IAC-YW-LM-V1

Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Numbers: IA/36736/2014
IA/36738/2014

THE IMMIGRATION ACTS

Heard at Field House	**Decision & Reasons Promulgated**
On 1st June 2015	**On 22nd June 2015**
Prepared on 10th June 2015	

Before

DEPUTY UPPER TRIBUNAL JUDGE WOODCRAFT

Between

MR RAJA HUSSAIN MUSHTAQ First Appellant
MR RAJA FAWAD MUSHTAQ Second Appellant
(ANONYMITY DIRECTION NOT MADE)

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT
Respondent

Representation:
For the Appellants: Mr S. Karim of Counsel
For the Respondent: Ms L. Kenny, Home Office Presenting Officer

DECISION AND REASONS

The Appellants

1. The Appellants are both citizens of Pakistan and are brothers. The First Appellant was born on 24th March 1984 and the Second Appellant was born on 4th March 1983.

They appeal against decisions of Judge of the First-tier Tribunal Woolley sitting at Newport on 23rd January 2015 who dismissed their appeals against decisions of the Respondent dated 7th September 2014. Those decisions were to refuse the Appellants' application for leave to remain under Tier 1 (Entrepreneur) of the points-based system and to remove them by way of directions under Section 47 of the Immigration, Asylum and Nationality Act 2006. The Second Appellant was granted leave to enter the United Kingdom on 28th August 2010 as a Tier 4 Student valid until 14th February 2012. This was extended on 2nd September 2012 until 29th June 2012 and further extended on 15th August 2012 until 15th August 2014.

2. Both Appellants made their application as team members for extension of leave to remain as a Tier 1 (Entrepreneur) Migrant on 21st July 2014 a few days before their current leave was due to expire. The First Appellant had obtained a Master of Business Administration (MBA) qualification in 2012 from Cardiff Metropolitan University and was now a business development consultant. The Second Appellant had also obtained his MBA in 2012 from Cardiff Metropolitan University and he was now a marketing consultant. Both Appellants stated they had access to funds of not less than £50,000.

3. The Appellants were required to score a minimum of 75 points under paragraphs 35 to 53 of Appendix A to the Immigration Rules by paragraph 245DD(b). The Appellants needed 25 points for access to funds, 25 points for funds held in a regulated financial institution and 25 points for funds disposable in the United Kingdom.

Explanation for Refusal

4. The Respondent awarded them no points under Appendix A for four reasons:

(i) The Appellants had not provided sufficient evidence with their application as specified in the Appendix. As evidence of their access to at least £50,000 held in their own name, the Appellants had provided an Askari Bank statement and letters in the names of the two team members, and a Metro Bank statement in the names of the two team members. The Respondent did not consider that this met the criteria specified under Appendix A because the Askari Bank statement demonstrated access to £14,801 on 11th July 2014 and the Metro Bank statement demonstrated access to £36,203 on 12th July 2014. As the bank statements had different dates the Appellants could not show bank statements that evidenced access to the full £50,000 on any one day.

(ii) As evidence of advertising the Appellants had submitted a copy of their website but the Rules stated that specified documents either together or individually must cover a continuous period commencing before 11th July 2014 up to no earlier than three months before the date of the application. The leaflets produced by the Appellants did not come within that time period.

(iii) The business' website was registered and owned by another entity Vista Print. The advertising or marketing material had to show the applicants' names and the name of their business or, where the business was trading online, confirmation of

ownership of the domain name of the business's website. As the domain ownership was in the name of Vista Print the Appellants could not satisfy that requirement.

(iv) The Appellants had not provided any documentation from HM Revenue & Customs to confirm that their business was registered for corporation tax.

5. The Respondent was not satisfied that the Appellants qualified for the award of points. As they had not demonstrated they were eligible to be awarded points for access to funds it followed that they were awarded no points for funds held in a regulated financial institution or funds disposable in the United Kingdom.

