

# Press release: Waste boss banned for failing to explain £500k of cash withdrawals and bank transfers

Lee Smith (42) appeared at Liverpool Court on Thursday 20 September where he also received a 28-week suspended prison sentence, as well as being ordered to perform 250 hours unpaid work and pay prosecution costs of £8,901.

The court heard that Lee Smith was a director of Smith Waste and Recycling (SWR), based in Warrington, before the company entered into a Creditors Voluntary Liquidation in November 2014.

Independent insolvency practitioners were appointed to take charge of liquidating the company. But Lee Smith failed to share adequate accounting records despite several requests from both the insolvency practitioners and later, investigators from the Insolvency Service.

Failure to deliver information requested by the liquidator while winding up a company is evidence of misconduct and in Lee Smith's case, it would have helped explain the whereabouts of funds from SWR's accounts totalling more than £517,000.

Investigators were unable to explain cash withdrawals from SWR's bank accounts over the course of a year between September 2013 and September 2014 totalling just over £430,000 and whether they represented genuine business expenditures.

Due to Lee Smith's lack of co-operation, investigators were also unable to explain more than £86,000 worth of transfers between January and October 2014 made to the accounts of two companies connected to Lee Smith, as well as his remuneration and what were the company's assets and liabilities at liquidation.

At an earlier court hearing on 24 July 2018 at Wirral Magistrates' Court Lee Smith pleaded guilty to one count of misconduct in the course of winding up and another count for failing to keep accounting records.

Arwel Jones, Director of Criminal Enforcement for the Insolvency Service, said:

Lee Smith's behaviour throughout the liquidation has been highly unacceptable. Failing to deliver any form of company records means that his creditors are at risk of losing a significant amount of money.

A seven year disqualification order handed down by the courts is a

significant ban, which should serve as a deterrent to those directors who fail to conduct their business affairs in accordance with the law.

Smith Waste and Recycling Limited (Company number: 08404331) had their registered offices in Dow Schofield Watts Business Recovery Llp, 7400 Daresbury Park, Daresbury, Warrington, WA4 4BS.

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

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 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](#).

Media enquiries for this press release – 020 7674 6910 or 020 7596 6187

You can also follow the Insolvency Service on:

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## [Press release: Tuberculosis rates in England hit lowest recorded levels](#)

New data published by Public Health England (PHE) reveal that the number of people in England diagnosed with tuberculosis (TB) is at its lowest level since 1990, raising the hope that it will soon be consigned to the history books.

Following action by PHE, the NHS and others, there was a 38% drop in new

diagnoses from the peak in 2011 to 2017 (from 8,280 to 5,102), with a 9% fall in diagnoses between 2016 and 2017 alone.

The incidence rate of TB in England is now 9.2 per 100,000 population – taking England to below the World Health Organisation definition of a low incidence country (10 per 100,000 population) for the first time. TB is high on the global political agenda, as Heads of State gather in New York for the first UN High Level Meeting on tuberculosis, with the shared ambition of ending TB across the world.

Public Health England has played a key role in driving down the rates of TB in England, working with NHS England and other partner organisations to implement the ‘Collaborative Tuberculosis Strategy for England 2015 to 2020’. This includes raising awareness and tackling TB in underserved populations, implementing testing for latent TB in those arriving from countries with high rates of TB, and strengthening surveillance and monitoring.

Dr Sarah Anderson, Head of TB Strategy at Public Health England, said:

It is hugely encouraging to see a continued decline in TB in England which shows that the interventions we are putting in place are having an impact and will hopefully one day soon consign TB to the history books. While these new figures are positive, challenges still exist.

The proportion of people who experience a delay between symptom onset and diagnosis remains stubbornly high. We are working across England to ensure that patients are diagnosed and treated as soon as possible to minimise the chance of long-term ill health and onward transmission.

The risk factors for tuberculosis – a bacterial infection that primarily affects the lungs and causes persistent cough, fever and weight loss – include homelessness, poor quality housing, alcohol and substance misuse.

The new data indicates that nearly 13% of people with TB have a ‘social risk factor’ and that they are more likely to have drug resistant infections and are less likely to complete treatment, prolonging the infection and increasing the risk of onward infection.

Steve Brine, Public Health Minister said:

We’re committed to keeping people healthy, and the steep decline of

TB rates in this country is a testament to our world-leading approach. We are also helping other countries to go further in the fight against TB, with funding and research.

However, in the UK the poorest are still 7 times more likely to have TB than the most well off, and we have to drive down this inequality.

The UN High-Level Meeting on TB will be a prime opportunity to join forces with other countries and push further in the global effort to eliminate TB for good – in our country and around the world.

