



**FIRST-TIER TRIBUNAL  
PROPERTY CHAMBER  
(RESIDENTIAL PROPERTY)**

**Case Reference** : **CHI/00HB/HBA/2022/0001**

**Applicant** : **Bristol City Council**

**Representative** : **Kate Burnham-Davies  
Specialist Lawyer  
Bristol City Council**

**Respondent** : **Ms Naomi Knapp**

**Representative** : **Charles Auld of Counsel  
Henrique Griffiths LLP**

**Type of Application** : **Application for a banning order –  
section 15(1) of the Housing and  
Planning Act 2016**

**Tribunal Member(s)** : **Judge Tildesley OBE  
Mr M Woodrow MRICS**

**Date and Venue of  
Hearing** : **Havant Justice Centre  
Hybrid Hearing  
11 July 2022**

**Date of Decision** : **9 August 2022**

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**SUPPLEMENTAL TO THE DECISION RELEASED ON 6 JUNE 2022**

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## **Summary of the Decision**

The Tribunal decides to make an Order for five years banning the Respondent from letting housing in England, engaging in English letting agency work and in English property management work. A period of six months is allowed to bring existing tenancies to a lawful end. The precise terms of the Order are set out in the attached Order and will take effect from the date of the Order which is 16 August 2022.

## **Background**

1. On 6 June 2022 the Tribunal released its decision on the Council's application for a Banning Order against the Respondent. The Tribunal was satisfied that the Respondent had flouted her legal obligations in respect of the management of her property portfolio and had rented out accommodation which was substandard, and that the Respondent had failed to follow up on her agreements with the Council to improve the management and conditions of her properties. The Tribunal, therefore, determined that the making of a Banning Order was both necessary and proportionate to ensure that her property portfolio is managed to the appropriate standards.
2. The Tribunal indicated at the hearing on 31 March 2022 that if it made a Banning Order it would invite representations on the length and terms of the Banning Order, and exceptions to it.
3. The purpose of the hearing on 11 July 2022 was for the Tribunal to hear the parties' representations on the terms of a Banning Order. In this regard the Council had submitted a hearing bundle comprising 368 pages which included the parties' representations and various other documents. The page references for documents in the supplemental bundle referred to in this decision are in [ ]. This bundle was in addition to the hearing bundle of 1,339 pages for the 31 March 2022.
4. The Tribunal indicated at the commencement of the hearing that it would disregard the Council's submissions on "New Information Complaints and Enquiries received by the Council after the hearing on 31 March 2022" [51-53]. The Tribunal pointed out that this hearing was in effect a continuation of the hearing on 31 March 2022, and that the Tribunal's decision on the terms of the Banning Order would be based on its findings in the published decision of 6 June 2022.
5. The Tribunal records that the Respondent had submitted her own representations in addition to those supplied by her Counsel. The Respondent's personal submissions at [65-89] dealt principally with her views on the Tribunal's findings in its decision published 6 June 2022 and on events since 31 March 2022 which were either

not relevant to the terms of Banning Order or matters which the Respondent may wish to pursue on Appeal.

6. The Tribunal heard no further evidence on the 11 July 2022 and dealt with the issue of the terms of the Banning Order on submissions from the legal representatives of the parties. At the end of the hearing the Tribunal directed the Respondent to supply the Tribunal and the Council with details of her property portfolio by 25 July 2022. The purpose of this was to assist the Tribunal if it decided to make exceptions to the Banning Order.

## **The Parties' Representations**

### **The Council**

7. The Council submitted that the Banning Order should be for a period of five years and take effect within three months. The Council argued that the scope of the Order should include a ban against engaging in letting agency and property management work as well as against letting housing. The Council argued that there should be no exceptions to the Order. The Council envisaged that following the making of the Order, the Respondent would transfer the management of her properties to professional managing agents.
8. Mrs Burnham-Davies disagreed with Mr Auld's construction of section 14(1)(a) to (d) which had the effect of restricting the scope of any potential Banning Order. Mrs Burnham-Davies contended that Mr Auld's interpretation of section 14(1)(a) of placing a ban only on new lets but allowing the Respondent to manage her existing lets until the tenancies were terminated would fundamentally undermine the purpose of the legislation. Mrs Burnham-Davies' submitted that if Mr Auld's construction was correct it would permit rogue landlords to continue to manage their properties and to receive rental income after a Banning Order was imposed. This, in her view, was contrary to Parliament's intention of preventing rogue landlords under a Banning Order from managing or letting housing.
9. Mrs Burnham-Davies argued that the Order should extend to prohibiting the Respondent from engaging in letting agency and property management work. In Mrs Burnham-Davies' view, the fact that the Respondent had not been involved before in these types of work was not a bar to including them in the Order. Mrs Burnham-Davies agreed with the Tribunal's interpretation that the scope of the Banning Order was with an eye of looking forward rather than focussing on what had happened in the past.
10. At the hearing on 31 March 2022 the Tribunal sought clarification on the Council's position regarding the length of the Order. The Council's reply to the Respondent's first witness statement [page 19 of the 31 March Bundle] stated that it was applying for an Order of

