



**Appeal number: CA/2013/0016**

**FIRST-TIER TRIBUNAL (CHARITY)  
TAX CHAMBER**

**ALAN BARTLEY**

**Appellant**

**- and -**

**THE CHARITY COMMISSION FOR ENGLAND      Respondents  
AND WALES**

**TRIBUNAL: JUDGE ALISON MCKENNA**

**Sitting in Chambers on 4 April 2014**

The Appellant having failed to comply with the Tribunal's directions of 4 March 2014 or to have requested an extension of time in which to do so

**IT IS DIRECTED** that the Respondent's list of issues is adopted by the Tribunal for determination at the final hearing of this appeal.

**REASONS**

1. The Tribunal's directions of 3 March required the parties to endeavour to agree a list of issues for the hearing and, if no agreement was reached, to make a joint application to the Tribunal for its ruling on the issues by 1 April.
2. I explained to the Appellant at the telephone directions hearing that if he was unable for good reason to comply with any direction then he should apply to the Tribunal for an extension of time. I also informed him about the availability of free legal advice and he was provided with a copy of NCVO's Guide to the Tribunal.

3. The Tribunal has now been informed by the Charity Commission that the Appellant has not agreed a list of issues and does not intend to make an application for an extension of time or to make a joint application for the Tribunal's ruling. The Appellant has not himself communicated with the Tribunal.

4. The Charity Commission has sent to the Appellant and submitted to the Tribunal a list of issues which arise from the Appellant's grounds of appeal. It provides a helpful framework for the parties' submissions and for the Tribunal's decision. I am content to adopt it and have directed accordingly.

5. I must inform the Appellant that the Tribunal may strike out his appeal if there is any further non-compliance with its directions – see rule 8 of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009. The remainder of the directions of 4 March 2014 continue to apply to both parties, who have a positive duty to co-operate with the Tribunal under rule 2 of the Rules. If the Appellant has a difficulty in complying with any particular paragraph of the directions then he should discuss it with the Charity Commission and then make any necessary application for a defined extension of time, informing the Tribunal whether his application is agreed or not agreed by the Charity Commission. I will then decide whether it is fair and just to allow the extension of time.

**PRINCIPAL JUDGE**

**DATE: 4 April 2014**

**© CROWN COPYRIGHT 2014**