## Background

1. TB in England, 2018 report, will be published on [GOV.UK](https://www.gov.uk) on 25 September 2018.
2. TB is an infectious disease that usually affects the lungs, but can affect other parts of the body such as the lymph nodes (glands), the bones and the brain and can lead to serious complications. The most common symptoms of TB are a persistent cough for more than 3 weeks, unexplained weight loss, fever and night sweats.
3. TB is difficult to catch, and you generally need to spend many hours in close contact with a person with infectious TB to be at risk of infection. Although TB can be fatal if left untreated, it is curable for the vast majority with appropriate antibiotic treatment.
4. Heads of State will gather in New York on 26 September 2018 at the United Nations General Assembly first-ever high-level meeting on tuberculosis to accelerate efforts in ending TB and reach all affected people with prevention and care. The theme of the meeting is 'United to end tuberculosis: an urgent global response to a global epidemic'.
5. 2017 figures were the lowest number since 1990 (5,010). This is compared to 5,616 in 2016.
6. The incidence rate in 2017 was 9.2 per 100,000 population, our lowest recorded rate, which for the first time falls under the 10 per 100,000 WHO definition of a low incidence country.
7. In 2017, 71% of people (3,556) notified with TB were born outside the UK; this is a 13.1 decline from 2016 and at its lowest rate since 2000.
8. Nearly one-third (31%) of people with pulmonary TB continue to experience a delay of more than 4 months between symptom onset and treatment start.
9. In 2017, 12.6% of people notified with TB had a social risk factor (SRF), the highest proportion since data collection began in 2010.
10. The rate of TB in the most deprived 10% of the population was 18.4 per 100,000, more than 7 times higher than in the least deprived (2.5 per 100,000).

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## **Guidance: Building lined biobeds in a groundwater source protection zone 1: RPS 140**

*Updated:* The Environment Agency has amended the review date of this RPS to August 2021. Operators must now provide information about operational and maintenance procedures of the proposed biobed.

If you follow the conditions in this regulatory position statement (RPS), you can build impermeably lined biobeds on land in a SPZ1 without an environmental permit.

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## **Press release: PM warns of need for international unity in face of increasing threats**

Prime Minister Theresa May will use her platform at the UN General Assembly (UNGA) this week to call for the international community to come together to prevent the erosion of norms around a range of threats whether from malign states, weapons of mass destruction or chemical weapons.

In particular, the PM will warn that the red line around the use of chemical weapons use is being undermined – and that steps need to be taken to re-establish it.

Speaking at the UN Security Council on Wednesday, the PM will set out how UK leadership has had a positive impact but that the international community needs to redouble its efforts.

Ahead of the meeting the PM said:

As we meet in the UN Security Council this week, the red lines around the use of chemical weapons are being eroded.

The Syrian regime has repeatedly used these appalling weapons against its own people while the Russian state has deployed them on UK streets.

Attacks such as Salisbury and Ghouta are despicable in their own right, but they are also a threat to the wider international system. Each time we fail to challenge the use or development of weapons of mass destruction, it erodes the framework of treaties we have built up so painstakingly over the past few decades.

The UK has, in recent months, played a leading role alongside our allies in reinforcing these longstanding, global norms. UK, US and French airstrikes in April degraded Syrian chemical weapons capability and demonstrated our collective resolve. And in June, the international community empowered the OPCW to attribute responsibility for chemical weapons attacks in Syria.

We worked closely with our allies on a co-ordinated response to Russia's use of chemical weapons in Salisbury, resulting in 28 countries as well as NATO joining us in expelling a total of over 150 Russian intelligence officers: the largest collective expulsion ever.

But the international community needs to do more together – both to prevent future chemical weapons use and to ensure those who use them are held to account, but also to tackle the range of other threats to global security, including the proliferation of WMD.

The intervention will be the first time in five years that a UK Prime Minister has used the platform of the UN Security Council to speak about the importance of preventing the spread of chemical and nuclear weapons, as well as other weapons of mass destruction. It reflects the UK's commitment to tackling the unacceptable use of chemical weapons following the abhorrent attack in Salisbury, and the attack in Syria by the Russian-backed Assad regime.

Her intervention will come on the second day of a busy two-day programme in New York, during which, she will demonstrate the UK's leading role in, and commitment to, the UN by:

- opening the Bloomberg Business Forum with an address to CEOs, in which she will make the case for capitalism and free markets, while recognising the need to make the system work for everyone
- laying the foundations for the UK's leading role on climate resilience at the 2019 UN Climate Summit
- building on the UK's pioneering work on girls' education by co-hosting an event with France, Canada and a number of Global South partners, including Kenya, to accelerate progress on the global campaign to ensure all girls can access 12 years of quality education and learning by 2030
- delivering a keynote address to the General Assembly

Today the PM will call on the international community to invest in Africa, in order to unlock the potential of a generation on the continent.

She will join Prime Minister Justin Trudeau of Canada, President Nana Akufo-

Addo of Ghana, and President Paul Kagame of Rwanda to convene investors, businesses and young African business leaders. The leaders of Kenya, Mozambique, Nigeria and Sierra Leone are also expected to attend.