The Hearing at First Instance

6. The Appellants appealed against those decisions. At the hearing the Respondent argued that the Metro Bank document showed that funds were available on 12th July but the Rule provided that it must be available on 11th July. Metro Bank statements were produced monthly which the Appellants could have provided at the time of their application. For the Appellants it was argued that the relevant evidence had been supplied to the Respondent at the time of the application. There had been a payment of £700 on 12th July 2014 into the Metro Bank which brought the account up to £36,203.19. That was good evidence that the balance the day before (that is the date of the Askari Bank letter) had been £35,503.19.

7. In his determination the Judge held that as the Appellants were relying on multiple documents they had to show the total amount required of £50,000 was available on the same date. As the letters from the two banks were on two different dates they could not do this. The wording of the relevant paragraph was precise as to the need to show "the total amount required is available on the same date". That had to be 11th July as the Askari Bank statement did not refer to a date later than 11th July. The bank information from the Metro Bank did not specify 11th July. The Judge held that the Appellants had not shown that they had access to the required figure of £50,000 or above on 11th July 2014.

8. In relation to the requirement to show advertising or marketing material, the Judge held that the Appellants must show advertising or marketing material up to no earlier than three months before the date of the application. As the application was made on 25th July the Appellants had to show material in the period from 25th April to 25th July 2014. The Appellants had argued that they could show this because they could show leaflets advertising their business produced on 8th July 2014 within that three month period. That assertion relied on the production of an invoice from the company who had printed the leaflets, ISB Design and Print. However, the invoice was not produced to the Respondent with the application and therefore could not be produced as evidence before the Judge pursuant to the operation of Section 85A of the Nationality, Immigration and Asylum Act 2002. The Judge found discrepancies in the evidence of the two Appellants as to how and when the leaflets were produced which he outlined at paragraph 27 of his determination. The earliest date that it could be shown the leaflets were in existence was when the application was made, namely 25th July 2014 and that fell foul of the requirements.

9. There was no evidence that the business was trading online. The Appellants had not shown that they owned the domain name of the business's website. All they had produced was an invoice from Vista Print for a standard website for which they had to pay £71.99 per annum starting 15th July 2015. The Vista Print order was dated 6th November 2014 and therefore they could not show they owned the domain name at the time of application and nor could they show that the website covered a continuous period commencing before 11th July 2014 (the date the Rules changed) up to no earlier than three months before the date of the application. They could not show compliance with paragraph 41(e)(iii) of Appendix A.

10. The Appellants were obliged to produce a printout from Companies House showing the registered office as well as documentation confirming that the business was registered for corporation tax. In their bundle produced for the hearing they had produced evidence dated July 2014 from HMRC but this had not been produced to the Respondent with the original application. The Appellants had sought to argue at first instance that the Respondent should have considered the requirements of evidential flexibility and asked for documentation from the HMRC to confirm that the company was registered for corporation tax. The Judge considered the Court of Appeal decision in **Rodriguez [2014] EWCA Civ 2** and concluded that the Respondent was not obliged to request the information concerning corporation tax.

11. The Respondent had quoted part of paragraph 245AA(c) of the Immigration Rules in her refusal letter and it was therefore clear she must have considered the whole of the sub-paragraph. The Respondent had not requested relevant documents because the application had been refused for other reasons. The Judge found the Respondent was correct in her conclusions and that the Respondent's conclusion was reasonable. The relevant information did not fall within the scope of paragraph 245AA(b), for example it did not concern documents in a sequence, in the wrong format etc. In **Rodriguez** there was no evidence or reason to believe that the applicant had other funds. In the present appeal there was no reason to suppose that the evidence being requested existed. The Judge dismissed the appeal including under Article 8.

