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## **FINAL NOTICE**

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**To: Progress Motor Company Ltd**

**Address: Jindal House  
35 Progress Road  
Leigh-on-Sea  
Essex  
SS9 5PR**

**FRN: 785723**

**Dated: 8 September 2023**

### **ACTION**

1. For the reasons set out in this Final Notice, the Authority hereby takes the following action against Progress Motor Company Ltd (PMCL).
2. The Authority issued to PMCL the Decision Notice which notified PMCL that for the reasons given below and pursuant to section 55J of the Act, the Authority had decided to cancel PMCL's Part 4A permission.
3. PMCL 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 PMCL'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;

“the Decision Notice” means the Decision Notice issued by the Authority to Progress Motor Company Ltd dated 6 July 2023;

“the Overdue Balance” means the outstanding sum of £660.33, owed by PMCL to the Authority consisting of:

- invoice dated 10 October 2019 for an administrative fee of £250 which had been due for payment by 9 November 2019 (in respect of the non-submission of regulatory return due to be submitted by 12 September 2019);
- an invoice dated 10 August 2020 for regulatory fees and levies of £160.33 which had been due for payment by 8 November 2020; and
- an invoice dated 7 December 2020 for an administrative fee of £250 which had been due for payment by 6 January 2021 (in respect of the non-submission of regulatory return due to be submitted by 27 October 2020).

“PMCL” means Progress Motor Company Ltd;

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

“the Principles” means the Authority’s Principles for Businesses;

“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 PMCL dated 9 June 2023.

## 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 PMCL is failing to satisfy the suitability Threshold Condition, in that the Authority is not satisfied that PMCL is a fit and proper person having regard to all the circumstances, including whether PMCL managed its business in such a way as to ensure that its affairs were conducted in a sound and prudent manner.

7. PMCL has failed to pay the Overdue Balance and it has not been open and co-operative in all its dealings with the Authority, in that PMCL has failed to respond to the Authority’s repeated requests for it to pay the Overdue Balance, and has thereby failed to comply with Principle 11 of the Principles and to satisfy the Authority that it 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 PMCL's suitability, lead the Authority to conclude that PMCL has failed to manage its business in such a way as to ensure that its affairs are conducted in a sound and prudent manner, 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 had a permission.

#### **DECISION MAKER**

9. The decision which gave rise to the obligation to give this Final Notice was made by an Authority staff member under executive procedures.

#### **IMPORTANT**

10. This Final Notice is given to PMCL 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 PMCL 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 Maciej Alexander Bajko at the Authority (direct line: 020 7066 1838).

**Jeremy Parkinson**  
**Enforcement and Market Oversight Division**