



Tribunals Service
Information Rights

IN THE MATTER OF AN APPEAL TO THE FIRST-TIER TRIBUNAL (INFORMATION RIGHTS) UNDER SECTION 58 OF THE FREEDOM OF INFORMATION ACT 2000

Appeal No: EA/2010/0028

BETWEEN:

CABINET OFFICE

Appellant

and

THE INFORMATION COMMISSIONER

Respondent

CONSENT ORDER APPROVAL

PURSUANT to Rule 37(1) of the Tribunal Procedure (First-tier) (General Regulatory Chamber) Rules 2009, upon reading the parties' agreed statement dated 19 July 2010:

In accordance with the provisions of the above Rule, the Tribunal approves the attached consent order in this matter.

Signed:

David Marks QC

Tribunal Judge

Dated: 16 August 2010

**IN THE MATTER OF AN APPEAL TO THE FIRST-TIER TRIBUNAL
(INFORMATION RIGHTS) UNDER SECTION 57 OF THE FREEDOM OF
INFORMATION ACT 2000**

EA/2010/0028

B E T W E E N :-

CABINET OFFICE

Appellant

-And-

THE INFORMATION COMMISSIONER

Respondent

CONSENT ORDER

PURSUANT to Rule 37(1) of the Tribunal Procedure (First – tier Tribunal) (General Regulatory Chamber) Rules 2009;

AND UPON the Cabinet Office claiming, and the Information Commissioner accepting, that those parts of the Disputed Information in this appeal which are set out in the confidential annex to this Order are properly exempt from the requirement to confirm or deny under section 35(3) of the Freedom of Information Act 2000, with the public interest in maintaining the exemption outweighing that in disclosure of that information

BY CONSENT it is ordered that:-

The Tribunal allows the appeal in part and substitutes the following decision notice in place of that issued by the Information Commissioner dated 21 December 2009.

Substituted decision notice

The substituted decision is the Decision Notice dated 21 December 2009 (reference FS50161574), amended as follows:

- Paragraph 30 – the word “not” is removed from the final sentence;
- Paragraph 99 and its heading are deleted;
- Paragraph 100 – the second sentence is deleted.
- Paragraph 101 – the second bullet point is deleted.

The confidential annex to the original Decision Notice dated 21 December 2009 (reference FS50161574) stands subject to the amendments which are set out in the confidential schedule attached to this order.

Action required

By 30 July 2010, the public authority must disclose to the complainant the information set out in the confidential annex to the original Decision Notice dated 21 December 2009, as amended by the Substituted Decision Notice.

Dated this 19th day of July 2010

Signed: *M Thongwa*

On behalf of the
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Ref: MT/EA/2010/0028

Signed: *Treasury Solicitor*

On behalf of the Cabinet Office
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Ref: Q100173G/B4/KHA