

Press release: Poor record keeping lands nightclub boss with 6-year ban

Brian Chalmers (53), from Edinburgh, was the sole director of Scene Live Limited. The company was incorporated in 2014 and operated the Citrus Club in Grindlay Street, Edinburgh.

However, only three years later Scene Live was ordered into compulsory liquidation in August 2017 after it failed to pay tax.

The court-ordered closure triggered an Insolvency Service investigation, where investigators found that while Scene Live was operating, Brian Chalmers had not been diligent when it came to record keeping.

He failed to ensure the company maintained adequate accounting records, did not ensure Scene Live filed accounts at Companies House and Brian Chalmers also failed to deliver records to the liquidator.

The investigation also uncovered that Scene Live made payments to a third party worth just over £180,000, with Brian Chalmers unable to provide an adequate explanation or accounting records to demonstrate what they were for.

On 18 October 2018, the Secretary of State accepted a disqualification undertaking from Brian Chalmers after he accepted his failure to maintain and/or preserve adequate company accounting records.

Effective from 8 November 2018, Brian Chalmers is now banned for six years from directly or indirectly becoming involved, without the permission of the court, in the promotion, formation or management of a company.

Rob Clarke, Chief Investigator Insolvent Investigations, of the Insolvency Service, said:

Companies are under a legal duty to account for their income and expenditure and fulfilling that duty is a key component of the role of a director.

There is no place in the corporate arena for those who neglect their responsibilities in this area, a fact which is reflected in Brian Chalmers' lengthy ban.

Brian Chalmers is of Edinburgh and his date of birth is March 1965.

Scene Live Limited (company registration no. SC478762) was incorporated on the 29 May 2014 and commenced trading on the 22 August 2014 and operated as a bar and nightclub formerly known as the Citrus Club in Grindlay Street

Edinburgh.

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]

(<https://www.gov.uk/government/publications/corporate-insolvency-effect-of-a-disqualification-order>).

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](#).

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