ten years, which followed a review of the factors set out in its new Policy dated 31 January 2022: “*Rogue landlord database and time period of a banning order*” [131]. The details of the review were set out in Mr Riddell’s witness statement dated 22 March 2022 at paragraphs 39-46 [pages 36-37 of the 31 March bundle]. The Council, however in its Review of its Decision to Apply for a Banning Order dated 13 January 2022 proposed a period of five years [page 107 of the 31 March bundle]. The Council on 31 March 2022 confirmed it was requesting a Banning Order for five years.

11. For the hearing on 11 July 2022 the Council performed a new review of the length under its Policy dated 31 January 2022. The Council assessed the Respondent’s culpability as “high or very high”, and the severity of harm as “medium” which suggested a term of ten years was appropriate. The Council then took into account mitigating factors, the Tribunal’s findings in its decision published 6 June 2022, and other Tribunal’s decisions on the length of Banning Orders and concluded that a period of five years was appropriate.
12. The Council objected to the Respondent’s proposal that an exception should be made to the Banning Order which would allow her to continue letting the non-HMOs in her property portfolio. The Council submitted that such an exception to the Order would constitute double standards and be difficult to supervise because the Respondent may convert HMO’s into non-HMOs by taking less tenants.
13. The Council argued that a period of three months was sufficient for the Respondent to resolve her affairs as a landlord and for alternative arrangements to be made for the management of her portfolio of letting properties. The Council pointed out that the Respondent already had two managing agents in place to take on this responsibility. Mrs Burnham-Davies insisted that the Council did not want the Respondent’s properties to be left empty but ultimately it was a matter for the Respondent to put appropriate arrangements in place which complied with the terms of the Banning Order by ensuring that she had no involvement with the letting and management of the properties. Mrs Burnham-Davies added that if the Respondent contravened the terms of the Banning Order, the Council had the power to apply for a management order.

### **The Respondent**

14. At the end of the hearing on 31 March 2022 Mr Auld indicated that if the Tribunal was minded to make a Banning Order the Respondent would have no quarrel with a period of five years for the length of an order. The issue that Mr Auld identified was that it would take some time to extract the Respondent from the properties, and that a straightforward trust permitting the Respondent to benefit from the letting of the properties would not

be sufficient. In Mr Auld's view, the future arrangements would have to have something in between and provide an adequate firewall between the Respondent and the management of the properties to ensure that it was compliant with the terms of any Banning Order.

15. The focus of the Respondent's submissions changed at the hearing on 11 July 2022. Mr Auld made no specific submissions on the length of the order other than encouraging the Tribunal to set out guidelines on length which could be applied in other cases. Mr Auld pointed out that any ban would lead to the Respondent's premature retirement. Mr Auld also did not put forward concrete proposals on the future management of the Respondent's portfolio which did not involve the Respondent at the helm. Mr Auld acknowledged the real possibility that following the Banning Order the Respondent's properties would not be available for letting and remain empty. Mr Auld stated that if the Council had intended for the Respondent's portfolio to be managed by professional managing agents the Council should have adopted a different route from a Banning Order.
16. Mr Auld instead concentrated on the construction of the statutory provisions for Banning Orders. Mr Auld first referred to the interpretation section in Chapter 6 of the 2016 Act and mentioned specifically the definition of "English Property Management Work" in section 55(3) which "*means things done by a person in the course of a business in response to instructions received from another person (the client)*". Mr Auld pointed out that the Respondent did not manage her property portfolio on the instructions of some-one else but did so in her capacity as landlord. Accordingly, the Respondent had not been involved in property management work as defined by the 2016 Act, and as a matter of fact had not engaged in letting agency work. Given those circumstances Mr Auld submitted that the Banning Order in this case should only be concerned with banning the Respondent from the activity of letting housing in England. Mr Auld reinforced his submission by the proposition that strict construction of the legislation required the Tribunal to avoid including activities (property management and letting agency) within the Order which had no relevance to the facts of this case.
17. Mr Auld then proceeded to examine the interpretation of section 14(1)(a) of the 2016 Act which he said was restricted to banning a landlord from granting new tenancies but allowed the landlord to continue to manage existing tenancies until they came to an end. In his view letting was the equivalent of a conveyance, a one-off activity of granting an interest in land. It, therefore, followed that the effect of the Banning Order was to divest gradually the Respondent of her property portfolio as and when the existing tenancies came to an end. In support Mr Auld referred to the fact that there was no provision in the 2016 Act under which a Banning

