

Press release: Ice cream director out in the cold for accounting records failure

Robert Scappaticci, who acted as a director of Gerards Ice Cream Co Ltd, has been disqualified for six years and six months for failing to ensure that the company maintained or preserved adequate accounting records.

The company, which also included fast food outlets, went into Voluntary Liquidation on 15 September 2014 with an estimated deficiency of £373,839. However, six months prior to liquidation, the ownership of a chip shop was transferred to a third party. Without adequate accounting records it was not possible to verify the terms of sale or the extent to which the chip shop business may have been an asset in the liquidation.

As a result, it is possible that a number of creditors were denied money owed to them.

The disqualification undertaking given by Scappaticci on 2 June 2017 prevents him from directly or indirectly becoming involved in the promotion, formation or management of a company for the duration of the term.

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

In this particular case, the director transferred a valuable company asset, without ensuring the company operated in a transparent way by providing sufficient records to explain the transfer. As a result, innocent creditors may have lost out.

This disqualification should serve as a reminder to other company directors tempted to operate in a similar way, that the Insolvency Service will rigorously pursue enforcement action and seek to remove them from the market place.

Notes to editors

Scappaticci's date of birth is 20 September 1974 and he resides in Didsbury, Manchester.

Gerards Ice Cream Co Ltd (CR0 No. 03710255) was incorporated on 9 February 1999 and traded from William Street, Ardwick, Manchester. The company traded as an Ice Cream manufacturer and wholesaler whilst also retailing both ice cream and fast food from various sites in Manchester.

Scappaticci's Undertaking was accepted by the Secretary of State on 05 June 2017 and his period of disqualification will commence on 26 June 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.

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