 4.2 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 FSA must publish such information about the matter to which this Final Notice relates as the FSA considers appropriate. The information may be published in such manner as the FSA considers appropriate. However, the FSA may not publish information if such publication would, in the opinion of the FSA, be unfair to you or prejudicial to the interests of consumers.

- 4.3 The FSA intends to publish this Final Notice and such information about the matter to which this Final Notice relates as it considers appropriate

### **FSA Contact**

- 4.4 For more information concerning this matter generally, you should contact Clare Harries at the FSA (direct line: 020 7066 6170 / fax: 020 7066 6171).

**John Kirby**  
**FSA Enforcement Division**

