

Press release: Kebab shop owner disqualified for employing illegal workers

Amjid Ali Maqbool Hussain, the director of Madina Kebab House Limited in Peterborough, has been disqualified for six years for failing to comply with its statutory obligations under the Immigration, Asylum and Nationality Act of 2006.

The disqualification, from 21 February 2017, prevents Mr Hussain from directly or indirectly becoming involved in the promotion, formation or management of a company until February 2023.

Mr Hussain's disqualification follows an investigation by the Insolvency Service which found he had failed to ensure relevant immigration checks were completed and documents retained, resulting in the employment of four illegal workers and which resulted in a penalty notice of £60,000 being issued by the Home Office.

Madina Kebab House Limited was placed into Liquidation on 18 December 2015, with an estimated deficiency to creditors in excess of £66,000.

Robert Clarke, Senior Investigator, said:

The Insolvency Service rigorously pursues directors who fail to pay fines imposed by the government for breaking employment and immigration laws. We have worked closely in this case with our colleagues at the Home Office to achieve this disqualification.

The director sought an unfair advantage over his competitors by employing individuals who did not have the right to work in the UK in breach of his duties as a director.

The public has a right to expect that those who break the law will face the consequences. Running a limited company, means you have statutory obligations as well as protections. If you fail to comply with your obligations then the Insolvency Service will investigate you.

A Home Office spokesperson said:

Illegal working is not victimless. It undercuts honest employers, cheats legitimate job seekers out of employment opportunities and defrauds the taxpayer.

Businesses should be aware that they have a duty to check that

their staff have permission to work in the UK.

We are happy to work with employers who play by the rules but those who do not should know that they will not go under our radar.

Mr Hussain's date of birth is 13 June 1978 and he resides in Peterborough.

Madina Kebab House Limited (CRO No. 08110208) was incorporated on 19 June 2012 and latterly traded as a takeaway from 65 Galdstone Street, Peterborough, PE1 2BN.

Mr Hussain was a director from 19 June 2012 to Liquidation. The Company went into Creditors Voluntary Liquidation on 18 December 2015 with an estimated deficiency of £66,244.

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](#).

You can also follow the Insolvency Service on:

[Press release: CMA secures better deal for cloud storage users](#)

The 3 companies are the latest cloud storage providers to improve their terms and conditions following the Competition and Markets Authority's (CMA) review of compliance with consumer law in the sector. Last year, the CMA secured separate commitments from [JustCloud, Livedrive and Dixons Carphone](#), and [BT, Dropbox, Google and Mozy](#) to make changes to their contract terms.

Andrea Coscelli, CMA Acting Chief Executive, said:

People rely on cloud storage to keep things such as treasured family photos, music, films and important documents safe, so it is important that they are treated fairly and should not be hit by

unexpected price rises or changes to storage levels.

We are pleased that Amazon, Apple and Microsoft have joined 7 previous companies in working with the CMA and agreeing commitments to improve their terms and conditions and, as a result, millions of cloud storage users will benefit from fairer terms which will help them make the right choices when using cloud storage services.

Amazon, Apple and Microsoft have separately agreed to make changes to their respective terms and conditions, including in some common areas relating to:

- adequate notice to customers before significant changes are made to the service
- cancellation rights and pro-rata refunds if customers don't want to accept significant changes
- adequate notice, where appropriate, before the service is suspended or cancelled

A summary of the separate changes agreed with each company can be found on the [case page](#).

Cloud storage is used by around 3 in 10 British adults in a personal capacity. In its initial review of the sector, the CMA found that the majority currently use free services that come with their devices and are generally satisfied with the service they receive. However, there were some terms and conditions which caused concern, for example, terms which gave companies the ability to change the service or terms of the contract or suspend or terminate the contract, for any reason and without notice.

The CMA has worked with the industry to improve compliance with consumer law. The latest agreed changes bring to an end the CMA's consumer law compliance review into the cloud storage sector. The CMA remains interested in unfair terms and conditions, particularly in the digital economy. Companies in the cloud storage, and other technology-driven sectors, are urged to keep their terms and conditions under review and to continually improve the fairness and clarity of their consumer contract terms.

The CMA has published an [open letter](#) to businesses operating in the sector advising them of their obligations, and a [60-second summary](#) to help consumers choose the right service.

In October last year, the CMA launched a campaign consisting of simple [videos](#) and [guides](#) to help businesses understand how to avoid including unfair terms and conditions in their contracts.

Notes for editors

1. The CMA is the UK's primary competition and consumer authority. It is an independent non-ministerial government department with responsibility for carrying out investigations into mergers, markets and the regulated industries and enforcing competition and consumer law. For CMA updates, follow us on Twitter [@CMAgovuk](#), [Flickr](#), [LinkedIn](#) and [Facebook](#).

