

News story: Extended bankruptcy for accountant who failed to disclose assets

The eight year bankruptcy restrictions undertaking from 16 November 2017 until 2025 follows an investigation by the Insolvency Service. Bankrupts are normally discharged after 12 months.

After a Bankruptcy Order was made against him on 16 June 2017 Mr Payne was interviewed by the Official Receiver and failed to disclose that he had disposed of assets in the lead up to the Bankruptcy Order being made. In March 2017 he received £99,073 (after payment of tax, fees and a mortgage) in consideration for the sale of shares in a limited company of which he was a director. Mr Payne used £58,000 of the proceeds to repay a debt to a relative, £10,000 to repay two creditors, and the remainder to pay for household expenses.

Commenting on the bankruptcy restriction, Gerard O'Hare, an Official Receiver at the Insolvency Service said:

Where a bankrupt has taken undue risks with creditors' money, he should not expect to do so without repercussions, particularly when others suffer financial loss as a result.

'A bankruptcy restriction in these circumstances will serve to provide creditors with a degree of protection, and it will also act as a deterrent to the bankrupt not to act in a similar manner in the future.

Mr Payne was declared bankrupt on 16 June 2017 with a deficiency of £4,508,831. Mr Payne was interviewed at the Official Receiver's office at which time he stated that between 2009 and 2016 he borrowed sums of money from various parties to fund building ventures, supplement his general income, fund repayments to existing debts and to support his long term gambling addiction.

The Official Receiver's enquiries established that in February 2017 Mr Payne transferred his interest in a jointly owned property valued at £147,288 to a company of which he was a director. In March 2017 he sold his shares in the company for which he received £99,073. Mr Payne used £58,000 of the proceeds to repay a debt to a relative, £10,000 to repay two creditors, and the remainder to pay for household expenses. None of Mr Payne's remaining creditors received any payments and remained outstanding upon his bankruptcy.

Notes to editors

Mr Russell Ian Payne is of Lincoln and his date of birth is January 1960. The Bankruptcy Order was made against him on a petition presented by Premium Credit Limited.

If the Official Receiver considers that the conduct of a bankrupt has been dishonest or blameworthy in some other way, he (or she) will report the facts to court and ask for a Bankruptcy Restrictions Order (BRO) to be made. The court will consider this report and any other evidence put before it, and will decide whether it should make a BRO. If it does, the bankrupt will be subject to certain restrictions for the period stated in the order. This can be from 2 to 15 years.

The bankrupt may instead agree to a Bankruptcy Restrictions Undertaking (BRU) which has the same effect as an order, but will mean that the matter does not go to court.

These are restrictions set out in insolvency law that the bankrupt is subject to until they are discharged from bankruptcy – normally 12 months and include that bankrupts:

- must disclose their status to a credit provider if they wish to get credit of more than £500
- who carry on business in a different name from the name in which they were made bankrupt, they must disclose to those they wish to do business with the name (or trading style) under which they were made bankrupt
- may not act as the director of a company nor take part in its promotion, formation or management unless they have a court's permission to do so
- may not act as an insolvency practitioner, or as the receiver or manager of the property of a company on behalf of debenture holders.

Additionally, a person subject to a Bankruptcy Restrictions Order/Undertaking or a Debt Relief Restrictions Order/Undertaking, may not be a Member of Parliament in England or Wales.

All public enquiries concerning the affairs of the bankrupt should be made to: The Official Receiver, Level One, Apex Court, Nottingham, NG2 4LA.

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. The agency also authorises and regulates the insolvency profession, 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.

Media enquiries for this press release – 020 7596 6187

You can also follow the Insolvency Service on:

Press release: New charity investigation: Grove Mountain

The Charity Commission, the independent regulator of charities in England and Wales, has opened a new statutory inquiry into Grove Mountain, registered charity number 1162684, and has frozen the charity's bank accounts. The investigation was opened on 11 August 2017.

The charity provides books to the Caribbean for educational purposes.

After concerns regarding the charity's finances were raised with the Commission by a third party, the Commission examined the charity's accounts for the financial year ending 1 April 2016. The Commission found that the majority of the charity's income for the year was withdrawn in cash and that there was a pattern of large cash withdrawals being made shortly after donations or identical amounts had been deposited.

