



**IN THE FIRST TIER TRIBUNAL  
(INFORMATION RIGHTS)**

**RULING on an APPLICATION for PERMISSION to APPEAL**

**By**

**CHICHESTER DISTRICT COUNCIL**

1. This is an application dated 8 April 2011 by Chichester District Council (“the Council”) for permission to appeal the decision of the First Tier Tribunal (Information Rights) (“FTT”) dated 16 March 2011. That decision largely dismissed the appeal of the Council against the decision of the Information Commissioner (“IC”) and substituted a new Decision Notice for the IC’s Decision Notice dated 5 August 2010.
2. The right to appeal against a decision of the FTT is restricted to those cases which raise a point of law. The FTT accepts that this is a valid application for permission to appeal under rule 42 of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 as amended (“the Rules”).
3. The FTT has considered whether to review its decision under rule 43(1) of the Rules, taking into account the overriding objective in rule 2, and has decided not to review its decision because the grounds of the application raise important points of law which can be more appropriately dealt with in the Upper Tribunal.
4. In this case the grounds of appeal advanced are clearly set out by the Council in its application and the FTT gives permission for the Council to appeal to the Administrative Appeals Chamber of the Upper Tribunal on the grounds advanced.
5. Under rule 23(2) the Tribunal Procedure (Upper Tribunal) Rules 2008 as amended the Council has one month from the date this Ruling was sent to it to lodge the appeal with:

The Upper Tribunal Office (Administrative Appeals Chamber),  
5<sup>th</sup> Floor, Chichester Rents,  
81 Chancery Lane, London,  
WC2A 1DD.  
DX: 0012 London/Chancery Lane.

6. Any application for the appeal to be stayed should be made to the Administrative Appeals Chamber of the Upper Tribunal at the same address.

**Melanie Carter**  
Tribunal Judge  
First-tier Tribunal (Information Rights)  
Dated: 20<sup>th</sup> April 2011