order invalidated or brought to an end existing tenancies. Mr Auld argued this demonstrated that existing tenancies continued in force which meant that a landlord had to remain in order to fulfil the terms of the tenancy. Mr Auld asserted that a tenancy without a landlord could not exist and would be a recipe for chaos. Mr Auld concluded that a Banning Order could not stop the Respondent from exercising her responsibilities as landlord in respect of existing tenancies until those tenancies came to an end. Mr Auld followed up by submitting that on proper analysis of the 2016 Act this is precisely what Parliament had intended. In this regard Mr Auld relied on the wording of section 17(4)(a) which explicitly referred to the situation of making exceptions for existing tenancies where the landlord did not have the power to bring them to an immediate end.

18. Mr Auld reminded the Tribunal that statutory interpretation is an exercise which required the Tribunal to identify the meaning borne by the words in question in the particular context. According to Mr Auld, the appropriate starting point is that language is to be taken to bear its ordinary meaning in the general context of the statute. Mr Auld said that the Tribunal should only refer to Hansard if the three conditions in *Pepper v Hart* [1993], AC 593, HL(E) were met, namely, (a) legislation was ambiguous or obscure or lead to an absurdity, (b) relied on statements made by a Minister of promoter of the Bill, (c) the statements relied upon were clear.
19. Mr Auld argued that under section 17(3) of the 2016 Act the Tribunal had power to make exceptions to the Order. Mr Auld asserted that an exception should be made to allow the Respondent to continue to let her non HMO properties. Mr Auld contended that the evidence relied upon by the Council in support of its application for a Banning Order related solely to the Respondent's management of her HMO properties where the legislative standards were much higher than those for non HMO properties. Accordingly, the Council had adduced no evidence to substantiate the inclusion of the Respondent's non-HMO properties within the terms of the Order.
20. Finally Mr Auld contended that a period of six months should be allowed for the Respondent to bring to an end the periodic tenancies. Mr Auld said that this was a realistic time limit to meet the various statutory requirements upon a landlord wishing to terminate an assured shorthold tenancy.

## **Consideration**

21. The Tribunal starts with the legislative provisions for Banning Orders which are found in Chapter 2 of Part 2 of the 2016 Act. The Tribunal observes that section 13 states that Part 2 is about rogue landlords and property agents, and that Chapter 2 allows a banning order to be made when a landlord or property agent has been

convicted of a banning order offence. The Tribunal considers that section 13 sets the context for the statutory provisions dealing specifically with banning orders. Section 13 emphasises that it is a ban against landlords and or property agents.