The Onward Appeal

12. The Appellants appealed against the Judge's decision, arguing that the applicable Rules to the appeal were those that were in force at the time the immigration decision was taken (citing **AA [2008] UKAIT 00003**). The relevant date for consideration of the Rules was therefore 7th September 2014, the date of refusal. The Judge had applied a requirement that an applicant would only be considered to have access to funds if the specified documents in paragraph 41-SD were provided to show cash money to the amount required and where multiple documents were provided they must show the total amount required was available on the same date. However, the requirement that where multiple documents were provided they must show the total amount required available on the same date was inserted on 6th November 2014 and transitional provisions applied. That is after the Respondent's decision had been taken. It was apparent from the documents that the Appellants did indeed have access to the required funds at the relevant time. Not only did the amount brought

forward in the Metro Bank show £35,503.19 but the statement from the Metro Bank (not seen by the Respondent at the date of decision) for the period 2nd June to 27th June 2014 showed the same amount from that date through to 12th July. The transaction statements only showed when there were changes to the account and there was no change. The Appellants could not show that they had some other amount than the £35,503.19 in the Metro Bank on 11th July. That was there at the time, the only reason it was not shown was because there was no transaction on that date.

13. In relation to marketing material the Judge had again quoted the wrong Rule. The Judge had quoted paragraph 41(e) of Appendix A, but there was no paragraph 41(e). I pause to note here that what the Judge appears to have done in the determination is to have run together two separate paragraphs. Paragraph 41(a) of Appendix A does indeed state what I have referred to above. The sub-paragraph (e) which the Judge went on to quote, (which refers to the evidential requirements for advertising or marketing material and evidence of the business being registered for corporation tax), is a sub-paragraph of a different paragraph namely 41-SD of Appendix A. That sub-paragraph was subsequently amended on 6th April 2015 but for the purposes of this appeal the Judge was correct in his quote of sub-paragraph (e) (if not his attribution of it) as it did indeed indicate that if an applicant was applying under the provisions in sub-paragraph (d) of Table 4 he must also provide the relevant advertising or marketing material etc (see paragraph 33 below).

14. The Judge set out the relevant requirements as at the date of decision. Subsequently those evidential requirements were amended on 6th April 2015 but that is not relevant for the purposes of this appeal. The Judge was also correct in quoting the relevant Rules for the requirement to show the company was registered for corporation tax, that having been inserted on 11th July 2014 and again in force at the time of the decision. There appears to have been a typographical error in the determination in that the Judge referred to this provision as being vii whereas it was in fact vi.

15. Overall the grounds were incorrect to argue that as at 7th September 2014 the Appellants only had to show one or more of the specified documents not a cumulative amount. Paragraph 41-SD(e)(iii) was amended by HC 532 on 11th July 2014 and thus in force at the date of decision. That paragraph read as the Judge had set it out in his determination, not as the grounds of onward appeal had suggested.

16. The grounds further argued that there was no definition of ownership of a website. Ordinary people could not build a website and physically own a domain, they required it to be leased to them and to be maintained by a platform such as Vista Print. The Judge's alternative finding that the Appellants had not shown they owned the domain name of the business website was in error. The Respondent had not taken issue with the question of trading online and that should not have been raised by the Judge. In relation to the HMRC registration the Judge had again erred it was argued by using the wrong Rules, applying a financial requirement that did not exist.

17. The application for permission to appeal came on the papers before First-tier Tribunal Judge Davis on 26th March 2015. He granted permission, writing, "Careful reading of the grounds satisfies me that it is arguable the Judge did not apply the correct Immigration Rule that was at the date of decision". The Respondent replied to this grant of permission on 10th April 2015 arguing that the Judge had directed himself appropriately. While it did appear that there had been an error of law in that the Judge may have relied upon the wrong Immigration Rule, the error was not material since the Appellants had failed to meet all the requirements of the relevant Immigration Rules. The Appellants had been legally represented by Counsel throughout and the issue of the incorrect Immigration Rules was only sought to be raised as an issue post-hearing and post-decision.

