
FINAL NOTICE

To: **John Sutton Partnership**
Of: **135 Northenden Road**
Sale Moor
Manchester
M33 3HF

Dated: **14 December 2004**

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

1. ACTION

The FSA gave JSP a Decision Notice on 30 March 2004 ("the Decision Notice") which notified JSP that for the reasons listed 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 JSP pursuant to Part IV of the Act ("JSP's Part IV permission").

2. REASONS FOR ACTION

On the basis of the facts and matters and the conclusions described in its Warning Notice dated 15 January 2004 and in the Decision Notice, it appeared to the FSA that JSP was failing to satisfy the threshold conditions set out in Schedule 6 of the Act ("the threshold conditions") in that JSP was not a fit and proper person in all the circumstances, including the need to ensure that its affairs were conducted soundly and prudently. JSP had also breached Principles 1 (integrity) and 11 (co-operation with regulators) of the FSA's Principles for Businesses. Specifically, JSP admitted

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that between March 2001 and March 2003 it submitted quarterly pensions review returns to the FSA containing false information and thus failed to disclose to the FSA the true state of its pensions review and that JSP had not paid any redress to investors.

JSP made written representations to the FSA on 24 February and 19 March 2004 and exercised its right to make oral representations to the FSA at a meeting with the Regulatory Decisions Committee on 26 March 2004.

Having had regard to JSP's representations, the FSA found no facts in them which affected its conclusions that, because it deliberately misled the FSA by concealing the true state of its pensions review through the submission of returns containing false information, JSP is not a fit and proper person having regard to all the circumstances and is therefore failing to satisfy the threshold conditions in relation to the regulatory activities to which JSP's Part IV permission relates. On 30 March 2004, the FSA gave JSP a Decision Notice.

On 27 April 2004, JSP exercised its right to make a reference, about the matters contained in the Decision Notice, to the Financial Services and Markets Tribunal ("the Tribunal"). On 30 November 2004, JSP withdrew its reference to the Tribunal.

Accordingly, the FSA has today cancelled JSP's Part IV permission.

3. IMPORTANT

This Final Notice is given to you under section 390(2) and in accordance with section 390(7) of the Act.

Publicity

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.

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

FSA Contact

For more information concerning this matter generally, you should contact me at the FSA (direct line: 020 7066 1458 /fax: 020 7066 1459).

John Kirby
Manager - FSA Enforcement Division