22. Under section 14 a banning order means an order made by the First-tier Tribunal, banning a person from –
  - (a) letting housing in England
  - (b) engaging in English letting agency work
  - (c) engaging in English property management work or
  - (d) doing two or more of those things
23. Chapter 6 provides the interpretation of Part 2 of the 2016 Act. Section 54 gives the meaning of letting agent, and letting agency work. Section 54(3) states that “letting agency work means things done by a person in the course of a business in response to instructions received from—(a) a person (“a prospective landlord”) seeking to find another person to whom to let housing, or (b) a person (“a prospective tenant”) seeking to find housing to rent”.
24. Section 55 gives the meaning of property manager and property management work. Section 55(3) states that “English property management work means things done by a person in the course of a business in response to instructions received from another person (“the client”) where— (a) the client wishes the person to arrange services, repairs, maintenance, improvements or insurance in respect of, or to deal with any other aspect of the management of, premises on the client's behalf, and (b) the premises consist of housing in England let under a tenancy”.
25. Under section 56 “letting includes the grant of a licence, but does not include the grant of a tenancy or licence for a term of more than 21 years, and “let” is to be read accordingly”.
26. Section 17 deals with the duration and effect of a Banning Order. A ban must last for at least 12 months. Section 17(3) says that a Banning Order may contain exceptions to a ban for some or all of the period to which the ban relates and the exceptions may be subject to conditions. Section 17(4) gives two examples of exceptions. The relevant one for this case is to deal with cases where there are existing tenancies and the landlord does not have the power to bring them to an immediate end.
27. The Tribunal disagrees with Mr Auld’s construction of the statutory provisions, namely, that a Banning Order bans a landlord from granting new lets but allows the landlord to manage existing lets

until the tenancies come to an end. In the Tribunal's view Mr Auld's interpretation is more about the practical implementation of a Banning Order rather than its meaning as ascertained by the words used in Statute. The Tribunal's construction of a Banning Order is that a Banning Order bans a landlord from letting properties from the date of the Order unless the Tribunal makes exceptions. Letting is to be read accordingly and given its ordinary meaning. In the Tribunal's view, the term "letting" embraces all aspects of the landlord and tenant relationship as determined by the contract between them. "Letting" in the context of the 2016 Act is not limited as Mr Auld suggests to a "one-off activity" but incorporates the performance of the landlord and tenant covenants including implied covenants in the tenancy agreement. Mr Auld's reliance on the definition of property management work to suggest that letting does not incorporate the landlord's management responsibilities under the terms of the let is misplaced. The definition of property management work in section 55 is directed at property managers not landlords.

28. Mr Auld is correct in his observation that Chapter 2 of the 2016 contains no provision under which a Banning Order brings an end to existing tenancies unlike the provisions dealing with demolition orders. This does not mean, however, that a Banning Order permits a landlord to continue managing existing tenancies until they are terminated under the terms of the agreement or by a Court order. The Tribunal is satisfied that the wording of section 17 is clear that the Banning Order comes into effect on the day it is made unless the Tribunal stipulates exceptions to the Order which may be subject to conditions. One of the exceptions identified in section 17(3) is to deal with existing tenancies which the landlord does not have the power to bring to an immediate end. This could be achieved in several ways, such as, giving the landlord time to go through the various legal processes to end a tenancy or to impose a condition that the landlord's responsibilities under the agreement are performed by a manager approved by the Tribunal.
29. The Tribunal now turns to its attention to the proposed terms of the Order.
30. The Tribunal decides that the Respondent should be banned from letting housing in England and from being involved in any body corporate that carries out letting of housing.
31. The Tribunal considered whether the Respondent should also be banned from engaging in English letting agency and property management work as defined in Chapter 6 of Part 2 of the 2016 Act. The Tribunal is satisfied that it has the power to include these activities within the scope of the Banning Order despite the fact they did not form part of the factual matrix of the case brought against the Respondent. In the Tribunal's view, the purpose of the legislation is to remove rogue landlords from the private rental



sector, and to prevent them from exploiting tenants in the future. The focus of a Banning Order is looking forward not backward. The Tribunal finds that the Respondent's experience as a landlord has close similarities with the work of letting agents and property managers, and that it is not beyond the realms of possibility particularly with the contacts the Respondent has with letting agents and property managers to move into this work following the imposition of the Banning Order. Given those circumstances the Tribunal includes the activities of engaging in English letting agency work and engaging in English property management work in the Banning Order.

