

Press release: Pre-season tours no longer friendly for banned director

Moyes' disqualification follows an investigation by the Insolvency Service into Glasgow-based Professional Pre Season Tours Limited, which ceased trading in April 2014.

The company had been involved in arranging pre-season tours for various football clubs, including Everton, Chelsea, Liverpool, Leeds United, Sheffield Wednesday, Nottingham Forest, Norwich City, Aberdeen, Hibernian and Celtic.

The investigation found that Moyes transferred over £300,000 from the company to himself as a 'bonus payment' shortly before the company stopped trading. However according to the company accounts, no money was actually transferred, although it allowed him to claim a loan account debt was settled. In reality, this money had already been withdrawn for his personal use.

Investigators established that he withdrew at least £420,400 in cash from the company while it was trading, but failed to declare the full amount.

Because the fictitious transfer resulted in a nominal asset of the company being turned into a liability, it was unable to pay its obligations to HM Revenue and Customs (HMRC) in terms of PAYE and National Insurance contributions. At liquidation it owed £271,180 to creditors, of which all but £4,067 of which was to HMRC.

Commenting on the disqualification, Cheryl Lambert, Chief Investigator at the Insolvency Service, said:

This is a simple case of a director trying to avoid repaying their loans to a company and avoiding their proper tax payments. It was a cynical attempt to maintain personal wealth, with the consequence of depriving the public of tax receipts, and he abused the privileges and benefits of limited liability trading.

Kenneth Moyes also kept HMRC in the dark by not filing all returns on time, including partially paying VAT assessments at a sufficient level to avoid attracting priority attention.

Taking action against him is a warning to all directors that such behaviour will result in a very significant sanction, with a personal consequence. A limited company is not a personal piggy bank for directors.

On 18 July 2017, the Secretary of State for Business Energy and Industrial Strategy accepted a disqualification undertaking from Kenneth Moyes. The disqualification commenced on 8 September 2017.

Notes to editors

Professional Pre Season Tours Ltd (CR0 SC311860) was incorporated on 14 November 2006. Its registered office was c/o McLay, McAlister & McGibbon LLP, First Floor, 145 St Vincent Street, Glasgow, Strathclyde, G2 5JF. It traded from 15 North Claremont Street, Glasgow, G3 7NR

Professional Pre Season Tours (PPST) Ltd was placed into liquidation on 8 October 2014 with Donald McKinnon of Wylie & Bisset, 168 Bath Street, Glasgow, G2 4TP appointed sole liquidator.

Kenneth Moyes is of Glasgow and his date of birth is February 1968.

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.

The Insolvency Service investigation established that:

- In the annual accounts for PPST for the year ended 31 December 2012 Mr Moyes had an outstanding director loan due to PPST of £172,597 which was repayable by 30th September 2013.
- Mr Moyes declared remuneration, reflected in p60 returns to HMRC and PPST's accounts, for the six years from incorporation to April 2013, totalled £90,464
- On 26 March 2014, shortly before PPST ceased trading in April 2014, a "bonus payment" of £329,936.02 was recorded (including in a pay slip) as being made to Mr Moyes. No moneys were transferred.
- Mr Moyes received at least £420,400 in cash from PPST during its trading, of which only £90,464 had been declared to HMRC for taxation purposes prior to 26 March 2014.
- The "Bonus Payment" extinguished, on paper, the director's loan account previously shown and created a liability of PAYE & NIC to HMRC of at least £203,022.24. This tax debt remained due and outstanding at liquidation.
- PPST did not comply with its statutory obligations to HMRC resulting in £271,180 being due in relation to PAYE/NIC (accrued from 2009/10), Corporation Tax accrued from December 2012) and VAT accruing for 18 consecutive partially paid assessments from 2010, whilst non-HMRC creditors totalled £4,068.14

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](#). Media enquiries

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