

Y TRIBIWNLYS EIDDO PRESWYL

RESIDENTIAL PROPERTY TRIBUNAL

Reference: RPT/0003/04/17

In the matter of an Emergency Prohibition Order under Section 43 of the Housing Act 2004 dated 15 August 2017

Tribunal: Dr Christopher McNall (Lawyer – Chairperson)

Applicants: Mr Morrison
Ms Kendall

Respondent: Neath Port Talbot County Borough Council /
Castell-Nedd Port Talbot Cyngor Bwrdeistref Sirol

Property: 86 Cyfyng Road, Ystalyfera, Swansea SA9 2BT

Hearing: Decision on the papers, 30th October 2017

FOURTH ORDER - DIRECTIONS

IMPORTANT NOTE:

It is important that these directions are complied with. Failure to do so may result in the Tribunal being unable to consider important evidence or documents, which could prejudice your case.

1. The Tribunal has now received a Notice of Appeal from Ms Kendall and, of my own initiative, I join her as a co-appellant to this appeal. All the directions made earlier, and herein, apply to Ms Kendall (who is already aware of them) as they already apply to her landlord Mr Morrison.

2. Having considered NPTC's explanatory email of 26.10.17, the time for the filing of the experts' joint report is extended to 4pm on 10 November 2017. That report should, in a suitably detailed way, (i) identify areas of agreement; and (ii) identify areas of disagreement, and, where there is disagreement, explain the reasons for it. I remind the experts that their overriding duty is to the Tribunal, and is not to those instructing them, or paying them.

I am encouraged to hear of the parties' co-operation.

The parties must ensure that their communications with the Tribunal are accurate. On this occasion, the Tribunal's time - which is paid for by the public

purse - was wasted by considering (at very short notice, and in priority to other pressing work) an application which was not accurate.

Difficulties of this kind could be avoided if, before making any application, the party intending to make that application discusses it with the other party, and preferably sends a copy of it in draft to that other party for consideration (i) as to whether it is accurate; and (ii) whether it is a matter which can be agreed between the parties. Any agreement to extend time limits has to be approved by the Tribunal, and the parties are reminded by the tight timescale for this appeal.

Last minute applications by email are not encouraged.

I have made Paragraph 1 of this order (1) of my own initiative, and so either party is permitted to apply, within 7 days of the date of this order, to vary it or set it aside

Dated this 30th day of October 2017

A handwritten signature in cursive script, appearing to read 'Lunhall', written in black ink.

Chairman