

Press release: 8 year ban for dodgy property agency director

Nicholas Constable has been disqualified for 8 years for failing to ensure the company dealt with its rental income in the correct manner or maintained or preserved adequate accounting records.

A disqualification undertaking given by Constable on 7 August 2017 prevents him from directly or indirectly becoming involved in the promotion, formation or management of a company for the duration of the term.

Xenex Developments Ltd traded as a property development company from a single site in Weybridge, Surrey.

An Insolvency Service investigation found Constable diverted rental income totalling nearly £900,000 into his personal bank account and that of a connected company. This action contravened the terms of a legal charge and resulted in missed interest of at nearly £400,000 for the charge holders.

Of the total diverted rental income, Constable has failed to provide accounting records which would verify whether £679,063 had ever been repaid or used for the benefit of the company's creditors.

The accounting records also failed to confirm the actual level of creditors of the company or the balance on the Directors Loan account from 31 October 2014 to the date of the administration on 17 November 2015.

Commenting on the disqualification, Robert Clarke, Group Leader of Insolvent Investigations at The Insolvency Service, said:

In this particular case, the director failed to act in the best interest of the company and its creditors and failed to ensure that the company operated in a transparent way by providing sufficient records to explain company transactions.

This disqualification should serve as a reminder to other Company Directors who are tempted to operate in a similar way that the Insolvency Service will rigorously pursue enforcement action and seek to remove the protection of limited liability from them.

Notes to editors

Nicholas Constable's date of birth is 2 May 1958 and he resides in Weybridge, Surrey.

Xenex Developments Ltd (CR0 No. 06295629) was incorporated on 28 June 2007

and traded from Cavendish Rd, St George's Hill, Weybridge,

Constable was an appointed director of Xenex Developments Ltd between 06 August 2007 and the date of the Administration. The Company went into Administration on 17 November 2015 with an estimated deficiency of £6,929,723.

Constable's undertaking was accepted by the Secretary of State on 09 August 2017 and his period of disqualification will commence on 30 August 2017

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

Disqualification undertakings are the administrative equivalent of a disqualification order but do not involve court proceedings.

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

The Insolvency Service, an executive agency sponsored by the Department for Business, Energy and Industrial Strategy (BEIS), administers the insolvency regime, and aims to deliver and promote a range of investigation and enforcement activities both civil and criminal in nature, to support fair and open markets. We do this by effectively enforcing the statutory company and insolvency regimes, maintaining public confidence in those regimes and reducing the harm caused to victims of fraudulent activity and to the business community, including dealing with the disqualification of directors in corporate failures.

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

Contact Press Office

You can also follow the Insolvency Service on:

[News story: Programme for fourth round of UK-EU Article 50 negotiations](#)

All times shown are in Brussels time

Monday, 25 September 2017

- Negotiating groups
- 17:30: David Davis, UK Secretary of State for Exiting the European Union, and Michel Barnier, European Commission Chief Negotiator, meet at the Berlaymont (VIP corner).
- Principals' meeting

Tuesday, 26 September 2017

Wednesday, 27 September 2017

- Negotiating groups
- Coordinators' meeting

Thursday, 28 September 2017

- Plenary session with the Principals
- Press briefing

Note: There are three negotiating groups covering citizens' rights, financial settlement and other separation issues. The issues related to Northern Ireland will be addressed by the Coordinators. The governance of the withdrawal agreement will be also discussed at technical level.

[News story: London Borough of Ealing wins prestigious Touchstone Award 2017](#)

The Award, launched in 2012 to encourage education and enforcement of hallmarking and to reward the best initiative relating to hallmarking, was awarded by the British Hallmarking Council and the four Assay Offices for a hallmarking project which led to the successful prosecution of premises with non-compliance of hall-marking. In a well planned and executed series of inspections, Ealing carried out a range of activities in various high street premises, which revealed:

- Major non-compliance of the Hallmarking Act within the jewellers inspected.
- 82% of seized items not hallmarked
- 22% of items fraudulently described as 22 carat

Successful prosecutions followed with more than £11,000 in fines.

A hallmarking project is now embedded within the Ealing TS Annual Service Plan and Priorities. The joint expertise of the Trading Standards Service and the UK Assay Offices, working together, was essential in this successful hallmarking operation.

Applications from across the UK for the Touchstone Award reflected complaint intervention, enforcement and information operations. There was also encouraging evidence of positive long term activity in hallmarking operations from all applicants.

The award was made at the prestigious CTSI/Status International Awards Dinner held at the Royal Hall in Harrogate as part of CTSI's annual Consumer Affairs and Trading Standards Conference and Exhibition 2017.

[News story: North Sea exploration funding announced](#)

New exploration in the North Sea will be supported by a £5 million UK government fund for 2018/19, Philip Hammond announced today (25 September) during a visit to Aberdeen and Dundee. The funding will be used by the Oil and Gas Authority (OGA) to survey under-explored areas of the UK Continental Shelf to find potential new deposits.

The announcement came on the same day that the Oil & Gas Technology Centre in Aberdeen, which the Chancellor visited and is part-funded by the UK government, said its work with industry on new subsea technologies could help unlock 400 million additional barrels of oil and gas from the North Sea and £3 billion of additional value to the industry.

