



Appeal number: CA/2014/0012

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

PAMELA KENNAUGH

Appellant

- and -

**THE CHARITY COMMISSION FOR
ENGLAND AND WALES**

Respondents

TRIBUNAL: JUDGE ALISON MCKENNA

Sitting in Chambers on 27 October 2014

Having directed on 13 October 2014 that the Appellant had 14 days to make representations as to why this appeal should not be struck out under rule 8(2) (a) of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009

And having considered the Appellant's representations dated 20 October 2014

IT IS DIRECTED that this appeal is now struck out on the basis that the Tribunal has no jurisdiction to determine it.

REASONS

1. The background to this appeal is set out in my directions with reasons dated 13 October 2014.
2. I am grateful to Ms Kennaugh for her further submissions, but as she has not provided any further evidence, I am not satisfied on the balance of probabilities that the factual background is as she asserts it to be. In particular, I am not satisfied that a formal application for an order under s. 105 of the Charities Act 2011 was ever made by the charity's solicitor in respect of the charity nor, consequently, that such an application was refused by the Respondent so as to give rise to a decision that was appealable to the Tribunal.

3. As I am not satisfied that an appealable decision has been made, I conclude that the Tribunal has no jurisdiction in this matter and that the appeal must now be struck out. I have directed accordingly.

Alison McKenna

PRINCIPAL JUDGE

27 October 2014

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