2. The CMA has not made a finding on whether cloud storage providers' terms and practices have breached consumer law. As part of the CMA's compliance review, all cloud storage providers co-operated and constructively engaged with the CMA and voluntarily made changes to their terms and conditions. Where there is evidence that terms and/or practices breach consumer law this could lead to enforcement action by the CMA or other enforcers. Only a court can decide whether a particular term or practice breaches the law.
 3. A summary of the changes, respectively, to be made by Amazon Media EU S.a.r.l., Apple Distribution International, and Microsoft Corporation to each of their terms and conditions has been published on the [case page](#).
 4. The pieces of consumer protection legislation relevant to this review and enforced by the CMA are: Part 2 of the Consumer Rights Act 2015 relating to unfair terms (and for contracts entered into before 1 October 2015 the Unfair Terms in Consumer Contracts Regulations 1999), and the Consumer Protection from Unfair Trading Regulations 2008.
 5. The CMA commissioned Ipsos MORI to carry out a consumer survey. This survey was carried out by Ipsos MORI between 7 and 29 January 2016 as part of its face-to-face omnibus survey, Capibus, which conducts interviews with 2,000 GB adults aged 15+ every week. It asked consumers who used cloud storage in a personal/private capacity a range of questions about their experience of cloud storage.
 6. Individuals have rights under the Consumer Rights Act and can ask a court to consider whether a term is unfair and unenforceable. The [Citizens Advice consumer helpline](#) is a telephone, email and online service offering advice to consumers where they have a problem with goods and services in the UK. If you have a cross-border complaint, you can go to www.econsumer.gov. The UK European Consumer Centre provides advice if you have a dispute with a trader in another EU country.
 7. Media enquiries should be directed to Rebecca Cassar (rebecca.cassar@cma.gsi.gov.uk, 020 3738 6633).
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Press release: Strong performance by social housing sector – HCA publishes Global Accounts

The 2016 Global Accounts of private registered providers, published today (17 February 2017) by the Homes and Communities Agency, shows that the social housing sector has had a solid year of investment underpinned by strong in-year financial performance.

The Global Accounts gives an annual overview of the financial status of the social housing sector and is based on analysis of the regulatory financial returns and statements that are submitted by private registered providers

managing or owning 1,000 or more homes.

For the first time, we have set out group as well as entity level data providing a clearer view of activity, such as open market sales, which typically takes place in unregistered subsidiaries.

With this year's publication, we are also including an analysis of unit costs at group and entity level, which gives the headline costs per social housing unit, broken down into components, drawn directly from the Global Accounts. This is supported by contextual information such as supported housing, stock transfer age and regional wages, which can be contributory factors in driving cost differences. These are drawn mainly from other regulatory returns, including the Statistical Data Return.

Some of the main findings for 2016 are:

- over £7.5bn was invested in new and existing stock as the sector continued to leverage the surpluses generated on its trading activity
- the development of new properties for both shared ownership and outright sale increased markedly in 2016 – a 39% increase in total turnover from this activity on the previous year
- group turnover increased in the year by 8% – despite increases in sale and other non-social housing activity, three quarters of total turnover continues to come from social housing lettings
- debt increased by £2.2bn in the year to fund capital expenditure
- improved operating margins and stable costs of debt contributed to an increase in interest cover – while increasing property values contributed to gearing remaining stable.

Fiona MacGregor, Director of Regulation said:

The 2016 Global Accounts shows a steady picture in the sector overall with substantial ongoing investment in new and existing properties. This is despite the increase in debt being lower than that reported in 2015. A marked increase in turnover from commercial activities is an indicator of how providers are maintaining development levels in a more uncertain operating environment. We will remain vigilant as providers continue to adapt, and expect their risk management and mitigation approaches to keep pace with their activities.

Following on from the unit cost analysis and data we shared in June 2016, we are committed to presenting the data on costs in a clear,

comprehensive and comparable format for greater transparency. We recognise that no single cost metric can perfectly capture diversity in business models and reporting approaches, and that providers' costs can be driven by a range of factors. The information will help providers and boards to better understand their own costs and to robustly challenge themselves on their economy, efficiency and effectiveness of expenditure.

The [2016 Global Accounts and Unit Cost Data](#) are available on the HCA website.

The [annual Global Accounts from 2012 to 2015](#) are also available on the website.

The Homes and Communities Agency is the single, national housing and regeneration delivery agency for England, and is the regulator of social housing providers.

As regulator, its purpose is to promote a viable, efficient and well-governed social housing sector able to deliver homes that meet a range of needs. It will do this by undertaking robust economic regulation, as enshrined in legislation, focusing on governance, financial viability and value for money that maintains lender confidence and protects the taxpayer.

For more information visit the [HCA website](#) or follow us on [Twitter](#).

Our [media enquiries page](#) has contact details for journalists.

For general queries to the HCA, please email mail@homesandcommunities.co.uk or call 0300 1234 500.

[Press release: Wiltshire site owner fined for obstructing Environment Agency staff](#)

From:

First published:

17 February 2017

Part of:

Preventing officers from investigating if a waste site in Trowbridge was operating illegally ends in prosecution.

Trying to stop Environment Agency staff from doing their jobs saw a businessman convicted of obstruction.

Bart Critchly-Clark, of Mill Lane, Monkton Combe, Bath, initially allowed environmental officers onto his premises at Riverway in Trowbridge. But after it was explained they were there to investigate claims of an illegal waste site, he became uncooperative. He refused to give his address. He refused to give his date of birth. And to stop officers from taking photographs of the premises, Critchly-Clark closed the entrance shutters.

To operate a business which manages waste, you must have an environmental permit from the Environment Agency. It details what can and cannot be done, to prevent impact on the environment and local community. To enforce this, Environment Agency staff have legal powers of entry and inspection.

In this case, the Environment Agency officers returned the next day, accompanied by police officers, gained access and finished their investigation.

Critchly-Clark pleaded guilty to a charge of intentional obstruction of an environment officer under the Environment Act 1995 and was fined £200 and ordered to pay £330 costs at Swindon Magistrates Court on 31 January.

Environment officer Huw Williams said:

The majority of the businesses we visit are welcoming and happy to work with us. But the Environment Agency has a zero tolerance approach to obstruction and threatening behaviour on our staff and we will not hesitate to prosecute.

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