
FINAL NOTICE

To: **West Gate Car Sales (UK) Limited**

Address: **Pro Hand Wash
Westgate
Cleckheaton
BD19 5EJ**

FRN: **757036**

Dated: **18 May 2018**

ACTION

1. For the reasons set out in this Final Notice, the Authority hereby takes the following action against WCSL.
2. The Authority issued to WCSL the Decision Notice which notified WCSL that for the reasons given below and pursuant to section 55J of the Act, the Authority had decided to cancel WCSL's Part 4A permission.
3. WCSL 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 WCSL'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 WCSL dated 30 January 2018;

“the Overdue Balance” means the amount owed by WCSL to the Authority comprising an invoice dated 9 November 2016 for £84.58 for regulatory fees and levies for the period 1 April 2016 to 31 March 2017, which was due for payment by 9 December 2016;

“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);

“the Warning Notice” means the Warning Notice issued by the Authority to WCSL dated 3 January 2018;

“WCSL” means West Gate Car Sales (UK) Limited; and

“WCSL’s Part 4A permission” means the permission granted by the Authority to West Gate Car Sales (UK) Limited pursuant to Part 4A of the Act;

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 WCSL is failing to satisfy the suitability Threshold Condition, in that the Authority is not satisfied that WCSL is a fit and proper person having regard to all the circumstances, including whether WCSL managed its business in such a way as to ensure that its affairs were conducted in a sound and prudent manner.
7. WCSL 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 WCSL 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 under the regulatory system.
8. These failures, which are significant in the context of WCSL’s suitability, lead the Authority to conclude that WCSL 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 WCSL 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 WCSL under section 55Z and 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 WCSL 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 Rachel Fasanya at the Authority (direct line: 020 7066 3202).

Anna Couzens
Enforcement and Market Oversight Division