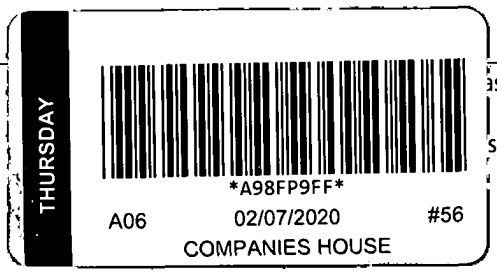
In accordance with Rule 3.42 of the Insolvency (England & Wales) Rules 2016 and paragraph 54 of Schedule B1 to the Insolvency Act 1986.

AM08

Notice of revision of administrator's proposals

Companies House



1 Company details

Company number	04070264
Company name in full	Decidedly Limited

→ **Filling in this form**
Please complete in typescript or in bold black capitals.

2 Court details

Court name	High Court of Justice, Business and Property Courts
Court number	6377 of 2019

3 Administrator's name

Full forename(s)	Andrew
Surname	Hosking

4 Administrator's address

Building name/number	High Holborn House
Street	52-54 High Holborn
Post town	London
County/Region	
Postcode	WC1V 6RL
Country	

AM08
Notice of revision of administrator's proposals

5 Administrator's name ❶

Full forename(s)	Sean
Surname	Bucknall

❶ **Other administrator**
Use this section to tell us about another administrator.

6 Administrator's address ❷

Building name/number	3rd Floor
Street	37 Frederick Place
Post town	Brighton
County/Region	Sussex
Postcode	B N 1 4 E A
Country	

❷ **Other administrator**
Use this section to tell us about another administrator.

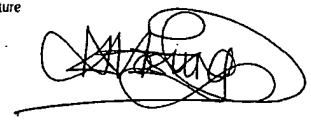
7 Date of revised proposals

Date: d 0 d 2 m 0 m 7 y 2 y 0 y 2 y 0

8 Revised proposals

☑ I attach a copy of the revised proposals

9 Sign and date

Administrator's signature: Signature X  X

Signature date: d 0 d 2 m 0 m 7 y 2 y 0 y 2 y 0

AM08
Notice of revision of administrator's proposals

Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name: James Varney

Company name: Quantuma LLP

Address: High Holborn House
52-54 High Holborn

Post town: London

County/Region:

Postcode: WC1V 6RL

Country:

DX:

Telephone: 020 3856 6720

Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.

Important information

All information on this form will appear on the public record.

Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.

Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

High Court of Justice Court Court Reference: CR-2019-006377

Decidedly Limited - In Administration

THE JOINT ADMINISTRATORS' REVISED PROPOSAL

PURSUANT TO PARAGRAPH 54 OF SCHEDULE B1 OF THE INSOLVENCY ACT 1986 AND RULE 3.42 OF THE INSOLVENCY RULES 2016

Andrew Hosking and Sean Bucknall
Joint Administrators

Quantuma LLP

High Holborn House, 52-54 High Holborn, London, WC1V 6RL

020 3856 6720

Contents

1. Court details
2. Registered Name, address and number
3. Administration appointment details
4. Company appointments and shareholdings
5. Summary of the initial proposals and reason for proposing a revision
6. Details of the proposed revision and its impact upon creditors
7. Information for creditors
8. Virtual meeting of creditors

Appendices

I. Notice Seeking Deemed Consent / Notice of Objections
II. Proof of debt form

1. Court Details

1.1 High Court of Justice, Number: 6377 of 2019

2. Registered name, address and number

2.1 Company name: Decidedly Limited – In Administration ('the Company')

2.2 Current registered office: c/o Quantuma, High Holborn House, 52-54 High Holborn, London, WC1V 6RL.

2.3 Former registered office: Kingsbourne House, 229-231 High Holborn, Holborn, London WC1V 7DA.

2.4 Registered number: 04070264

2.5 Date of incorporation: 15 September 2000

2.6 Principal trading activity: Outsourced research and analysis, and resourcing consultants.

3. Administration appointment details

3.1 Andrew Hosking and Sean Bucknall were appointed as Joint Administrators of the Company on 3 October 2019 by the directors of the Company.

3.2 In accordance with Paragraph 100(2) of Schedule B1 of the Insolvency Act 1986 the functions of the Joint Administrators are being exercised by either or both of the Administrators acting jointly or alone.

