

Press release: Fake 5-star hygiene rating results in ban for restaurant boss

Rushan Ahmed, 31 of Walsall, was the sole director of the company Four Brothers (Derby) Ltd and ran Moza Derby, an Indian Restaurant located on the Nottingham Road in Derby.

Following a visit from Derby City Council Food Safety Inspectors in February 2015, the restaurant was given a food hygiene rating of 1 and in July 2015 this was amended to zero as no action was taken to put things right.

Despite the low hygiene rating awarded to the restaurant, in the same year Rushan Ahmed placed three adverts in a local magazine, C & C of Oakwood, where he highlighted that the restaurant held a 5-star rating.

This resulted in the council's trading standards team taking Four Brothers to court in April 2016, where Rushan Ahmed pleaded guilty to the charge that the company engaged in unfair commercial practices.

The company was fined £3,171, while Rushan Ahmed received a personal fine of £1,271, but as the restaurant was not making any profit, Rushan Ahmed decided to cease trading in September 2016.

After the main company – Four Brothers – closed down, the Insolvency Service looked into the conduct of Rushan Ahmed and on 28 June 2018 a disqualification order was made by District Judge John Preston Musgrave at Birmingham County Court against Rushan Ahmed for 5 years.

The judge also ordered that Rushan Ahmed pay costs of £4,231.62 and effective from 19 July 2018, Rushan Ahmed cannot directly or indirectly be involved, without the permission of the court, in the promotion, formation or management of a company.

Cllr Matthew Holmes, Deputy Leader and Cabinet Member for Regeneration and Public Protection said:

The Food Hygiene Rating Scheme serves 2 important purposes. The first is to help consumers choose where to eat out or shop for food by giving information about the hygiene standards in restaurants, pubs, cafés, takeaways, hotels and other places you eat, as well as supermarkets and other food shops. The second is to encourage businesses to work hard to improve hygiene standards and promote greater food safety.

This case shows that we will take action to protect consumers and

the integrity of the scheme where businesses seek to gain an unfair advantage by misleadingly claiming a higher rating.

Dave Elliott of the Insolvency Service said:

A zero food hygiene rating should have rung alarm bells for Rushan Ahmed and forced him to get his house in order. But he decided to publish a bogus 5-star hygiene rating designed to draw in business by making a false representation for commercial gain.

This ban should serve as a warning to other directors tempted to engage in unfair commercial practices and if you abuse your duties you could be investigated by the Insolvency Service and lose the privilege of being a company director.

Rushan Ahmed is of Walsall and his date of birth is 30/01/1987. Company Four Brothers (Derby) Ltd (Company Reg no. 08524899).

The order was pronounced by DJ Musgrave in the Birmingham court. Ms Parsons 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

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 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 authorises and regulates the insolvency profession, 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](#).

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