

25 The North Colonnade
Canary Wharf
London
E14 5HS

Tel: +44 (0)20 7066 1000
Fax: +44 (0)20 7066 1099
www.fca.org.uk

FINAL NOTICE

To: **Emily Cook**

Address: **4 Avondale Road
Hove
BN3 6ER**

FRN: **716951**

Dated: **17 May 2018**

ACTION

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

DEFINITIONS

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

“the Act” means the Financial Services and Markets Act 2000;

“the Authority” means the Financial Conduct Authority;

“Ms Cook’s Part 4A permission” means the permission granted by the Authority to Ms Cook pursuant to Part 4A of the Act;

“the Decision Notice” means the Decision Notice issued by the Authority to Ms Cook dated 7 March 2018;

“the Overdue Balance” means the amount owed by Ms Cook to the Authority of £395, comprising: an invoice dated 13 July 2016 for £250, in respect of an administrative fee for non-submission of a regulatory return, which was due for payment by 12 August 2016; and an invoice dated 9 September 2016 for £145 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;

“RAG” means Regulated Activity Group as referred to in SUP;

“the Return” means the CCR007 (key data) return for the period ended 4 April 2017, which Ms Cook was due to submit to the Authority by 19 May 2017;

“the suitability Threshold Condition” means the threshold condition set out in paragraph 2E of Schedule 6 to the Act;

“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 by the Authority to Ms Cook dated 7 February 2018.

REASONS FOR THE 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 Ms Cook is failing to satisfy the suitability Threshold Condition, in that the Authority is not satisfied that Ms Cook is a fit and proper person having regard to all the circumstances, including whether Ms Cook managed her business in such a way as to ensure that her affairs were conducted in a sound and prudent manner.
7. Ms Cook has failed comply with the regulatory requirement to submit the Return and pay the Overdue Balance. Ms Cook has not been open and co-operative in all her dealings with the Authority, in that Ms Cook has failed to respond to the Authority’s repeated requests for her to submit the Return and pay the Overdue Balance, and has thereby failed to comply with Principle 11 of the Principles and to satisfy the Authority that she is ready, willing and organised to comply with the requirements and standards of the regulatory system.

8. These failures, which are significant in the context of Ms Cook's suitability, lead the Authority to conclude that Ms Cook has failed to manage her business in such a way as to ensure that her affairs are conducted in a sound and prudent manner, that she is not a fit and proper person, and that she is therefore failing to satisfy the Threshold Conditions in relation to the regulated activities for which she was granted a Part 4A 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 Ms Cook 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 Ms Cook 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 Funmi Ojo at the Authority (direct line: 020 7066 1354).

Anna Couzens
Enforcement and Market Oversight Division