The Hearing before Me

18. At the hearing before me to determine whether there was a material error of law such that the determination should be set aside, I heard brief submissions from Counsel for the Appellant who relied on the grounds and commented that the Respondent's Rule 24 response accepted that the wrong set of Rules had been applied. That must be the case and therefore the determination should be set aside. In reply for the Respondent it was argued that a large part of the Rules was in force at the date of the decision. Some detail was not applicable. The Appellants still had to show a certain amount of money and funds at 11th July 2014 which they did not do. The Judge was entitled to make a decision on the evidence and could say that the money was not there on 11th July. This ground was really a disagreement which was explained in the determination.

19. As to the requirement for marketing material if the wording of the Rule was said to be not clear it was a matter for the Judge to decide it. The Judge had found the two Appellants not to be credible on how they paid for the leaflets. Even if there was no requirement to show funds on some particular date the Appellants still needed to show they had those funds. The documents were not dated with the same date. The Judge had made clear findings at paragraph 28 on the issue of the ownership of the website and had explained those findings. The Appellants' complaint amounted to a mere disagreement. The Appellants were obliged to produce a printout from Companies House and that was not done. The application of the wrong version of the Rules was not material. The Appellants could not have succeeded in any event.

20. In conclusion Counsel argued that the devil in this case was in the detail, a small difference in the Rules could have a big impact on the outcome of the case. The Respondent's submission was misconceived, there was no requirement that the funds should be held on the same date. The Appellants only had to show one or more documents whereas the Judge had read that as a requirement that they had to show both online and offline documents. No-one had eternal ownership of a website, it had to be renewed regularly. The Judge had made adverse credibility findings after hearing oral evidence but there was an issue as to whether the Judge was entitled to hear such oral evidence given the Section 85A prohibition on new evidence. The Appellants had showed they had more than £50,000, the Judge had

erred in saying that it should be on one specific day. The decision should be set aside. No argument was made under Article 8.

Findings

21. The Appellants in this case applied for leave to remain as Tier 1 Entrepreneur team members. Neither the Respondent nor the Judge at first instance considered that the Appellants could meet the requirements of the Immigration Rules. The core of the Appellants' onward appeal is that the Judge applied the wrong Immigration Rules although the Appellants ought to have supplied more detail as to which amendment was brought in and when.. It is not in dispute that the Respondent must apply the Immigration Rules at the date of decision. What is in dispute in this case is what the Immigration Rules were at that date, 7th September 2014.

22. The basis of the Immigration Rules was a statement laid before Parliament on 23rd May 1994 designated HC 395. There have been a large number of amendments since then, in particular those amendments which introduced the points-based system. For the purposes of this appeal the relevant amendments were introduced by HC 532 on 11th July 2014.

23. It is important to note that the Appellants must satisfy all of the requirements of the Immigration Rules. As the Respondent correctly submitted to me in argument, if the Appellants fail in one of the requirements then the appeal itself must fail. The first issue which the Judge had to decide was whether it was sufficient for the Appellants to evidence access to funds by producing two bank letters, one dated 11th July and the second from a different bank dated 12th July, or whether the information to show that the Appellants had access to £50,000 should all be dated on the same date. The Respondent's argument was that the Appellants could have avoided that problem if they had produced with their application form two bank statements from each of the banks covering the relevant period which showed that the Appellants had access to more than £50,000 on the relevant days. She could only look at the evidence which was in front of her and if that evidence did not comply with the requirements the Appellants could not succeed. The Appellants' counterargument was that it was not incumbent upon them to produce evidence all dated the same date and in any event one could infer from the fact that the Askari Bank held £14,801 on 11th July that it still held that amount the next day.

24. I do not accept the argument that the Judge should have looked at a bank statement from the Askari Bank obtained after the date of decision which could show that on 12th July, the next day, that money was still in the account. That bank statement was subject to the evidential restrictions contained in Section 85A of the 2002 Act. The issue therefore was whether the Immigration Rules in force at the date of decision did in fact require the Appellants to produce documents dated the same day.