This raises regulatory concerns for the Commission regarding the charity's financial controls and whether the cash withdrawals have been spent on meeting the charity's objects. A statutory inquiry has therefore been opened to examine whether:

- the charity has been operating for exclusively charitable purposes for the public benefit in furtherance of its charitable objects
- the financial controls of the charity are adequate and its funds have been properly expended
- the trustees have complied with their legal duties in respect of the administration, governance and management of the charity

It is the Commission's policy, after it has concluded an inquiry, to publish a report detailing what issues the inquiry looked at, what actions were undertaken as part of the inquiry and what the outcomes were. [Reports of](#)

[previous inquiries](#) by the Commission are available on GOV.UK.

The charity's details can be viewed on the Commission's [online charity search tool](#).

Ends

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Notes to editors

1. The Charity Commission is the independent regulator of charities in England and Wales. To find out more about our work, see our [annual report](#).
2. Search for charities on our [check charity tool](#).
3. Section 46 of the Charities Act 2011 gives the Commission the power to institute inquiries. The opening of an inquiry gives the Commission access to a range of investigative, protective and remedial legal powers.

[News story: Environment Secretary confirms sentience of animals will continue to be recognised and protections strengthened when we leave the EU](#)

The sentience of animals will continue to be recognised and protections strengthened when we leave the EU, Environment Secretary Michael Gove confirmed today.

Mr Gove made a Written Ministerial Statement today. The full text is below.

Animal welfare – Michael Gove

This Government is committed to the very highest standards of animal welfare. As the Prime Minister has set out, we will make the United Kingdom a world leader in the care and protection of animals.

It has been suggested that the vote last week on New Clause 30 of the EU Withdrawal Bill somehow signalled a weakening in the protection of animals – that is wrong. Voting against the amendment was not a vote against the idea that animals are sentient and feel pain – that is a misconception.

Ministers explained on the floor of the house that this Government's policies

on animal welfare are driven by our recognition that animals are indeed sentient beings and we are acting energetically to reduce the risk of harm to animals – whether on farms or in the wild. The vote against New Clause 30 was the rejection of a faulty amendment, which would not have achieved its stated aims of providing appropriate protection for animals.

The Prime Minister has made clear that we will strengthen our animal welfare rules. This government will ensure that any necessary changes required to UK law are made in a rigorous and comprehensive way to ensure animal sentience is recognised after we leave the EU. The Withdrawal Bill is not the right place to address this, however we are considering the right legislative vehicle.

We are already proposing primary legislation to increase maximum sentences for animal cruelty from six months to five years, and the creation of a new statutory, independent body to uphold environmental standards.

The current EU instrument – Article 13 – has not delivered the progress we want to see. It does not have direct effect in law – in practice its effect is very unclear and it has failed to prevent practices across the EU which are cruel and painful to animals.

In contrast, here in the UK, we are improving animal welfare standards without EU input and beyond the scope of Article 13. We are making CCTV mandatory in all slaughterhouses – a requirement which goes above and beyond any EU rule. We will consult on draft legislation to jail animal abusers for up to five years – more than almost every other European nation. We propose combatting elephant poaching with a ban on the ivory trade which is more comprehensive than anywhere else in Europe. Our ban on microbeads which harm marine animals has been welcomed by Greenpeace as “the strongest in the world”, and is certainly the strongest in Europe.

Once we have left the EU there is even more we could do. EU rules prevent us from restricting or banning the live export of animals for slaughter. EU rules also restrict us from cracking down on puppy smuggling or banning the import of puppies under 6 months. Article 13 has not stopped any of these practices – but leaving the EU gives us the chance to do much better. We hope to say more in these areas next year.

This government will continue to promote and enhance animal welfare, both now and after we have left the EU.

[Press release: Welsh Secretary: “Wales must be ready to respond to dynamic](#)

devolution in England

- Alun Cairns to call for swift devolution of powers to local authorities in Wales during keynote speech in Cardiff
- UK Government announces first cross-border Summit to bolster economic opportunities between South East Wales and South West England

Secretary of State for Wales Alun Cairns will call on the Welsh Government to rise to the challenge and compete with the new dynamic of devolution being rolled out across England when he addresses local government leaders in Cardiff today (23 November).

