
FINAL NOTICE

To: Lee Brian Stanyer

Address: Highway Garage
Holmes Chapel Road
Lower Withington
Macclesfield
SK11 9DT

FRN: 653867

Dated: 23 August 2018

ACTION

1. For the reasons set out in this Final Notice, the Authority hereby takes the following action against Mr Stanyer.
2. The Authority issued to Mr Stanyer the Decision Notice which notified him that for the reasons given below and pursuant to section 55J of the Act, the Authority had decided to cancel Mr Stanyer's Part 4A permission.
3. Mr Stanyer has not referred the matter to the Tribunal within 28 days of the date on which the Decision Notice was given to him.
4. Accordingly, the Authority has today cancelled Mr Stanyer'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 Mr Stanyer dated 17 July 2018;

"the Overdue Balance" means the outstanding sum of £546, owed by Mr Stanyer to the Authority comprising: an invoice for £145 in respect of fees and levies, which was due for payment by 7 July 2017; an invoice for £151 in respect of fees and

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levies, which was due for payment by 26 October 2017; and an invoice for £250 which was due for payment by 4 August 2017, for late submission of a regulatory return;

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

“Mr Stanyer” means Lee Brian Stanyer;

“Mr Stanyer’s Part 4A permission” means the permission granted by the Authority to Lee Brian Stanyer pursuant to Part 4A of the Act;

“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 Mr Stanyer dated 19 June 2018.

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 Mr Stanyer is failing to satisfy the suitability Threshold Condition, in that the Authority is not satisfied that Mr Stanyer is a fit and proper person having regard to all the circumstances, including whether Mr Stanyer managed his business in such a way as to ensure that his affairs were conducted in a sound and prudent manner.
7. Mr Stanyer has failed to pay the Overdue Balance and he has not been open and co-operative in all his dealings with the Authority, in that Mr Stanyer has failed to respond to the Authority’s repeated requests for him to pay the Overdue Balance, and has thereby failed to comply with Principle 11 of the Principles and to satisfy the Authority that he 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 Mr Stanyer’s suitability, lead the Authority to conclude that Mr Stanyer has failed to manage his business in such a way as to ensure that his affairs are conducted in a sound and prudent manner, that he is not a fit and proper person, and that he is therefore failing to satisfy the Threshold Conditions in relation to the regulated activities for which he has had a 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 Mr Stanyer in accordance with section 390(1) of the Act.

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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 Mr Stanyer 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 Antonella Pavone at the Authority (direct line: 020 7066 5222).

Anna Couzens
Enforcement and Market Oversight Division