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NOTICE OF DECISION

To: Spalding Commercials Ltd.

FRN: 788606

Dated: 25 Nov 2026

ACTION

1. The Authority has decided to cancel the Firm's Part 4A permission.

2. The Authority has taken this action because, based on the facts and matters set out below, it considers that the Firm is carrying on no regulated activity to which the Firm's Part 4A permission relates.

3. The cancellation takes effect on the date of this Notice of Decision. The effect of the cancellation is that the Firm no longer has permission to carry on any regulated activities.

DEFINITIONS

4. The definitions below are used in this Notice of Decision (and in the Annex):

"the Act" means the Financial Services and Markets Act 2000;

"the Authority" means the Financial Conduct Authority;

"FDA" means the Firm Details Attestation which Authority-authorised firms are required to submit to the Authority under SUP 16.10;

"FEES" means the Authority's FEES Manual, part of the Handbook;

"the Firm" means Spalding Commercials Ltd.;

"the Firm's Part 4A permission" means the Part 4A permission granted by the Authority to the Firm;

"FSCS" means the Financial Services Compensation Scheme;

"the Further Notice" means the Further notice given by the Authority to the Firm dated 09 May 2024;

"the general levy" means the levy a firm must pay to the Authority towards the costs of operating the compulsory jurisdiction of the Financial Ombudsman Service;

"the Handbook" means the Authority's Handbook of rules and guidance;

"the IML levy" means the Illegal Money Lending levy;

"the Notice" means the notice given by the Authority to the Firm dated 19 Apr 2024;

"Part 4A permission" means permission to conduct regulated activities, granted by the Authority under Part 4A of the Act;

"RAG" means regulated activity group as referred to in SUP;

"the Returns" means the CCR007 returns for the periods between 1 Mar 2019 and 29 Feb 2024 which the Firm was due to submit to the Authority on various dates between 14 Apr 2020 and 15 Apr 2024;

"SFGB Levy" means the Single Financial Guidance Body Levy;

"SUP" means the Supervision Manual, part of the Handbook; and

"the Tribunal" means the Upper Tribunal (Tax and Chancery Chamber).

FACTS AND MATTERS

5. The Firm was authorised by the Authority on 08 Nov 2017 and has a Part 4A permission to conduct the following regulated activities in relation to consumer credit business:

    (a) agreeing to carry on a regulated activity;
    (b) credit broking;
    (c) debt adjusting;
    (d) debt-counselling;
    (e) entering into regulated consumer hire agreements as owner; and
    (f) exercising, or having the right to exercise, the owner's rights and duties under a regulated consumer hire agreement.

6. The Firm failed to pay periodic fees and levies owed to the Authority as required under the Handbook under the rules set out in FEES 4.2.1R, 4.3.1R, 5.7.1R, 6.7.1R, 6.7.3R, 7A.3.1R and 13.2.1R. In particular, the Firm failed to pay the following periodic fees and levies, namely:

    (a) an invoice dated 16 Sep 2020 for periodic fees and levies of £160.33, which had been due for payment by 15 Dec 2020;

(b) an invoice dated 21 Sep 2021 for periodic fees and levies of £305.30, which had been due for payment by 20 Dec 2021; and

(c) an invoice dated 6 Sep 2022 for periodic fees and levies of £408.24, which had been due for payment by 6 Oct 2022.

7. The Firm is required to submit the Returns to the Authority by the relevant due date in accordance with the following rules contained in SUP 16.3.11R, SUP 16.3.13R, SUP 16.12.3R, SUP 16.12.4R and SUP 16.12.29CR. However, the Firm has failed to submit the Returns to the Authority. The Authority therefore considers that the Firm has failed to provide information to the Authority as is required by the Handbook, namely the information it is required to provide in the Returns.

8. Under SUP 16.10.4R, 16.10.4AR and 16.10.4AAR, the Firm is required to submit the FDA to the Authority by the relevant due date. However, the Firm has failed to submit the FDA to the Authority.

9. On 19 Apr 2024, the Authority gave the Firm the Notice which stated that:

(a) it appears to the Authority that the Firm is carrying on no regulated activity to which its Part 4A permission relates; and

(b) the Authority may take action to cancel the Firm's Part 4A permission unless it responds to the Notice in the manner specified in the directions to the Notice.

10. The Firm failed to respond to the Notice.

11. As a result of the matters specified above, on 09 May 2024, the Authority gave the Firm the Further Notice which stated that:

(a) the Authority considered that the Firm is carrying on no regulated activity to which its Part 4A permission relates; and

(b) the Authority proposes to cancel the Firm's Part 4A permission unless the Firm takes the steps specified in the directions to the Further Notice.

12. The Firm failed to take the steps specified in the Further Notice.

CANCELLATION OF PART 4A PERMISSION

13. From the facts and matters described above, and having regard to paragraph 1(3) of Schedule 6A to the Act, the Authority considers that the Firm is carrying on no regulated activity to which its Part 4A permission relates. The Authority has therefore decided to cancel the Firm's Part 4A permission. The cancellation of the Firm's Part 4A permission takes effect on the date of this Notice of Decision.

