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## FINAL NOTICE

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To: **Windmill Finance Services Limited**

Of: **21 Haldane Gardens  
Northfleet  
Kent  
DA11 8EA**

FSA  
Reference  
Number:

**309597**

Dated: **20 May 2009**

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

### **1. ACTION**

- 1.1 The FSA gave Windmill Finance Services Limited ("WFSL") a Decision Notice on 14 April 2009 (the "Decision Notice"), which notified WFSL 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 WFSL pursuant to Part IV of the Act ("WFSL's Part IV permission").
- 1.2 WFSL was informed of its statutory right to make a reference to the Financial Services and Markets Tribunal, but it has not referred the Decision Notice to the Tribunal within 28 days of the date on which the Decision Notice was given to WFSL. Accordingly, the FSA has today cancelled WFSL's Part IV permission.

### **2. REASONS FOR ACTION**

- 2.1 On the basis of the facts and matters and conclusions described in its Warning Notice dated 5 March 2009 (the "Warning Notice"), and in the Decision Notice, it appears to the FSA that WFSL is failing to satisfy the threshold conditions set out in schedule 6 of the Act (the "Threshold Conditions").

- 2.2 Specifically, WFSL has repeatedly failed to comply with the regulatory requirement to submit the Retail Mediation Activities Return (“RMAR”) promptly. WFSL has also failed to co-operate with the FSA by failing to respond to the FSA’s attempts to contact it in relation to its outstanding RMARs, and has failed to notify the FSA of a change in address of its principal place of business.
- 2.3 These failures, which are significant in the context of WFSL’s suitability, lead the FSA to conclude that WFSL is not conducting its business soundly and prudently, and in compliance with proper standards, 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 Part IV permission.

### **3. DECISION MAKER**

- 3.1 The decision which gave rise to the obligation to issue this Final Notice was taken by the Regulatory Decisions Committee.

### **4. IMPORTANT**

- 4.1 This Final Notice is given to you 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 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 Isabel Barnes at the FSA (direct line: 020 7066 1426/fax: 020 7066 1427).

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