4. Company appointments and shareholdings

4.1 Current Directors: Caroline Plumb, Catherine Crump, Charles Osmond and Paul Perkins

4.2 Company secretary: N/A

4.3 Directors' Shareholdings: Charles Osmond – 2,501,063 ordinary shares
Caroline Plumb – 2,501,063 ordinary shares
Paul Parkin – 360,671 ordinary shares

5. Summary of the initial proposals and reasons for proposing a revision

5.1 I have detailed below a summary of the original Proposal which was approved subject to modifications.

In order to achieve the purpose of the Administration, the Joint Administrators formally propose to creditors that:

- the Joint Administrators continue to manage the business, affairs and property of the Company in order to achieve the purpose of the Administration, in particular that:

  (i) they collect in the Company's remaining assets;

  (ii) they investigate and, if appropriate, pursue any claims that the Company may have against any person, firm or company, whether in contract or otherwise, including any officer or former officer of the Company or any person, firm or company that supplies or has supplied goods or services to the Company; and

  (iii) they do all such things and generally exercise all their powers as Joint Administrators as they consider desirable or expedient at their discretion in order to achieve the purpose of the Administration or protect and preserve the assets of the Company or maximise the realisations of those assets, or of any purpose incidental to these activities.

- the Joint Administrators make distributions to any secured or preferential creditors in accordance with Paragraph 65 of Schedule B1 of the Act. Further, they may make a distribution to unsecured creditors, having first sought the court's permission in accordance with Paragraph 65(3) of Schedule B1 of the Act where necessary.

- the Joint Administrators end the Administration in one of the following ways, appropriate to the circumstances of the case at the time:

  (i) in the event that the Joint Administrators think that a distribution will be made to unsecured creditors (and they have not sought the court's permission, and are otherwise unable, to pay the distribution whilst the Company is in Administration), they shall send to the registrar of companies notice to move the Company from Administration to Creditors' Voluntary Liquidation. In such circumstances, Andrew Hosking and Sean Bucknall will be appointed Joint Liquidators and will be authorised to act either jointly or separately in undertaking their duties as Liquidator. Creditors may nominate a different person or persons as the proposed liquidator or liquidators in accordance with Paragraph 83(7)(a) of Schedule B1 of the Act and Rule 3.60(6)(b) of the Rules, but they must make the nomination or nominations at any time after they receive the Statement of Proposals, but before it is approved. Information about the process of approval of the Statement of Proposals is set out at Section 8; or

  (ii) alternatively, and should there be no likely funds to distribute to unsecured creditors, the Joint Administrators may seek to place the Company into Compulsory Liquidation in order to bring proceedings that only a Liquidator may commence for the benefit of the estate. In such circumstances, Andrew Hosking and Sean Bucknall may ask the court that they be appointed Joint Liquidators, to act either jointly or separately in undertaking their duties as Liquidator; or

  (iii) in the unlikely event that there is no remaining property that might permit a distribution to the Company's creditors, they shall file a notice of dissolution of the Company pursuant to Paragraph 84 of Schedule B1 of the Act.

5.2 A revision to the original proposals is proposed that the Company exit the Administration via a Company Voluntary Arrangement ('CVA') with Andrew Hosking and Sean Bucknall appointed as Joint Supervisors of the Company.

6. Details of the proposed revision and its impact upon creditors

6.1 It is proposed that the resolutions detailed below are to be revised;

Original proposals to be revised

- in the event that the Joint Administrators think that a distribution will be made to unsecured creditors (and they have not sought the court's permission, and are otherwise unable, to pay the distribution whilst the Company is in Administration), they shall send to the registrar of companies notice to move the Company from Administration to Creditors' Voluntary Liquidation. In such circumstances, Andrew Hosking and Sean Bucknall will be appointed Joint Liquidators and will be authorised to act either jointly or separately in undertaking their duties as Liquidator. Creditors may nominate a different person or persons as the proposed liquidator or liquidators in accordance with Paragraph 83(7)(a) of Schedule B1 of the Act and Rule 3.60(6)(b) of the Rules, but they must make the nomination or nominations at any time after they receive the Statement of Proposals, but before it is approved. Information about the process of approval of the Statement of Proposals is set out at Section 8.

Proposed revision (**'the Revision'**)

- the Joint Administrators exit the Administration by preparing a CVA proposal for consideration for the creditors in order to distribute the funds held and return the Company to the Director and shareholders. The proposed Supervisors of the CVA will be Andrew Hosking and Sean Bucknall.