14. The statutory and regulatory provisions relevant to this Notice of Decision are set out in the Annexes.

PROCEDURAL MATTERS

15. This Notice of Decision is given to the Firm under paragraph 3 of Schedule 6A to the Act (variation or cancellation of Part 4A permission on initiative of FCA: additional power).

The following paragraphs are important.

Annulment of the Authority's decision

16. If the Firm is aggrieved by the decision to cancel its Part 4A permission as set out in this Notice of Decision, the Firm may make an application for an annulment of the Authority's decision under paragraph 4 of Schedule 6A to the Act.

17. The Firm must submit a completed application for an annulment of the Authority's decision to the Authority by **24 Nov 2027** and in the manner specified by the Authority.

The Tribunal

18. The Firm does not have a right to refer the decision to give this Notice of Decision to the Tribunal.

Publicity

19. The Authority intends to publish such information about the matter to which this Notice of Decision relates as the Authority considers appropriate. The information may be published in such manner as the Authority considers appropriate.

Authority Contact

20. For more information concerning this matter generally, the Firm should contact Lucy Catton (direct line: (020 7066 3756).

Mellisa Spence

Enforcement and Market Oversight Division

ANNEX ON CANCELLATION OF PART 4A PERMISSION ON INITIATIVE OF FCA: ADDITIONAL POWER

RELEVANT STATUTORY PROVISIONS

1. The Authority's operational objectives established in section 1B of the Act include protecting and enhancing the integrity of the UK financial system and securing an appropriate degree of protection for consumers.

2. The Authority is authorised by paragraphs 1(1) and (2) of Schedule 6A to the Act to cancel an Authority-authorised person's Part 4A permission, if it appears to the Authority that the Authority-authorised person is carrying on no regulated activity to which the permission relates.

3. Paragraph 1(3) of Schedule 6A of the Act provides that the circumstances in which the Authority may form the view that an Authority-authorised person is carrying on no regulated activity include (but are not limited to) circumstances where the person fails—

   (a) to pay any periodic fee or levy as is required by the Handbook, or

   (b) to provide such information to the Authority as is required by the Handbook.

4. The Authority must exercise its power to cancel an Authority–authorised person's Part 4A permission using its additional own initiative power in accordance with the procedure set out in paragraph 2 of Schedule 6A to the Act.

RELEVANT HANDBOOK PROVISIONS

5. In exercising its power to cancel an Authority–authorised person's Part 4A permission, the Authority must have regard to the regulatory requirements and guidance published in the Handbook and in regulatory guides. The main considerations relevant to the action stated in this Notice of Decision are set out below.

Relevant Rules

6. FEES 4.2.1R requires that:

> "A *person* shown in column (1) of the table in *FEES 4.2.11 R* as the relevant fee payer must pay each periodic fee applicable to it, calculated in accordance with the provisions referred to in column (2) of the applicable table, as adjusted by any relevant provision in this chapter:
>
> (1) in full and without deduction (unless permitted or required by a provision in FEES); and
>
> (2) on or before the date given in column (3) of that table, unless FEES 4.2.10 R applies."

7. FEES 4.3.1R states that:

"The periodic fee payable by a *firm* (except an *AIFM qualifier, ICVC* or a *UCITS qualifier*) is:

(1) each periodic fee applicable to it calculated in accordance *with FEES 4.3.3 R*, using information obtained in accordance with *FEES 4.4*; plus

(1A) any periodic fee applicable to it calculated in accordance with *FEES 4.3.3A R* using information relating to its *UK* business obtained in accordance with *FEES 4.4* (or by other means in the case of the Bank of England); less

(2) any deductions from the periodic fee specified in Part 2 of FEES 4 Annex 2AR or Part 7 of FEES 4 Annex 11R."

8. FEES 5.7.1R requires that:

"A *firm* must pay annually to the [Authority] the *general levy* on or before the later of 1 April and 30 calendar *days* after the date when the invoice is issued by the [Authority]."

9. FEES 6.7.1R requires that:

"A participant firm that is not within FEES 6.7.1R, must pay its share of any levy made by the FSCS in one payment".

10. FEES 6.7.3R states that:

"A participant firm's share of a levy to which FEES 6.7.1R applies is due on, and payable within 30 days of, the date when the invoice is issued."

11. FEES 7A.3.1R requires that:

"A *firm* must pay the *SFGB money advice levy* or *SFGB debt advice levy* applicable to it:

(1) in full and without deduction (unless permitted or required by a provision in *FEES*); and

(2) by 1 August or, if later, within 30 days of the date of the invoice in the fee year to which that sum relates.

12. FEES 13.2.1R requires that:

"A *firm must pay each IML levy applicable to it:*

(1) in full and without deduction by 1 August (or, if later, within 30 *days* of the date of the invoice) in the financial year to which the sum relates; and

(2) in accordance with the *rules* in this chapter.