Philanthropist Bill Gates, who shares the PM's vision for investment in Africa, is also expected to speak at the event.

The PM will challenge attendees to invest in Africa to create more of the jobs that transform individual lives as well as economies, lift people out of poverty and enable countries to move to a future beyond aid.

The Prime Minister will also hold a number of bilateral meetings with world leaders during her time in New York.

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## **Press release: UK and France host High-Level Event on the Rohingya Crisis**

The Foreign Secretary co-hosted a meeting with the French foreign minister in New York today to discuss the Rohingya crisis and called for urgent actions to be taken by the international community.

1 – On Monday 24 September UK Foreign Secretary Jeremy Hunt and French Minister for Europe and Foreign Affairs Jean-Yves Le Drian co-hosted a High-Level Event on the Rohingya Crisis. Ministers from Burma/Myanmar and Bangladesh were joined by high level attendees from Australia, Canada, Indonesia, Japan, Kuwait, Malaysia, the Netherlands, Russia, Singapore, Sweden, Turkey and the US. UN High Commissioner for Refugees Filippo Grandi, Special Envoy Christine Schraner Burgener and UN Development Programme Administrator Achim Steiner also participated.

2 – The Co-Chairs agreed that the plight of the Rohingya was one of the largest refugee crises in recent history and one of the most pressing human rights and humanitarian crises facing the international community today. They noted with deep concern the conclusions of the report of the UN Fact-Finding Mission, which allege the Burmese military's responsibility for serious human rights violations, possibly amounting to crimes against humanity and which conclude that there is sufficient information to warrant the investigation and prosecution of senior officials in the Burmese army so that a competent court can determine their liability for genocide in relation to the situation in Rakhine state.. They noted also the Fact-Finding Mission's conclusion that the perpetrators of crimes must be held to account. Since August 2017 these have led to the displacement of over 723,000 Rohingya who are now residing in Bangladesh.

3 – The Co-Chairs noted that over the past year the Burmese government had taken some steps to address the crisis, including the signing of the MoU between Burma/Myanmar and UNDP and UNHCR and the establishment of a Commission of Inquiry (CoI).

4 – The Co-Chairs acknowledged the ruling of the ICC Pre-Trial Chamber that the Court may exercise jurisdiction over the alleged deportation of the Rohingya people from Myanmar to Bangladesh as well as over the alleged crime against humanity. They noted the decision of ICC Prosecutor, Mrs Fatou Bensouda, to open a Preliminary Examination concerning the alleged deportation of the Rohingya people from Burma/Myanmar to Bangladesh. They recalled their support to the efforts of the Human Rights Council to implement the conclusions of the Fact-Finding mission and to push for accountability, including through an independent Mechanism to collect, consolidate, preserve and analyse evidence of the most serious international crimes and violations of international law committed in Burma/Myanmar.

5 – The Co-chairs called for the immediate release of the two Reuters journalists Wa Lone and Kyaw Soe Ooo as well as for the respect for their fundamental rights. In any country, journalists must be free to carry out their jobs without fear or intimidation.

6 – The Co-Chairs renewed their support to the Special Envoy of the Secretary General on Myanmar, Christine Schraner Burgener, and called on the Burmese government to pursue its cooperation with her.

7 – However, the Co-Chairs regretted that conditions in Rakhine State were not yet conducive for the safe, voluntary, dignified, and sustainable repatriation of refugees to Rakhine and that there remained a need for ongoing international action to push for more and faster progress in three main areas. These include:

- The Burma – UNDP – UNHCR MoU: full implementation and effective access for UNHCR and UNDP is needed as a necessary next step in any return process, as well as further confidence-building measures such as allowing the Rohingya freedom of movement. Immediate, safe and unhindered access must be granted to UN agencies and their partners, as well as other domestic and international non-governmental organisations, to provide humanitarian assistance in Rakhine State.
- A credible accountability and remedy process: Given the severity of the findings of the UN Fact-Finding Mission, ongoing international efforts are needed to pursue accountability alongside the work of the domestic CoI, which has yet to produce any tangible results. Furthermore, more information is required from the CoI regarding its Terms of Reference and how it will operate with impartiality and independence and in cooperation with international bodies including the UN.
- Concrete implementation of the Rakhine Advisory Commission recommendations: The Co-Chairs affirmed these recommendations as the

best path to a stable Rakhine and Burma/Myanmar, with improved conditions and equal rights for all and emphasised that these recommendations need to be implemented comprehensively, including those related to ending discriminations, protecting human rights and creating a pathway to citizenship for the Rohingya. The Co-Chairs also reaffirmed the willingness of the international community to support Burma in fully implementing all recommendations.

8 – The Co-Chairs thanked the government and people of Bangladesh for hosting more than a million refugees. They encouraged the international community to continue and intensify support for the refugees and Bangladeshi host communities, including through increasing financial support to the UN Joint Response Plan.

### **Further information**

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