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## FINAL NOTICE

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To: **John Calland**  
**trading as Calland Insurance & Mortgage Services**

Of: **33 Beaumont Fee**  
**Lincoln**  
**Lincolnshire**  
**LN1 1EZ**

Dated: **10 August 2004**

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

### **1. ACTION**

The FSA gave you a Decision Notice on 7 July 2004 (“the Decision Notice”) which notified you 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 you, John Calland trading as Calland Insurance & Mortgage Services, pursuant to Part IV of the Act (“your Part IV permission”).

You have not referred the matter to the Tribunal within 28 days of the date on which the Decision Notice was given to you. Accordingly, the FSA has today cancelled your Part IV permission.

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## 2. REASONS FOR ACTION

On the basis of the facts and matters and the conclusions described in its Warning Notice dated 2 June 2004 (an extract from which is attached to, and forms part of, this Notice) and in the Decision Notice, it appears to the FSA that you have failed to satisfy the threshold conditions set out in Schedule 6 of the Act, in that you have failed to satisfy the FSA that you are a fit and proper person having regard to all the circumstances, including the need to ensure that your affairs are conducted soundly and prudently.

It also appears to the FSA that you have not conducted any regulated activity for a period of at least 12 months. By virtue of section 45(1)(b) of the Act, which gives the FSA the power to cancel a firm's Part IV permission if it is considered appropriate to do so, the FSA has today cancelled your Part IV permission.

## 3. IMPORTANT

This Final Notice is given to you in accordance with section 390(1) 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.

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 Sally Tanner at the FSA (direct line: 020 7066 4476 /fax: 020 7066 4477).

John Kirby  
Manager  
Enforcement Division

**EXTRACT FROM WARNING NOTICE DATED 2 JUNE 2004**

**REASONS FOR PROPOSED ACTION**

**Facts and matters relied on**

You have a sole trader independent financial adviser practice for which you are the only approved person.

You became authorised by the FSA on 1 December 2001 ("N2") but, by reason of the intervention action previously taken against you by the Personal Investment Authority on the ground that you were failing to satisfy your financial resources requirement, your Part IV permission contained no regulated activities. The FSA has no evidence that you have conducted any regulated activity since N2.

Further, the FSA has had no communication with you since 19 November 2003. Three letters sent to you at your principal place of business in Lincoln over the period November 2003 to March 2004 have been returned "addressee gone away" and the telephone number at that address is no longer recognised.

Since it appears that you have moved away without having given the FSA any notice of a change of your principal place of business or any other form of communication, the FSA has no means of effectively monitoring compliance by you with the requirements and standards of the regulatory system.

**Conclusions**

The facts and matters described above lead the FSA, having regard to its regulatory objectives, to the following conclusions:

- you have not carried on any regulated activity during a period of at least 12 months and it is appropriate therefore that your Part IV permission should be cancelled;
  - by failing to communicate with or respond to communications from the FSA, you have demonstrated that you are not ready and willing to comply with the requirements and standards under the regulatory system and therefore that you are failing to conduct your business in compliance with proper standards; and
  - that failure is significant in the context of your suitability and you do not therefore satisfy the FSA that you are a fit and proper person having regard to all the circumstances.
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