13. SUP 16.3.11R requires that:

"A firm must submit reports required under this chapter to the [Authority] containing all the information required."

14. SUP 16.3.13R(1) requires that:

"A *firm* must submit a report required by this chapter in the frequency, and so as to be received by the [Authority] no later than the due date, specified for that report."

15. SUP 16.3.13R(4) states that:

"If the due date for submission of a report required by this chapter is a set period of time after the end of a half-year, a quarter, or a month, the dates will be determined by (a) or (b) below except where otherwise indicated:

(a) the *firm's accounting reference date*;

(b) monthly, 3 monthly or 6 months after the *firm's accounting reference date*, as the case may be."

16. The Firm falls within RAG 12. A firm's RAG dictates specific reporting requirements for that firm, based on regulated activities which the firm has permission to carry on and arise from the rules contained in SUP, which stipulates the data item or regulatory report, frequency and the date by which the relevant data item or regulatory report is required to be submitted. The reporting requirements relevant to the Firm are set out in the rules specified in paragraph 7 of this Notice of Decision.

17. SUP 16.10.4R specifies that:

"(1) Within 60 business days of its accounting reference date, a firm must check the accuracy of its firm details through the relevant section of the [Authority] website.

[…]

(3) If any of the details are incorrect, the firm must submit the corrected firm details to the [Authority] using the appropriate form set out in SUP 15 Ann 3 and in accordance with SUP 16.10.4AR."

18. SUP 16.10.4AR(1) specifies that:

"A firm must submit any corrected firm details under SUP 16.10.4R(3) using the appropriate online systems accessible through the [Authority's] website."

19. SUP 16.10.4AAR, which applies where, in complying with SUP 16.10.4R(1), a firm does not need to submit corrected firm details under SUP 16.10.4R(3), specifies that:

"(2) Within 60 business days of its accounting reference date, a firm must submit a report to the [Authority] confirming that the firm details which it has checked under SUP 16.10.4R(1) remain accurate, using the appropriate online systems accessible through the [Authority's] website."

Guidance concerning the use of the Authority's additional power to cancel an authorised firm's Part 4A permission on its own initiative

20. Guidance on the use of the Authority's power to cancel an Authority-authorised person's Part 4A permissions on its own initiative under Schedule 6A to the Act is set out in SUP.

21. SUP 6B.5.3 states that the Authority may cancel the Part 4A permission of a firm that is an Authority-authorised person, under Schedule 6A of the Act, if:

    (1) it appears to the Authority that the firm is carrying on no regulated activity to which the permission relates; and

    (2) the firm has failed to respond as directed by the Authority to notices served by the Authority to the firm under paragraph 2 of Schedule 6A.

22. SUP 6B.5.3 also states that Schedule 6A specifies that the Authority may form the view that a firm is carrying on no such regulated activity on the basis of its failure to pay a periodic fee or levy or provide information to the Authority, in each case as required by the Handbook.

23. SUP sets out further guidance on the Authority's power under Schedule 6A of the Act. In particular, SUP 7.2.2AG states that the Authority may decide to cancel an Authority-authorised person's Part 4A permission using its powers under Schedule 6A of the Act:

    (1) if that person appears to the Authority not to be carrying on any regulated activity to which the permission relates, including, without restriction, if the person has failed to:

    (a) pay a periodic fee or levy under the Handbook; or

    (b) provide the Authority with information required under the Handbook; and

    (2) if that person, when served by the Authority with two notices under paragraph 2 of Schedule 6A of the Act, has not:

    (a) responded in the manner directed, in those notices or otherwise, by the Authority; nor

    (b) taken other steps as may also be directed by the Authority;

    the second of which notices will specify the effective date of the proposed cancellation.

24. SUP 7.2.2DG states that:

    (1) the Authority's additional own-initiative variation power under Schedule 6A to the Act (which includes the power to cancel the Part 4A permission of an Authority-authorised firm under Schedule 6A of the Act and references to "additional own-initiative variation power in the remainder of this Notice of Decision should be read as such) has, unlike the Authority's own-initiative variation power under section 55J of the Act, a single basis: that it appears to the Authority that the relevant Authority-authorised person is not carrying on any regulated activity to which its Part 4A permission relates.

(2) if the Authority uses its additional own-initiative variation power, it is therefore more likely to cancel the relevant firm's Part 4A permission, rather than merely varying it by removing or amending the description of one or more such activities or by imposing one or more limitations.

(3) the Authority will, however, consider all relevant facts and circumstances, including, without restriction:

(a) the relevant firm's responses, if any, to the notices given by the Authority under paragraph 2 of Schedule 6A; and

(b) if applicable, the factors described in SUP 6.4.22G, including whether there are any matters relating to the firm requiring investigation,

before deciding whether to use its additional own-initiative variation power and whether to use it to cancel or vary.

25. SUP 7.2.7G(1) states that a firm has no right of referral to the Tribunal in respect of the Authority exercising its additional own-initiative variation power, under Schedule 6A to the Act, on the Authority-authorised firm's Part 4A permission.