

IN THE MATTER OF AN APPEAL TO THE CHARITY TRIBUNAL

**AND IN THE MATTER OF THE KIDD LEGACY, BEING A PART OF
CENTRAL PARK, DARTFORD**

BETWEEN

DEREK MAIDMENT

LENNOX PATRICK RYAN

Appellants

and

THE CHARITY COMMISSION FOR ENGLAND AND WALES

Respondent

DIRECTIONS

1. These appeals shall be heard together and listed for final hearing on 26,27,29 & 30 October 2009 (the venue will be confirmed but it will probably be heard at the Care Standards Tribunal, Pocock St., London SE1). The Respondent is asked to reconsider the time estimate for this hearing after step 5 below and to notify the Tribunal as soon as possible of the revised time estimate agreed with the Appellants;
2. Any communication sent by a party to the Tribunal shall be copied at the same time and by the same means of communication to the other parties, and it shall state that this has been done;
3. The parties are to agree a plan of Central Park for use at the hearing, showing the legacy land and the replacement land in coloured parcels and the Respondent is to provide the Tribunal with four colour copies thereof by 5pm on 12 October 2009;
4. By 5pm on 19 August 2009, the Appellants are to notify the Respondent of any outstanding or further documents to which they say they are entitled by way of disclosure and by 5pm on 26 August 2009 the Respondent is to confirm to the Appellants and to the Tribunal whether disclosure has been made in respect of (a) any documents specifically requested by the Appellants (as above, or as “information particulars” in their 7 July letter, or otherwise)

and (b) whether all relevant disclosures have been made so as to comply with the Respondent's obligations under Rule 20 of the Charity Tribunal Rules 2008 in any event;

5. By 5pm on 1 September 2009, each party is to provide the other parties with a list of witnesses (including any expert witnesses) upon whose evidence they will seek to rely at the final hearing of these Appeals, together with a summary of the issues which that witness will be addressing;
6. By 5pm on 12 October 2009, the parties are to have agreed the contents of a bundle of documents for these Appeals, in accordance with the arrangements set out in paragraphs 7 - 10 below;
7. The first draft of the index to the proposed bundle is to be prepared by the Respondent and served on the Appellants by 5pm on 14 September 2009;
8. By 5pm on 21 September 2009, the Appellants are to notify the Respondent whether there are any additional documents that they wish to add to the bundle and to supply a copy of the said documents to the Respondent expeditiously if so requested;
9. A consolidated version of the agreed index and bundle is to be prepared by the Respondent by 5pm on 28 September 2009, and forwarded to the Appellants;
10. By 5pm on 5 October 2009, the parties are to exchange with each other any written witness statements on which they wish to rely. If the statements refer to any documents, the relevant page numbers of the agreed bundle are to be given. Such witness statements are directed to stand as evidence in chief at the hearing, although supplementary questions in chief may be asked with the permission of the Tribunal. No party is to call any witness in respect of whom a written statement has not been exchanged with the other parties and served on the Tribunal in accordance with this paragraph, unless the Tribunal gives permission. The parties are to notify each other by 5pm on 12 October 2009 if they wish any witness in respect of whom they have received a witness statement to attend the hearing for cross-examination;
11. A final version of the bundle, to include any witness statements, copies of any exhibits, the plan and a chronology, is to be prepared by the Respondent and four copies are to be lodged with the Tribunal by 5pm 12 October 2009.
12. The Respondent is to serve on the Appellants and lodge with the Tribunal its skeleton argument and complete copies of any relevant authorities and statutory materials by no later than 5pm on 12 October 2009. The Appellants may (but need not) serve on the Respondent and lodge with the Tribunal any skeleton arguments, and any additional authorities or statutory materials by 5pm on 19 October 2009;
13. The parties are to provide the Tribunal with an agreed timetable for the hearing, with estimated times for opening statements (if any), witness evidence and closing submissions by 5pm on 19 October 2009.

14. The parties have permission to apply for further directions.

Alison McKenna
President of the Charity Tribunal

13 August 2009