

# Press release: Fish and chip shop company director receives disqualification ban

Mr McGilvray has given an undertaking to the Secretary of State for Business, Energy and Industrial Strategy that he won't act as a director of a company for seven years from 15 August .

An Insolvency Service investigation found McGilvray ( 53), had failed to preserve the company's accounting records between January 2014 and August 2015 and failed to maintain accounting records for the period September 2015 and August 2016.

Keith McGilvray was the sole director of Frogfish Limited, on 9 June 2016, when, with liabilities of £94,808, the company was placed into compulsory liquidation following a winding up petition lodged by HM Revenue & Customs.

Following the liquidator's appointment the investigation found between 1 January 2014 and August 2015, Mr McGilvray failed to preserve the accounting records of Frogfish Limited and between September 2015 and August 2016 he failed to maintain accounting records during which time he caused the company to trade on a cash basis. Consequently, in the absence of the accounting records it was not possible to:

- verify whether the receipts deposited into the bank account in the period 02 January 2014 and 11 September 2015 totalling £218,205 were a true reflection of the sale achieved in the period
- identify and verify the level of sales achieved in the period 12 September 2015 to August 2016 and what became of the monies achieved from the sales made
- verify whether the 83 cheque payments totalling £35,236 made in the period 07 January 2014 to 21 August 2015 were bona fide company transactions
- identify and verify payments made by the company between 28 August 2015 and August 2016; Identify and verify the level of wages paid by the company in the period 20 August 2016 to August 2016 and the resulting liability owed to HMRC in respect of RTI PAYE
- identify and verify the level of VAT owed by the company between February 2014 and August 2016

The inability to identify and verify the financial position of the company at liquidation was further exacerbated as a consequence of Mr McGilvray failing to comply with his statutory obligations in that he failed to ensure the company:

- prepared and filed annual accounts for the year to 31 December 2014 which ought to have been filed with the Registrar at Companies House by 30 September 2015

- prepared and filed VAT returns for 10 consecutive VAT quarters between February 2014 and May 2016 resulting in HMRC issuing VAT assessments and surcharges
- filed monthly RTI PAYE information to HMRC in respect of tax years 2015/2016 and 2016/2017 resulting in HMRC estimating the liability owed

Robert Clarke, Head of Company Investigation at the Insolvency Service said:

Directors who operate cash based businesses have to maintain sufficient records to explain where these monies have gone and following insolvency make sure that such records are delivered up for scrutiny by the relevant bodies.

By failing to do this the public can not be sure that all funds received by the company were used for legitimate purposes. The substantial period of this disqualification reflects the fact that when a company fails to keep adequate financial records it is simply not possible to determine whether there has been other, more serious, impropriety in relation to the management of its affairs.

This ban should serve as a reminder to any directors tempted to do the same: the Insolvency Service will vigorously investigate you and seek to remove you from the marketplace.

## Notes to editors

Frogfish Limited (Company No. SC292943) went into compulsory liquidation on 9 June 2016, with a deficiency to creditors of £94,808. The company was incorporated to sell fish and chips from a takeaway and traded from 8 Provost Watt Drive, Kincorth, Aberdeen AB12 5BT.

Keith McGilvray is of Aberdeen and his date of birth is 26 January 1964.

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](#).

BEIS' mission is to build a dynamic and competitive UK economy that works for all, in particular by creating the conditions for business success and promoting an open global economy. The Criminal Investigations and Prosecutions team contributes to this aim by taking action to deter fraud and to regulate the market. They investigate and prosecute a range of offences, primarily relating to personal or company insolvencies.

Media enquiries for this press release – 020 7596 6187

You can also follow the Insolvency Service on:

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## **[Press release: £282m investment for M42 junction 6 near Birmingham](#)**

Highways England is announcing its preferred route for a major £282m improvement scheme to improve the M42 junction 6 near Solihull which has the backing of local residents, businesses and road users.

Following a seven week consultation on three options which ended in January, Highways England is taking forward a modified version of Option 1 as the preferred route for M42 junction 6.

The modification moves the route slightly closer to the south west corner of Bickenhill to avoid a local business in the area and reduce the effect on the Bickenhill Meadows, a Site of Special Scientific Interest (SSSI).

Option 1 was supported by 64% of people who responded to the consultation, including 60% of the local residents. The preferred route will see a new 2.4km dual carriageway link road – aligned to the west of Bickenhill – between the A45 Clock Interchange and a new junction on the M42 south of junction 6 located north of Solihull Road.

Highways England regional director, Catherine Brookes, said:

M42 junction 6 lies at the heart of an area of dynamic growth and is surrounded by a unique mix of existing and proposed major assets that serve both the local and wider economy.

Highways England senior project manager, Jonathan Pizzey, said:

The recent consultation was a great way to ensure that we heard the opinions of local residents and businesses in the area and also for them to have a say in the project as it moves forward.

This is a vital scheme which will support economic growth in the area and beyond. It will also improve access to HS2, the National Exhibition Centre (NEC), Birmingham Airport and future developments such as the UK Central development area.

The decision to take forward Option 1 has also received the backing of Birmingham International Airport and the UK Urban Growth Company.

Birmingham Airport chief operating officer, David Winstanley, said:

We welcome Highways England's decision to progress the Option 1 scheme for improvements to junction 6 of the M42. This junction is a critical part of the road network which provides access to many of the region's biggest employers but is currently heavily congested.

