

# Press release: Extended disqualification for engineering boss who breached existing ban

In January 2016 David Stuart, of Aberdeen, received a six-year ban following the liquidation of Nabscaff Limited (Nabscaff) of which he was the sole director. He was disqualified for failing to maintain company books and records.

Following Nabscaff's liquidation, however, David Stuart started a new company in September 2013. Tern Engineering Services Limited (TES) provided engineering services to the oil and gas industry and the court heard that between January 2016 and September 2016, David Stuart continued to act as director of the company despite knowing his ban prevented him from doing so.

Following TES's being wound-up in September 2016, an Insolvency Service investigation found, and in extending his disqualification, the court accepted, that:

- Following TES's liquidation, David Stuart allowed liabilities to accrue to HMRC while making unreasonable payments to himself and gambling accounts when he was already disqualified and the company was significantly insolvent and under creditor pressure
- The company received an income of at least £9,999 per month in the 6 months up to December 2015 but in January and February 2016 after David Stuart's initial disqualification order, only £1,250 was received
- During March and April 2016, receipts totalling £34,770 were received into the company bank account, of which £6,000 was withdrawn by David Stuart, £9,300 was paid to gambling accounts owned by him and payments to unknown payees totalling £17,010 were made but no payments were made to HMRC
- By January 2016, HMRC were owed £57,587 accruing since at least June 2015. HMRC were also the sole creditor in respect of the previous company (Nabscaff), in the sum of £115,472, to which the previous disqualification order related.

David Stuart was aware of his existing disqualification even though he did not attend court for the disqualification proceedings and at a court hearing in Aberdeen Sheriff Court on 2 August 2018, the sheriff granted a disqualification order against Stuart, for 11 years. Again, he did not attend.

Stuart's ban, effective from 23 August 2018, means he cannot be involved directly or indirectly in the promotion, formation or management of a company without the permission of the court.

Commenting, Robert Clarke, Head of Insolvent Investigations North at the Insolvency Service said:

Mr Stuart has paid scant regard to the previous finding that he was unfit to run a company and not only breached that ban but continued to put his own personal financial interests above those of and the company's creditors.

This sort of behaviour damages confidence in doing business and is corrosive to the health of the local economy.

Mr David Stuart is of Aberdeen and his date of birth is September 1958.

Tern Engineering Services Limited (Company Reg no.SC456295).

The order was pronounced by Sheriff Napier in Aberdeen Sheriff Court.

Andrew Smith appeared for the Insolvency Service and no one appeared for or on behalf of the defendant.

A disqualification order has the effect that without specific permission of a court, a person with a disqualification cannot:

- act as a director of a company
- take part, directly or indirectly, in the promotion, formation or management of a company or limited liability partnership
- be a receiver of a company's property

Persons subject to a disqualification order are bound by a [range of other restrictions](#).

The Insolvency Service administers the insolvency regime, investigating all compulsory liquidations and individual insolvencies (bankruptcies) through the Official Receiver to establish why they became insolvent. It may also use powers under the Companies Act 1985 to conduct confidential fact-finding investigations into the activities of live limited companies in the UK. In addition, the agency deals with disqualification of directors in corporate failures, assesses and pays statutory entitlement to redundancy payments when an employer cannot or will not pay employees, provides banking and investment services for bankruptcy and liquidation estate funds and advises ministers and other government departments on insolvency law and practice.

Further information about the work of the Insolvency Service, and how to complain about financial misconduct, is [available](#).

Media enquiries for this press release – 020 7674 6910 or 020 7596 6187

You can also follow the Insolvency Service on:

“The length of this ban should serve as a warning to other directors; you cannot ignore a court imposed sanction and breach the fundamental duty to a company's creditors without facing investigation by the Insolvency Service and removal from the corporate business environment.”

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## [News story: Improving local services with data: apply for contracts](#)



Projects in this competition must look at intelligent data capture and advanced data analysis.

[Durham County Council](#) and [Blaenau Gwent County Borough Council](#) are seeking projects that investigate innovative ways of capturing data to improve their services.