Chancellor of the Exchequer, Philip Hammond, said:

The oil and gas industry remains vital for the Scottish economy and the UK as a whole. The £5 million funding I am announcing will help exploration to find potential new deposits, and boost prospects for jobs in Aberdeen and the surrounding area. This continues the UK government's extensive package of tax and funding support for the industry and the wider Scottish economy.

I've seen today how Dundee has benefitted from our life sciences and creative sector funding. I now look forward to progress being made on the Tay Cities Deal, which will follow the £1 billion already committed by the UK to Scotland's City Deals so far.

This government will continue using the UK's broad shoulders to provide Scotland with the skills and support it needs to thrive in the future.

UK Energy Minister, Richard Harrington, said:

North Sea oil will continue to fuel growth and jobs across Scotland and the rest of the UK, with an estimated 10-20 billion barrels still remaining.

I was in Aberdeen last month and saw first-hand the work of the Oil and Gas Authority which we established to be a strong, independent regulator focused on maximising economic recovery.

The sector continues to have the full support of the UK government, confidence is returning, and today's announcement recognises there are great opportunities for further exploration.

Earlier in the day, the Chancellor met local businesses in Dundee to discuss how UK government tax support has helped them grow, including reducing corporation tax and introducing creative sector tax relief. The waterfront regeneration underway in Dundee includes the stunning new V&A museum currently under construction, supported by £5 million UK government funding.

Philip Hammond also visited Dundee University life sciences complex, which is a world leader in areas including drug discovery. It has received more than £20 million in UK government funding in recent years and is now ranked highly on global ratings for its scientific excellence and impact of its research.

In Aberdeen, he met oil and gas industry representatives to discuss how the £5 million funding could help employment and the economy in the region. The UK government has given substantial support to the oil and gas sector, including a £1.3 billion package of tax cuts at Budget 2015 and a further £1 billion package at Budget 2016.

The UK internal market is the most important for Scotland's economy. Scotland sells four times as much to the rest of the UK as it does to the entire EU, for example, and the UK is currently working to protect the benefits of this market, and provide continuity and certainty as we prepare to leave the EU.

The UK government is also backing plans to establish Aberdeen as a global leader in decommissioning, creating skilled jobs and exporting this advanced knowledge to other countries. Tax relief for decommissioning is in place, covering around 40% of the total cost for UK companies and forecast to be worth around £24 billion between now and the 2050s. The OGA has also committed to reduce the overall costs for industry.

[News story: CEN updates affecting chemical measurements \(food\) September](#)

2017

The following lists of standards were published by the European standardisation organisation, CEN, during the period June to August 2017, some of which are relevant to chemical measurement in support of food regulation.

[EN 16995:2017](#) – Foodstuffs – Vegetable oils and foodstuff on basis of vegetable oils – Determination of mineral oil saturated hydrocarbons (MOSH) and mineral oil aromatic hydrocarbons (MOAH).

Mineral oil saturated hydrocarbons (MOSH) consist of linear and branched alkanes, and alkyl-substituted cycloalkanes, whilst mineral oil aromatic hydrocarbons (MOAH) include mainly alkyl-substituted polyaromatic hydrocarbons.

Major sources of mineral oils in food may arise from food packaging and additives, processing aids, and lubricants used in food production and can have a potential adverse health effect.

This standard describes a method for the determination of saturated and aromatic hydrocarbons (from C10 to C50) in vegetable oils and food. The method uses on-line high performance liquid chromatography coupled to a gas chromatograph with a flame ionisation detector (HPLC-GC-FID). The method has been validated in an inter-laboratory trial using samples containing naturally contaminated and spiked MOSH and MOAH in vegetable oil samples, mayonnaise and margarine samples. The method has been proven suitable for determining MOSH and MOAH concentrations above 10 mg/kg in samples.

In case of suspected interferences from natural sources, the mineral origin of the MOSH and MOAH fraction can be verified by examining the fragmentation patterns using a gas chromatography coupled to a mass spectrometer detector (GC-MS).

[CEN/TS 17083:2017](#) – Foodstuffs – Determination of acrylamide in food and coffee by gas chromatography-mass spectrometry (GC-MS)

Acrylamide is a substance that naturally forms in starchy food products during high-temperature cooking, including frying, baking, roasting and therefore can be found in wide range of foods including roasted potatoes and root vegetables, chips, crisps, toast, cakes, biscuits, cereals and coffee. Studies on laboratory animals have shown that exposure to acrylamide through the diet increases the likelihood of developing gene mutations and tumours in various organs.

This technical specification* provides a method for the determination of acrylamide in cereal-based products, potato-based products and coffee by gas-chromatography linked to a mass spectrometer detector (GC-MS). This was a single-laboratory validated method using acrylamide spiked samples in bread, water biscuit, infant cereal, biscuit, green coffee, roast coffee and instant

coffee in the range 30 µg/kg to 1,500 µg/kg.

EN 16995 and TS 17083 have been developed in accordance with European Commission Mandate [M/463](#) to prepare standards for the determination of food contaminants implementing the framework of [Regulation \(EC\) No 882/2004](#) on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

Further information on food legislation can be found on the Government Chemist website:

[Food and feed law: Compendium of UK food and feed legislation with associated context and changes during April to June 2017 – Government Chemist Programme Report](#)

*A Technical Specification (TS) is an alternative normative document to a European Standard (EN) providing specifications for methodologies and/or evolving technologies.