It is therefore vital that better access is provided to ease current congestion and cater for the future growth of both Birmingham Airport and the surrounding UK Central area. We will continue to work with Highways England to ensure that our emerging master plan aligns with the scheme so that passengers using Birmingham Airport in years to come benefit from the improvements.

Managing director at UK Urban Growth Company (UGC), Huw Rhys Lewis, said:

We have worked closely with Highways England and wholeheartedly support this option which will increase the resilience and reliability of the road network in this area and in turn support economic growth.

As part of the scheme there are also plans to improve traffic flow at the roundabout – a well-known bottleneck – by providing dedicated left turn links between the M42 and A45 at the NEC and the north east side of the roundabout. This will benefit motorists by reducing congestion and improving journey times around the junction, as well as access to and from the motorway.

Additionally, Highways England will be undertaking improvements to the M42 junction 6 roundabout, Clock Interchange and the A45 between the two junctions, in order to ensure the two junctions can work together going forward and minimise the effect on the A45.

Highways England will continue to work closely with all the stakeholders

through the detailed design and statutory process to ensure their views and ideas are incorporated into the design where appropriate.

Following this work, Highways England will hold a further public consultation so that people can have their say on the detail of the project. It is expected that this will take place in late 2017 or early 2018.

Construction is expected to start in 2020 and completion is due in 2023.

For a copy of the preferred route announcement leaflet and more information about the scheme, [visit the scheme website](#).

Members of the public can also contact the project team by emailing:

[m42junction6@highwaysengland.co.uk](mailto:m42junction6@highwaysengland.co.uk) or by calling Highways England Customer Contact Centre on 0300 123 5000.

### **General enquiries**

Members of the public should contact the Highways England customer contact centre on 0300 123 5000.

### **Media enquiries**

Journalists should contact the Highways England press office on 0844 693 1448 and use the menu to speak to the most appropriate press officer.

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## **[News story: Vacancy: Finance Officer](#)**

The AAIB is looking for a Finance Officer who is highly motivated, flexible and enthusiastic. You will join a small finance team and will be responsible for providing a high level of service, managing and processing financial and non-financial enquiries as well as tracking, processing and managing invoices to set timescales.

A full job description and role profile is on the [Civil Service jobs website](#). The deadline for applications is 25 August.

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## **[News story: Help to Buy Equity Loan](#)**

Following stories in the media on the future of Help to Buy Equity Loan, the Department for Communities and Local Government has made the following

statement.

We remain committed to the Help to Buy Equity Loan Scheme to 2021, ensuring it continues to support homebuyers and stimulate housing supply.

The Government also recognise the need to create certainty for prospective home owners and developers beyond 2021, so will work with the sector to consider the future of the scheme.

### **Additional information**

The Department regularly reviews the Help to Buy Equity Loan Scheme, with the last review taking place in 2015. To infer from this that the Help to Buy Equity Loan scheme will be cancelled is simply incorrect.

### **Office address and general enquiries**

2 Marsham Street  
London  
SW1P 4DF

Contact form <http://forms.communiti...>

General enquiries: please use this number if you are a member of the public  
030 3444 0000

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## **[Press release: Guto Bebb: Eisteddfod at the very heart of Welsh language and culture](#)**

UK Government in Wales Minister Guto Bebb will join the thousands of people set to descend on Anglesey to celebrate Wales' culture, its language and its heritage at the National Eisteddfod (4-12 August).

The annual Welsh festival of music and arts will be held on the island for the first time since 1999 and will see over 6,000 people competing in various competitions throughout the week.

Mr Bebb – who is a fluent Welsh speaker – will visit the Eisteddfod on Monday

(7) where he will meet with Chief Executive Elfed Roberts, watch performances in the pavilion and visit a range of exhibitors, including BBC Wales and the National Trust.

The Minister will also deliver a keynote speech at a reception at the S4C stand where he will take the opportunity to set out more detail on an independent review of the channel which will look at its remit, the way it is funded and its governance.

### **UK Government in Wales Minister Guto Bebb said:**

The National Eisteddfod is a landmark event on the Welsh cultural calendar. It is one of the world's greatest festivals and provides a prime opportunity for us to promote our language, our arts and the talents of our people to the rest of the UK and beyond.

Its economic impact on the local area cannot be underestimated. Not only do the businesses, hoteliers and campsites in the host town benefit, it also puts the spotlight on neighbouring areas, and the additional cultural attractions on offer to those planning on visiting Wales this summer.

I am looking forward to joining those heading to Anglesey to take part in the celebrations, and I hope the organisers and all those competing during the week have a very successful Eisteddfod.

The Eisteddfod attracts over 160,000 visitors to the area during the week, boosting the local economy by an estimated £6-8 million over the duration of the festival.

This year's event will include events and performances to mark the centenary of the bloody battle of Passchendaele where Welsh poet, Ellis Humphrey Evans, known as Hedd Wyn – was killed during the first day of fighting. Hedd Wyn had submitted a poem in the Eisteddfod's chair competition that year, but died before being told he had won. In the 1917 festival in Birkenhead – a month after his death – a black shroud was placed over the bardic Chair in his memory.

Taking its inspiration from the history of Hedd Wyn and the generation of men who never came home from the War, this year's National Eisteddfod will open with a special performance commemorating the War, exactly a century later, and through the eyes of the people. The title, A Oes Heddwch? (Is There Peace?), is not only relevant to the War but also to the Eisteddfod and the Gorsedd ceremonies.