The councils are looking for projects that investigate 2 techniques:

- ‘boots on the ground’, where residents collect and report data about issues such as potholes and street lighting
- ‘eyes on the street’, where council vehicles collect and report data as they travel around the streets

Funding for the competition is provided by the [GovTech Catalyst](#), a £20 million fund to help the public sector to make use of innovative technologies and improve public services.

It is being run under the SBRI (Small Business Research Initiative) programme.

### **Projects must use advanced data techniques**

Projects must look at intelligent data capture and advanced data analysis. They must:

- record and report local information accurately and regularly
- significantly reduce service inefficiencies
- integrate with other datasets in the councils
- provide a robust evidence base for policy, service or budget development
- work with the general public
- enable councils to share data appropriately with the public
- be practical and economically viable

The competition has £250,000 to fund a series of short feasibility studies in

a first phase. The best ideas could then share £1 million in a second phase to prototype their system.

## **Competition information**

- the competition opens on 24 September 2018, and the deadline for registration is at midday on 31 October 2018
- any organisation that can demonstrate a route to market for its idea can apply
- we expect phase 1 contracts to be worth up to £50,000 and to last up to 3 months, and phase 2 contracts to be worth up to £500,000 and last up to 12 months
- successful projects will attract 100% funded development contracts
- you can register for briefing events on [8 October 2018 in Durham](#) and on [15 October 2018 in Blaenau Gwent](#) to find out more about the competition and how to make a quality application

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## **[Notice: Notice 24/18 – Poultrymeat Import Quota](#)**

The products and quantities available for the next round of poultrymeat import quotas are detailed in Annex 1 of the notice.

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## **[Guidance: Energy Technology List Lighting Toolkit](#)**

For manufacturers and suppliers with lighting products that meet the Energy Technology List criteria, the Toolkit provides information about how to communicate the ETL/ECA scheme benefits and other guidance.

The Energy Technology List comprises the technologies that qualify for the UK government's energy-saving Enhanced Capital Allowance (ECA) scheme and their energy-saving eligibility criteria.

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## News story: Seven GREAT years

Launched to showcase the very best of the nation to the world, the [GREAT campaign](#) is celebrating its seventh anniversary. It is the UK government's most successful international campaign, active in 140 countries, recipient of 53 highly-coveted awards and securing a return of £3.4 billion to the British economy.

The campaign unifies the international growth promotion efforts of the Department for International Trade, VisitBritain, British Council, the Foreign & Commonwealth Office, 17 other government departments and organisations and hundreds of private sector companies. All work closely together to deliver jobs and growth across all parts of the UK. In 2017, the campaign supported 1,066 separate events and activities in almost 200 locations worldwide.

International Trade Secretary Dr Liam Fox MP said:

The GREAT brand is an increasingly valuable asset to the UK, helping my international economic department reach companies and investors across the world with a clear UK proposition.

As we celebrate its seventh anniversary and the £3.4 billion economic return – plus jobs and opportunities – it has provided the country, I look forward to seeing this figure grow exponentially over the coming years.

Welcome to GREAT Britain projected on the White Cliffs of Dover

A recent independent assessment by valuation experts Brand Finance showed that the GREAT brand has a current value of £271 million.

The sophistication and effectiveness of the campaign is admired by people and governments around the world, including our major competitors, and in 2015 the National Audit Office commended the campaign as meeting good practice from a brand communication perspective.

Conrad Bird CBE, Director of the GREAT campaign, commented:

GREAT is a highly visible, powerful campaign which delivers a tangible economic return for the UK. As we look ahead to the next 7 years, we will capitalise on the campaign's success to date by improving global perceptions of the UK, helping to increase levels of trade, investment, tourism and high-quality students.

Over 600 businesses and high-profile individuals are backing the campaign with joint funding, sponsored activity and active support.

- Contact the DIT Media and Digital Team on +44 (0)20 7215 2000
- Follow us: [@tradegovuk](#)