- however, in the event that the proposed CVA is rejected and the Joint Administrators think that a distribution will be made to unsecured creditors (and they have not sought the court's permission, and are otherwise unable, to pay the distribution whilst the Company is in Administration), they shall send to the registrar of companies notice to move the Company from Administration to Creditors' Voluntary Liquidation. In such circumstances, Andrew Hosking and Sean Bucknall will be appointed Joint Liquidators and will be authorised to act either jointly or separately in undertaking their duties as Liquidator. Creditors may nominate a different person or persons as the proposed liquidator or liquidators in accordance with Paragraph 83(7)(a) of Schedule B1 of the Act and Rule 3.60(6)(b) of the Rules, but they must make the nomination or nominations at any time after they receive the Statement of Proposals, but before it is approved.

7. Information for creditors

7.1 The basis of the proposed CVA will be to distribute the funds currently held in the administration totalling approximately £1,344,784.00. Please note an approximate figure has been provided here in GBP as we currently hold funds in GBP, EUR and USD, which will be exchanged to GBP in order to pay future dividends.

7.2 It is also proposed that certain potential claims will be assigned back to the director once the Company exits via CVA to pursue in the Company's name. Further details of this will be provided in the CVA document.

8. Deemed consent procedure

8.1 The Joint Administrators are convening a decision procedure by means of a deemed consent procedure. Please note that if you agree with the proposed decision, you do not need to take any action. Attached at Appendix I is the notice of deemed consent out the following proposed decision;

- The Joint Administrators proposed revision be approved.

8.2 In respect of the decision proposed above, if less than 10% in value of creditors (who would be entitled to vote were taken) ("the Threshold") object to it in accordance with the procedure set out below, the creditors are to be treated as having made the proposed decision. Otherwise, the creditors are to be treated as not having made such decision and if a decision about that matter is again sought from the creditors, it must be sought using a qualifying decision procedure as defined by the Insolvency Act 1986.

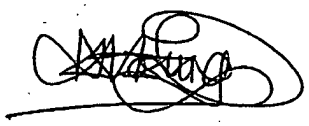
8.3 In order to object to one of more of the proposed decisions, you must deliver a notice stating that you so object (and specifying to which one or more of the proposed decisions your objection relates) to the Joint Administrator not later than the time set out below. In addition, you must have also delivered a proof of debt (unless one has already been submitted) by 12.00pm on 15 July 2020 failing which your objection will be disregarded.

8.4 It is the Joint Administrator's responsibility to aggregate any objections to see if the Threshold is met for the decision to be taken as not having been made.

8.5 If the Threshold is met, the deemed consent procedure will terminate without a decision being made and if a decision is sought again on the same matter it will be sought by a decision procedure.

8.6 If any creditor has any queries in relation to the above, please do not hesitate to contact either of the Joint Administrators or James Varney on 020 3856 6720 or james.varney@quantuma.com

Dated this 2 July 2020



Andrew Hosking
Joint Administrator
Licensed in the United Kingdom to act as an insolvency practitioner by the Insolvency Practitioners Association

The affairs, business and property of Decidedly Limited - in Administration are managed by the Joint Administrators, who act as agents of the Company and contract without personal liability

NOTICE SEEKING DEEMED CONSENT

Company Name: **Decidedly Limited - In Administration ("the Company")**
Company Number: **04070264**
In the High Court of Justice, Number: 6377 of 2019

This Notice is given under Rule 15.7 of the Insolvency (England & Wales) Rules 2016 ("the Rules"). It is delivered by the Joint Administrator of the Company, Andrew Hosking, of Quantuma LLP, High Holborn House, 52-54 High Holborn, London, WC1V 6RL (telephone number 020 3856 6720), who were appointed by the directors of the Company.

The Joint Administrator proposes that the following decisions be made:

1. That the Joint Administrators' proposed revision be approved

In respect of the decision proposed above, if less than 10% in value of creditors (who would be entitled to vote if a vote were taken) ("the Threshold") object to it in accordance with the procedure set out below, the creditors are to be treated as having made the proposed decision. Otherwise, the creditors are to be treated as not having made such decision and if a decision about that matter is again sought from the creditors, it must be sought using a qualifying decision procedure as defined by the Insolvency Act 1986.

In order to object to one or more of the proposed decisions, you must deliver a notice stating that you so object (and specifying to which one or more of the proposed decisions your objection relates) to the Joint Administrator not later than the time set out below. In addition, you must have also delivered a proof of debt (unless one has already been submitted) by the time set out below, failing which your objection will be disregarded.

