



**Financial Conduct Authority**  
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## **FINAL NOTICE**

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**To:** Response 360 Ltd

**Address:** Sunrise House  
324 Hitchin Road  
Luton  
LU2 7SR

**FRN:** 619413

**Dated:** 21 November 2016

### **ACTION**

1. For the reasons set out in this Final Notice, the Authority hereby takes the following action against Response 360.
2. The Authority issued to Response 360 the Decision Notice which notified Response 360 that for the reasons given below and pursuant to section 55J of the Act, the Authority had decided to cancel Response 360's Part 4A permission.
3. Response 360 has not referred the matter to the Tribunal within 28 days of the date on which the Decision Notice was given to it.
4. Accordingly, the Authority has today cancelled Response 360's Part 4A permission.

### **DEFINITIONS**

5. The definitions below are used in this Final Notice:  
"the Act" means the Financial Services and Markets Act 2000;

“the Authority” means the Financial Conduct Authority;

“the Decision Notice” means the Decision Notice issued to Response 360 dated 12 October 2016;

“the Overdue Balance” means the amount owed by Response 360 to the Authority totalling £1,065.83, comprising: an invoice dated 11 November 2014 in respect of periodic fees and levies for £370.83, which was due for payment by 11 December 2014; an invoice dated 18 June 2015 in respect of an administrative fee for £250 for late submission of a consumer credit return for the period ended by 28 February 2015; and an invoice dated 16 October 2015 in respect of periodic fees and levies for £445, which was due for payment by 15 November 2015;

“the Principles” means the Authority’s Principles for Businesses;

“Response 360” means Response 360 Ltd;

“Response 360’s Part 4A permission” means the permission granted by the Authority to Response 360 under the Act;

“the suitability Threshold Condition” means the threshold condition set out in paragraph 2E of Schedule 6 to the Act;

“the Threshold Conditions” means the threshold conditions set out in Schedule 6 to the Act;

“the Tribunal” means the Upper Tribunal (Tax and Chancery Chamber); and

“the Warning Notice” means the Warning Notice issued to Response 360 dated 19 September 2016.

## **REASONS FOR THE ACTION**

6. On the basis of the facts and matters and conclusions described in the Warning Notice, and in the Decision Notice, it appears to the Authority that Response 360 is failing to satisfy the suitability Threshold Condition, in that the Authority is not satisfied that Response 360 is a fit and proper person having regard to all the circumstances, including whether Response 360 managed its business in such a way as to ensure that its affairs were conducted in a sound and prudent manner.
7. Response 360 has failed to pay the Overdue Balance and has not been open and co-operative in all its dealings with the Authority, in that Response 360 has failed to respond to the Authority’s repeated requests for it to pay the Overdue Balance, and has thereby failed to comply with Principle 11 of the Principles and to satisfy the Authority that it is ready, willing and organised to comply with the requirements and standards under the regulatory system.
8. These failures, which are significant in the context of Response 360’s suitability, lead the Authority to conclude that Response 360 has failed to manage its business in such a way as to ensure that its affairs are conducted in a sound and prudent manner, that it is not a fit and proper person, and that it is therefore failing to satisfy the Threshold Conditions in relation to the regulated activities for which Response 360 has had a permission.

## **DECISION MAKER**

9. The decision which gave rise to the obligation to give this Final Notice was made by the Regulatory Decisions Committee.

## **IMPORTANT**

10. This Final Notice is given to Response 360 under section 55Z and in accordance with section 390(1) of the Act.

### **Publicity**

11. The Authority must publish such information about the matter to which this Final Notice relates as the Authority considers appropriate. The information may be published in such manner as the Authority considers appropriate. However, the Authority may not publish information if such publication would, in the opinion of the Authority, be unfair to Response 360 or prejudicial to the interest of consumers.
12. The Authority intends to publish such information about the matter to which this Final Notice relates as it considers appropriate.

### **Authority contact**

13. For more information concerning this matter generally, please contact Prea Deans at the Authority (direct line: 020 7066 2272).

**John Kirby**  
**Enforcement and Market Oversight Division**