

## **Annex F - Consent Order Template**

**Member name: Neil Heavens**

**Case reference: 2025-03**

# **CONSENT ORDER**

**(pursuant to Reg. 8.2 of the Taxation Disciplinary Scheme regulations 2024)**

## **INVESTIGATION COMMITTEE DECISION – 12 March 2025**

Having considered the allegations, the Member's submissions and the Indicative Sanctions Guidance the Investigation Committee determined to make the following order with the agreement of Mr Neil Heavens, that Mr Neil Heavens be:

- Censured; and
- Required to pay a sum of £730.00 by way of costs.

The Investigation Committee ordered publication of the order made against the member with respect to a complaint that:

1. On 7 and 8 October 2024, the ICAEW's Tribunals Committee severely reprimanded the Member, fined him £10,000 and ordered him to pay costs of €30,000, having found the following Allegations against him proved:
  1. Between 27 May 2017 and 28 July 2018, Mr Neil James Heavens FCA CTA, submitted corporation tax returns for 'A' Ltd to HMRC without requiring them to be reviewed and/or approved by the director Mr 'B' for the following years;
    - a. year ended 30 September 2016; and/or
    - b. year ended 30 September 2017

In doing so, Mr Heavens failed to adhere to paragraphs 3.26 to 3.28 of Professional Conduct in Relation to Taxation (PCRT) (effective 1 March 2017)

Mr Heavens was therefore liable to disciplinary action under Disciplinary Bye-law 4.1a (effective from 3 October 2016 and 14 October 2018).
2. Between 27 May 2017 and 28 June 2018, Mr Neil James Heavens FCA CTA when preparing the corporation tax returns for 'A' Ltd:

- a. Failed to include the overdrawn director's loan account balance on the corporation tax return for the year ended 30 September 2016; and/or
- b. Incorrectly stated on the CT600A that the director, Mr 'B', had, on 28 June 2018, fully repaid his overdrawn director's loan account balance of £213,975.60 for year ended 30 September 2017, when this was incorrect as the loan had not been repaid.

In doing so, Mr Heavens breached s130.1 (Professional Competence and Due Care) of the Code of Ethics (effective from 1 January 2011 to 31 December 2019.)

Mr Heavens was therefore liable to disciplinary action under Disciplinary Bye-law 4.1b (effective between 3 October 2016 and 14 October 2018)

3. Between 5 December 2017 and 28 June 2018, Mr Neil James Heavens FCA CTA prepared and /or submitted to Companies House the unaudited financial statements of A' Ltd for the year ended 30 September 2017, which were incorrect as the accounts did not include the related party note that was required by s6.2 and s6A.1 of FRS105 and/or under s413 Companies Act 2016, disclosing the overdrawn director's loan account of Mr 'B'.

In doing so, Mr Heavens breached s130.1 (Professional Competence and Due Care) of the Code of Ethics (effective from 1 January 2011 to 31 December 2019.)

Mr Heavens was therefore liable to disciplinary action under Disciplinary Bye-law 4.1b (effective 11 October 2017 to 14 October 2018)

4. Between 1 November 2009 and 24 January 2023, Mr Neil James Heavens FCA CTA failed to notify the Members' Registrar of ICAEW of the formation of 'C' Ltd, as required by the following regulations:

- a. Within 20 business days as required by Practice Assurance Regulation 9 (effective 1 January 2008 until 30 June 2019); and/or
- b. Within 10 business days as required by Practice Assurance Regulation 13 (effective from 1 July 2019); and/or
- c. Within 28 days as required by the Information to be supplied by members Regulation 3 (effective from 1 December 2010).

Mr Neil James Heavens FCA was therefore liable to disciplinary action under Disciplinary Bye-law (1)(c)(effective 1 September 1998, 29 September 2011, 24 July 2013, 1 January 2016, 3 October 2016, 11 October 2017, 14 October 2018, 14 October 2019.)

2. By reason of the matters set out at 1 above, the Member was found to have:

(a) acted in a such a way as to bring CIOT into disrepute and to have harmed the reputation and standing of CIOT, contrary to rule 1.7. of the PRPG;

(b) conducted himself in an unbecoming manner, which tends to bring discredit on the Member

and may harm the standing of the profession and of the CIOT, contrary to rule 2.6.3 of the PRPG.

**31 March 2025**

**Taxation Disciplinary Board  
30 Monck Street  
London  
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