Speaking at the Welsh Local Government Association seminar at City Hall, Mr Cairns will say that the Welsh Government “must respond to devolution on the other side of the border” where Metro Mayors are encouraging growth and creating opportunities tailored to the needs of local people. Ministers in Cardiff Bay must make sure local government in Wales has “the scope, the power and the resources to act.”

Mr Cairns will also say that “every part of Wales faces different challenges and different opportunities, and it’s time we put a one-size-fits-all approach behind us.

The speech comes following the commitment made in the Budget yesterday, to formally enter into negotiations over a growth deal for North Wales as well as kick starting discussions for a growth deal for Mid Wales. The UK Government has already delivered City Deals for Cardiff and Swansea giving people the tools to transform their local communities, their economies and their lives.

He will say “The simple fact is that these deals recognise that local people know their areas best. We want a long-term, bottom up approach from local authorities, local businesses and local communities who know and understand the character and make up of their patch.”

The Secretary of State will also announce that he will host the first cross-border business summit early in the New Year where he will bring together local partners from across the South West of England and the South East of Wales to explore how links between the two economies can be strengthened following the announcement of the abolition of the Severn Tolls.

He will say: “It is time we make politics fit business, rather than business fit the politics. It’s the importance of the cross border economy which is driving our commitment to bolster relationships and develop new partnerships across the nations. Our individual strengths are many. But brought together, we can develop corridors of growth that can put the UK on a strong platform to compete on a global scale.”

The Secretary of State for Wales will later travel to North Wales where he will address an audience of business leaders at the Wrexham Business Professional dinner.

[Press release: Chancellor to unlock hidden value of government data](#)

The Chancellor has announced today a new Geospatial Commission to maximise the value of all UK government data linked to location, and to create jobs and growth in a modern economy.

Its first task will be to work with government and the Ordnance Survey by May 2018 to establish how to open up freely the OS MasterMap data to UK-based small businesses in particular.

The announcement is a further boost to the UK's status as a world leader in digital innovation and an example of how advances in technology can be used to foster economic growth, deliver outstanding public services and generate savings for citizens.

Location-aware technologies are revolutionising the economy. From navigating public transport to tracking supply chains and planning efficient delivery routes, the digital services built on GPS and the current mapping data have quietly become everyday parts of daily life and commerce.

Huge amounts of value have been created by the new services made possible using databases of geospatial information – maps, and the information linked to them like house prices or business addresses. This data, which government produces in the course of delivering public services and maintaining laws and regulations, can be used to stimulate innovation in the economy and drive the development of the UK's growing digital economy.

The new Geospatial Commission, supported by £40 million of new funding in each of the next two years, will drive the move to use this data more productively – unlocking up to £11 billion of extra value for the economy every year.

The new Commission will draw together HM Land Registry, the Ordnance Survey, the British Geological Survey, the Valuation Office Agency, the UK Hydrographic Office and the Coal Authority with a view to:

- improving the access to, links between, and quality of their data
- looking at making more geospatial data available for free and without restriction
- setting regulation and policy in relation to geospatial data created by the public sector
- holding individual bodies to account for delivery against the geospatial strategy

- providing strategic oversight and direction across Whitehall and public bodies who operate in this area

First Secretary of State, Damian Green, said:

“The UK leads the way in digital innovation, using it to drive productivity and growth, and deliver the best public services to citizens. The UK has some of the best geospatial data in the world, much of it is held by public bodies, and the new Geospatial Commission will help Britain to turn this valuable government data into tangible benefits such as new jobs and savings.”

Saul Klein, Partner, LocalGlobe, said:

“The UK has been a world leader in the open data movement, which has already helped to spawn global success stories like Citymapper. Opening up geospatial data shows how committed the UK government is to being the best place in the world for startups and innovative companies to use data to build amazing new products and services.”

Professor Sir Nigel Shadbolt, Chairman of the Open Data Institute said:

“I’m delighted that the UK government is carrying through on the commitment in its manifesto to open up UK geospatial data. In particular, opening up the OS MasterMap will stimulate growth and investment in the UK economy, generate jobs and improve services. It will make it easier to find land for house-building, and enable the development of services that improve vital infrastructure.”