



**FIRST-TIER TRIBUNAL
GENERAL REGULATORY CHAMBER
Charity**

Tribunal Reference: CA/2013/0002
Appellant: Regentford Ltd
Respondent: The Charity Commission
Judge: NJ Warren

CASE MANAGEMENT NOTE

1. This application for a review will travel with the appeal lodged by Mr Goldstein numbered CA/2013/0004.
2. The application and the appeal will be heard together in London on a date to be fixed in July. Allow half a day. Tribunal staff should make arrangements which the parties now to fix a convenient date. The case will be dealt with by a Judge sitting alone.
3. Given the nature of this application, rule 29 of the GRC rules will not apply although the Charity Commission (the Commission) remains under a duty to cooperate with the Tribunal and the appellant to ensure that the case is dealt with fairly and justly.

Preliminary Issue – Standing

4. The Commission has raised a preliminary issue concerning the notice of appeal.
5. The notice of appeal is in the name of Regentford Ltd and is apparently signed on behalf of the company by Mr D Markovic. At para 16 of the response, the Commission explains that Mr Markovic sent them an email on 22 March 2013 which stated that he had ceased to be a director and/or trustee on 12 June 2012. Regentford's solicitors have apparently told the Commission that there is only one trustee of the charity, a Mrs Hirsch.
6. Within 14 days Regentford and/or Mr Markovic must write to the Tribunal stating:-
 - (a) Whether the assertions made in para 16 of the response are correct.
 - (b) If not, what is the true position and how is it evidenced.
 - (c) What authority does Mr Markovic hold to institute proceedings in the name of Regentford?

Appellant: Regentford Ltd

Date of decision: 5 June 2013

7. It may be that the Tribunal will be under a duty to strike out the application for want of jurisdiction. Any comment on that issue must also be made within 14 days.

The Main Issue

8. The extent to which the Tribunal can enter in to questions of fact in this application is very limited. Subject to the next paragraph, the Tribunal proposes to proceed on the basis that the Commission has reasonable grounds for the conclusions of primary fact relating to the enquiry which are set out in the response.
9. If, on judicial review grounds, the appellant wishes to challenge any of the assertions of primary fact made in the response then it must write to the commission and the Tribunal within 14 days specifying:-
- (a) The finding of fact in dispute.
 - (b) The basis on which the finding of fact is disputed.
10. The parties should cooperate in the preparation of a bundle of documents which should be lodged with the Tribunal 14 days before the hearing. The bundle should be proportionate in size to the issues which the Tribunal has to determine.
11. Either party may apply for further or different directions.

A party is entitled to challenge any instruction given in this note by applying to the Judge.

(Signed on the original)

NJ Warren

Chamber President

Dated 5 June 2013