25. Paragraph 41 of Appendix A as presently in force reads as follows:

> "An applicant will only be considered to have access to funds if:

(a) The specified documents in paragraph 41-SD are provided to show cash money to the amount required (this must not be in the form of assets) and where multiple documents are provided they must show the total amount required is available on the same date."

26. The words "and where multiple documents are provided they must show the total amount required is available on the same date" was inserted by amendment HC 693 on 6th November 2014 and was thus not in force at the date of decision in September 2014. In directing himself that the test was that multiple documents must be dated on the same day the Judge misdirected himself although as the Respondent complains in her Rule 24 response it is not at all clear that the Judge was in fact directed to the correct wording of Appendix A.

27. The Askari Bank was based in Haripur in Pakistan and was therefore money held outside the United Kingdom. The Metro Bank account was money held within the United Kingdom. There were two different regimes under paragraph 41-SD for the assessment of this money. For money held in the United Kingdom the requirement at the date of decision was a recent personal bank or building society statement from each UK financial institution holding the funds which confirms the amount of money available. Each statement had to satisfy the requirement set out in sub-paragraph (ii) and had to be issued within the three months immediately before the date of the application. The letter from Metro Bank was dated 22nd July 2014 and thus only a few days before the application itself was lodged. It was of course a letter and not a statement but there was no requirement that it should be the same date as any other letter, that requirement only being inserted in November 2014.

28. The requirements appear to be less stringent for the Askari Bank documentation. It was not argued by the Respondent that the Askari Bank fell into the category of financial institutions in Pakistan that do not satisfactorily verify financial statements a list of which is contained in Appendix P to the Immigration Rules. The Askari Bank is named in Table 6 of Appendix P, "financial institutions whose financial statements are accepted from Pakistan" and therefore the letter from the Askari Bank could be accepted as evidence of what the Appellants had on the relevant date. The important point is that paragraph 41-SD indicates that a letter from each financial institution holding the funds is acceptable and a bank statement as such is not required. Subsequently amendment HC 1025 which came into force on 6th April 2015 required the document from the financial institution to confirm the minimum balance available from the applicant's own funds that has been held in that institution during a consecutive 90 day period of time ending on the date of the letter in short a statement not a letter. If that requirement had been in force at the date of September 2014 the Appellants would fail on this ground relating to access to funds. However, that amendment was not brought in until several months after the date of decision and is not therefore relevant to the issues in this case.

29. It might be argued that it would be possible for an applicant to have money in an account on one day and then transfer it to another account on the next day and produce two letters which would appear to show that the £50,000 requirement was

met when all that was happening was that the Appellant was transferring money from one account to another. That was no doubt the reason why the amendment was subsequently brought into force which the Judge considered was in force in September 2014. However, there was no evidence to suggest that the Appellants had moved money from one account to another, it would have meant moving money from Pakistan to the United Kingdom, a somewhat difficult feat given the exchange control regulations in force in Pakistan. I find there was no requirement at the relevant date that the letters from the two banks should be on the same date and the Judge did err in law in dismissing the appeal on that basis. The Judge should have found that the Appellants had access to £50,000. That, however, is not the end of the story since the Appellants must still show that they can meet the other objections raised by the Respondent.

30. The second objection to the application related to the production of the (see paragraph 13 above). The Immigration Rules do not refer to a requirement that the leaflets should have been distributed, merely that the advertising material should be in existence. The Judge found that the Appellants had to show that the leaflets in question were produced in the period 25th April to 25th July 2014. The Judge at the end of paragraph 27 of his determination stated that, "The earliest time I am satisfied that [the leaflets] were in existence is when the application was made namely on 25th July 2014."

