



**FIRST-TIER TRIBUNAL (CHARITY)  
GENERAL REGULATORY CHAMBER**

**Appeal number: CA/2016/0010**

**SUPPORT THE HEROES**

**Appellant**

**- and -**

**THE CHARITY COMMISSION FOR ENGLAND AND WALES**

**Respondent**

**Before: Judge Alison McKenna**

**Sitting in Chambers on 24 April 2017**

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**DIRECTIONS**

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Further to the Tribunal's Directions of 15 March 2017

And Upon the Respondent applying to vary paragraphs 5, 6 and 7 of those Directions

**IT IS DIRECTED** as follows:

1. The Respondent's application is refused and the Tribunal's Directions of 15 March remain in force.

**REASONS**

2. By application dated 24 April 2017, the Respondent applied for a variation of the Tribunal's Directions so that the date for serving and filing its written submissions and authorities bundle would be pushed back from 10 May to 22 May, with a consequent extension to the Appellant's deadline for replying. The Tribunal's hearing is fixed for 12 June 2017.
3. The Respondent e-mailed the Appellant on 18 April to request agreement to this proposed variation of the timetable, but has not received a response. Accordingly, the

application is not agreed but the Respondent has asked the Tribunal to grant it in any event.

4. The reason for making an application for Directions is required under rule 6(3) of the Tribunal's Rules. The Respondent did not provide any reason for making its request to the Appellant or to the Tribunal. I now understand that the reason is concerned with the availability of key staff to finalise the written submissions, although no exceptional difficulties have been explained and the date for compliance has been known to the Respondent for over a month already, with more than two weeks remaining in which to comply with the existing deadline. In circumstances where a party has professional advisers, I would expect strong extenuating circumstances to be relied upon to vary a deadline which has been known about long in advance. No such circumstances have been advanced in this case.
5. In previous correspondence with the Appellant, it was made known to the Tribunal and the Respondent that the Appellant would be abroad and out of contact from 16 to 29 April. It is therefore perhaps unsurprising that the Respondent's e mail to the Appellant was not answered. I am reluctant to consider any application made at a time when it was known in advance that the Appellant would not be able to respond.
6. I note that the extended deadline suggested may prove to be to the Appellant's liking and, when it is possible to hear the Appellant's views, it may be that a further application for variation is made to the Tribunal by consent. In the meantime, I am not persuaded that it would be fair and just to grant the application now made by the Respondent in the absence of (a) a strong case; (b) any apparent urgency; or (c) being able to consider the Appellant's views. In the circumstances this application is refused.

(Signed)

Alison McKenna

24 April 2017

Principal Judge

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