32. The Tribunal deals next with the length of the Banning Order. Section 17(2) states that a ban must last at least 12 months. The Tribunal indicated in its decision released 6 June 2022 that the length of the Banning Order would be no more than five years.
33. The 2018 Guidance for Local Authorities at paragraph 3.3 identified a range of factors that may affect the length of a Banning Order. The factors included: (1) the severity of the sentence, (2) the culpability of offenders as assessed by whether their actions were deliberate and whether they knew or ought to have known that they breached their legal responsibilities, (3) the harm caused to tenants, (4) punishment in terms of removing the worst offenders from the sector and having a real economic impact (5) deterring the offender and others from repeating or committing similar offences.
34. The Council's Policy published on 31 January 2022 on length of Banning Orders replicated the factors set out in 2018 Guidance. The Policy incorporated a matrix based on severity of offence and culpability and serial offending to determine the initial length of an Banning Order. The Policy identified mitigating factors which included a genuine one-off mistake and personal issues such as ill-health or a recent bereavement.
35. The Tribunal refers to its decision released 6 June 2022 in respect of the facts found that are relevant to the length of a Banning Order. The Tribunal was satisfied that a total fine of £22,000 for the Respondent's Banning Order offences was a severe sentence. The Tribunal held that the seriousness of the Respondent's offending was aggravated by the circumstances of the financial penalty for 50 Wingfield Road, the fire at 286 St Johns Lane, and the subsequent investigations of 29 Aubrey Road and 102 Portway because they identified breaches of the 2006 Regulations and highlighted the Respondent's lack of understanding of the legal requirements. The Tribunal considered that the Respondent's failure to comply with the agreements made with the Council was another aggravating factor. The Tribunal identified in particular, that the Respondent's failure to follow up on her proposals demonstrated her unwillingness to change matters for the better.

and her acceptance of the risk that her management of the properties might be below the required standard.

36. The Tribunal found that the facts of the Offences to which the Respondent pleaded guilty included contraventions of the 2006 Regulations to do with the risks of fire (fire door at 202 St John's Lane, and obstruction of means of fire escape at 7 Dartmoor Street). The Tribunal observed that the financial penalty in respect of 50 Wingfield Road was imposed for fire safety contraventions (the non-working of fire alarms and obstructing means of escape). In this regard the fire, albeit accidental, at 286 St Johns Lane demonstrated that the Respondent's failure to comply with the 2006 Regulations carried with it real risks of potential harm to the tenants.
37. The Tribunal deals next with its findings on mitigating factors. The Tribunal was satisfied that the Respondent had no previous convictions for Banning Order offences and that her name had not been included in the Database of Rogue Landlords. The Tribunal decided that a Banning Order would have a serious deleterious impact upon the Respondent. The Tribunal considered that as a matter of common sense that a person who was deprived of her livelihood and a business was bound to experience mental anguish and suffer substantial financial loss.
38. The Tribunal considers the impact of a Banning Order on the Respondent's tenants in general, and the marginalised group of tenants in particular, is relevant to the length of any Order. The Tribunal understood at the hearing on 31 March 2022 that the parties were contemplating the possibility that if a Banning Order was made the Respondent's portfolio of properties would be managed by professional managing agents with appropriate firewalls between the agents and the Respondent to ensure that she did not contravene the terms of the Banning Order. The Tribunal recorded this possibility in its decision by stating that the tenants of the HMO's would have the benefit of a professional and legally compliant management regime provided by managing agents approved by the Council as fit and proper persons to hold HMO licences.
39. The Tribunal's assesses the seriousness of the Respondent's offending and her culpability as high. The Tribunal has already noted that the sentence for the Banning Order offences was severe. The Tribunal is satisfied that the Respondent knew that she was in breach of her legal responsibilities with respect to the management of HMOs. The Tribunal recorded in its decision released 6 June 2022 that the Council had reminded her on 8 September 2016 that 2006 Regulations were not guidelines. The Tribunal concludes that the Respondent's persistent failure to comply with the 2006 Regulations subsequent to the reminder in 2016 was deliberate and demonstrated a cavalier approach to the health and safety of her

tenants. The fact that some of the breaches of the 2006 Regulations related to fire safety emphasised the potential risks of harm to tenants.