It is the Joint Administrator's responsibility to aggregate any objections to see if the Threshold is met for the decision to be taken as not having been made.

If the Threshold is met, the deemed consent procedure will terminate without a decision being made and if a decision is sought again on the same matter it will be sought by a decision procedure.

All objections and proofs of debt must be submitted in writing to the Joint Administrator by one of the methods set out below:

By post to: Quantuma LLP, High Holborn House, 52-54 High Holborn, London, WC1V 6RL
By email to: james.varney@quantuma.com

Please note that, if you are sending documents by post, you must ensure that you have allowed sufficient time for them to be delivered to the address above by the time set out below. Unless the contrary is shown, an email is treated as delivered at 9am on the next business day after it was sent.

All objections and proofs of debt must be delivered by 23.59 on the Decision Date, 16 July 2020.

Any creditor whose debt is treated as a small debt in accordance with Rule 14.31(1) of the Rules must still deliver a proof if the creditor wishes to object. A creditor who has opted out from receiving notices may nevertheless object if the creditor also provides a proof by the time specified above.

In addition, creditors who meet one or more of the statutory thresholds listed below may, within 5 business days from the date of the delivery of this Notice, require a physical meeting to be held to consider any matter.

Statutory thresholds to request a meeting:	10% in value of the creditors 10% in number of the creditors 10 creditors

A creditor may appeal a decision by application to the court in accordance with Rule 15.35 of the Rules. Any such appeal must be made not later than 21 days after the Decision Date.

Signed: _____ Dated: 2 July 2020

Andrew Hosking
Joint Administrator

NOTICE OF OBJECTIONS
Decidedly Limited - In Administration

On behalf of (name of Creditor): _____

,

at (address of Creditor): _____

,

I object to the following proposed decision(s):

Proposed Decision	Objected to?
That the Joint Administrators' proposed revision be approved	Yes / No

Are you also asking the Joint Administrator to convene a physical meeting of creditors?[1] Yes / No

Signed: _____

Dated: _____

Name in capitals: _____

Position with, or relationship to, Creditor or other authority for signature: _____

Are you the sole member/shareholder of the Creditor (where it is a company)? Yes / No

If you wish to lodge an objection, you must have delivered it, along with a completed proof of debt, by 23.59 on the Decision Date – 16 July 2020 – by one of the following methods:

Post: Quantuma LLP, High Holborn House, 52-54 High Holborn, London, WC1V 6RL
Email: please scan in a signed copy of this form and attach it as a pdf to james.varney@quantuma.com

NOTE: if you agree with the proposed decisions set out above, you do not need to do anything

[1] Requests for a meeting must be delivered within 5 business days of the date of delivery of the Notice Seeking Deemed Consent.

PROOF OF DEBT FORM

PROOF OF DEBT - GENERAL FORM

Decidedly Limited (In Administration)

Date of Administration: 3 October 2019

	DETAILS OF CLAIM	
1.	Name of Creditor (if a company, its registered name)	
2.	Address of Creditor (i.e. principal place of business)	
3.	If the Creditor is a registered company: • For UK companies: its registered number • For other companies: the country or territory in which it is incorporated and the number if any under which it is registered • The number, if any, under which it is registered as an overseas company under Part 34 of the Companies Act	
4.	Total amount of claim, including any Value Added Tax, as at the date of administration, less any payments made after this date in relation to the claim, any deduction under R14.20 of the Insolvency (England & Wales) Rules 2016 and any adjustment by way of set-off in accordance with R14.24 and R14.25	£
5.	If the total amount above includes outstanding uncapitalised interest, please state	YES (£) / NO
6.	Particulars of how and when debt incurred	
7.	Particulars of any security held, the value of the security, and the date it was given	
8.	Details of any reservation of title in relation to goods to which the debt relates	
9.	Details of any document by reference to which the debt can be substantiated. [The administrator may call for any document or evidence to substantiate the claim at his discretion.]	
10.	Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986	Category Amount(s) claimed as preferential £
11.	If you wish any dividend payment that may be made to be paid in to your bank account please provide BACS details. Please be aware that if you change accounts it will be your responsibility to provide new information	Account No.: Account Name: Sort code:
	AUTHENTICATION	
Signature of Creditor or person authorised to act on his behalf		
Name in BLOCK LETTERS		
Date		
If signed by someone other than the Creditor, state your postal address and authority for signing on behalf of the Creditor		
Are you the sole member of the Creditor?		YES / NO