



NCN [2024] UKFTT 577 (GRC).

Case Reference: D-2024-55

First-tier Tribunal
(General Regulatory Chamber)
Transport

Decided without a hearing
Decision given on: 04 July 2024

Before

JUDGE BUCKLEY

Between

ROBERT CAMPBELL LEECH

Applicant

and

REGISTRAR OF APPROVED DRIVING INSTRUCTORS

Respondent

Decision: The appeal is STRUCK OUT.

REASONS

1. The appellant lodged their appeal with the tribunal by email dated 8 January 2024. The appellant did not include a copy of the decision they were seeking to challenge.
2. Under rule 22(3) of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 (the GRC Rules) if the proceedings challenge

a decision the appellant must provide with the notice of appeal a copy of any written record of that decision.

3. Under rule 7(2) of the GRC Rules if a party has failed to comply with a requirement in the rules, the tribunal may take such action as the Tribunal considers just, which may include, inter alia, exercising its power under rule 8 (striking out a case).
4. Rule 8(1) provides that the proceedings, or the appropriate part of them, will automatically be struck out if the appellant has failed to comply with a direction that stated that failure by the appellant to comply with the direction would lead to the striking out of the proceedings or that part of them.
5. On 23 January 2024 the appellant was directed to provide a copy of the decision to the tribunal within 28 days. No response was received.
6. On 27 March 2024 the appellant was sent a direction made by the Registrar which stated that:

“3. The Appellant must provide a copy of the decision of the Respondent which they seek to appeal to the Tribunal by no later than 10 April 2024.

4. The Appellant is asked to note that failure to comply with the direction at paragraph 3 will lead to the Tribunal striking out this appeal for failure to comply pursuant to Rule 8(1) of The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009.”

7. The appellant has not complied with paragraph 3 and has not responded to the order.
8. I am satisfied that the appellant has not complied with the order. There has been no attempt to comply with the order, so I do not need to consider if there has been material compliance with the order. In all the circumstances and taking into account the interests of justice and the overriding objective it is appropriate to strike out the appeal.

Signed

Sophie Buckley

Date:

4 July 2024