40. The Tribunal acknowledges that no previous convictions for Banning Order offences, and no entry on the Database of Rogue Landlords are relevant mitigating factors which go towards reducing the length of any Banning Order. The Tribunal, however, considers the serious deleterious impact of any Banning Order on the Respondent's wellbeing and financial situation carried less weight as mitigation. In this regard the Tribunal considers such impacts were inevitable consequences of a Banning Order with its intended purposes of removing rogue landlords from the private rental market and having a real economic effect on the landlord's livelihood.
41. The Tribunal found in its decision of 6 June 2022 that existing tenancy agreements would remain in force so that the tenants would not be immediately affected by the imposition of a Banning Order. Further, tenants of HMOs would be likely to remain if professional managing agents took over the management of properties under arrangements which ensured compliance with the Banning Order.
42. It was apparent at the hearing on the 11 July 2022 that the idea of transferring the Respondent's property portfolio to professional managers was aspirational. Mr Auld argued that if the Council had intended this outcome, the Council should not have pursued the option of a Banning Order. Mrs Burnham-Davies countered by stating that the onus was on the Respondent to put forward a scheme which was compliant with the terms of the Banning Order. The Tribunal agrees with Mrs Burnham-Davies that the responsibility rested with the Respondent to come up with proposals on potential arrangements. The Tribunal adds that if it had been possible to put in place legally compliant arrangements the Tribunal may have looked at it favourably in respect of the length of the Order or even considered other options open to it including potential suspension of the Order with conditions which both parties accepted was permissible under the legislation.
43. The Tribunal accepts that following the imposition of the Banning Order a substantial property portfolio would be removed from the private rental market in Bristol. The Respondent contended that this would have a serious effect on the marginalised group of tenants who would not be able to afford the higher rents for other properties. The Tribunal decided that there was a tangible risk that the marginalised tenants housed by the Respondent would be adversely affected by the imposition of a Banning Order. However, this finding was balanced by the fact that the Respondent offered lower standards of housing to the marginalised group of tenants than those provided to the two other categories of tenants (students

and professional) in the Respondent's housing. The Tribunal holds that the loss of the Respondent's property portfolio to the rental market in Bristol is an inevitable consequence of the Banning Order, and that whatever the length of the Order it would have no influence on that outcome.

44. The Tribunal having weighed up its findings on the seriousness of the Respondent's offending, the Respondent's culpability and the mitigation decides that a period of five years is appropriate punishment and would be sufficient to deter others from committing similar offences.
45. The Tribunal turns finally to the question of whether there should be any exceptions to the Banning Order. The Tribunal considers that the Order takes effect immediately which would prevent the Respondent from granting new lets. The Tribunal, however, makes an exception for existing tenancies where the Respondent does not have the power to bring them to an immediate effect. In this regard the Tribunal permits a period of six months to terminate the tenancies lawfully. The Tribunal considers a period of six months more realistic than the period of three months suggested by the Council. If it transpires that the Respondent is unable to bring a tenancy to an end within six months, the Respondent must apply to the Tribunal with a copy to the Council at least 35 days before the expiry of the six months for directions.
46. The Respondent requested that the Banning Order should only apply to the HMO properties in her portfolio, and that she be allowed to continue as landlord of the non-HMO properties. Mr Auld contended that there was no justification to extend the Banning Order to non-HMOs because the Council's evidence of the Respondent's wrongdoing was based entirely on her mismanagement of HMOs.
47. The Tribunal ordered the Respondent at the hearing on 11 July 2021 to supply details of her property portfolio which she did on 25 July 2022 with a copy to the Council. The details of the portfolio identified 34 properties of which there were 28 HMOs according to the Respondent. The Council pointed out that some of the non-HMOs identified by the Respondent had been HMOs in the past.
48. The Tribunal concluded that it would be inconsistent with its principal finding that the Respondent was a rogue landlord to permit the Respondent to continue as a landlord of some of the properties in her portfolio. Further the distinction between a non-HMO and an HMO was a fluid one and depended upon the number of households occupying the property at any one time. Given these circumstances the Tribunal decides that the Banning Order should apply to the entirety of the Respondent's property portfolio. The Tribunal notes that it was open to the Respondent to apply to vary the Order at a later stage to exclude particular properties if there

are specific circumstances that may justify an exclusion from the Order.

### **Decision**

49. The Tribunal decides to make an Order for five years banning the Respondent from letting housing in England, engaging in English letting agency work and in English property management work. A period of six months is allowed to bring existing tenancies to a lawful end. The precise terms of the Order are set out in the attached Order and will take effect from the date of the Order which is the 16 August 2022.

## **RIGHTS OF APPEAL**

1. A person wishing to appeal this decision including the interim decision released on the 6 June 2022 to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application to the First-tier Tribunal at the Regional office which has been dealing with the case. The application must be made as an attachment to an email addressed to [rpsouthern@justice.gov.uk](mailto:rpsouthern@justice.gov.uk) .
2. The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision. The Tribunal has previously indicated that 28 days for the interim decision started from the publication of the supplemental decision.
3. If the person wishing to appeal does not comply with the 28 day time limit, the person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28 day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.
4. The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.