31. Paragraph 37 of amendment HC 532 (in force at the date of decision) inserted the words into paragraph 41-SD(e)(iii) that the specified documents should cover a continuous period commencing before 11th July 2014 up to no earlier than three months before the date of his application. Since the documents came into existence on 25th July 2014 they could not have been in existence for a continuous period running from before 11th July 2014 but in any event starting no earlier than three months before the date of the application. "Coming into existence" on the date the application was submitted is not a continuous period. The Judge was therefore correct both in his understanding of the relevant Immigration Rules in force at the date of decision and in his interpretation of those relevant Rules. The Appellants could not show that part of the advertising material requirements.

32. The Judge went on to consider the issue of the domain name, finding first of all that the Appellants had to show both the existence of advertising material such as leaflets and ownership of the domain name. The Judge was troubled by the fact that there was no evidence that the Appellants' business was trading online but also they had not shown evidence that they owned the domain name. The Appellants' argument is that the requirement to produce advertising material or evidence of ownership of the domain name is in the alternative. As long as they could satisfy one of the requirements that would be enough.

33. The wording of the Immigration Rule as at September 2014 was that the Appellants must produce:

> "advertising or marketing material including printouts of online advertising that has been published locally or nationally showing the applicant's name (and

the name of the business if applicable) together with the business activity or where his business is trading online confirmation of his ownership of the domain name of the business website."

34. As the Judge pointed out that wording was a little ambiguous and it is significant to note that on 6th April 2015 HC 1025 amended this part of paragraph 41-SD to make it clearer what was meant. The new paragraph (which was not in force at the date of decision) provided that the applicant must produce advertising or marketing material including printouts of online advertising that had been published locally or nationally (a) showing the applicant's name and the name of the business if applicable together with the business activity or (b) where his business is trading online confirmation of his ownership of the domain name of the business website. It was clear from the amendment that what was intended was that the requirements should be in the alternative (as the Appellants had submitted). Either one showed advertising or marketing material if the business was not online or if it was on line one had to show confirmation of the ownership of the domain name of the business's website.

35. The Appellants only had to satisfy one or other of the criteria. If they could not satisfy the criteria with regard to the leaflets (for the reasons I have given) it would be possible for them to satisfy the alternative requirement by showing that they had an online business and that they owned their domain name. The Judge considered this issue in some detail at paragraph 28 of his determination before giving cogent reasons as to why the Appellants had not shown that they owned the domain name. The amendment on 6th April 2015 was intended to make clear what the earlier provision had failed to do. I do not read the amendment on 6th April 2015 as changing the Immigration Rules but merely clarifying them in an applicant's favour. One had to look at whether the Appellants could satisfy one or other of the provisions. The Judge looked at both provisions and found that they could satisfy neither.

36. The final requirement was evidence to show that the business was registered for corporation tax. The Judge noted at paragraph 29 that both Appellants were directors of RHF Consultants and were therefore obliged to produce confirmation that their business was registered for corporation tax. That was not enclosed with the application as they had stated that such information was "to be provided not yet received". The Judge dealt adequately with the issue of whether that should have put the Respondent on notice to make enquiries as to whether the documentation had now been produced. For cogent reasons the Judge rejected the argument under the evidential flexibility policy and although that point was obliquely raised in the grounds of onward appeal it was not argued with any force before me.

37. The issue was whether the requirement that the company was required to produce documentation from HMRC confirming that it was registered for corporation tax was in force at the relevant time, namely the date of decision. The grounds of onward appeal suggest that that requirement was not in force at the time. HC 1025 which amended the Rules on 6th April 2015 did put the matter beyond doubt by

substituting a new (vi) to paragraph 41-SD in those terms. Paragraph 46-SD does contain a provision where an applicant states that they have invested money in a business that business must be registered for corporation tax and the applicant must provide documentation from HMRC which confirms this. That, however, relates to a case where the applicant is arguing that he has invested money which was not the case before the Respondent or the Judge. The issue was whether the applicants had access to the relevant amount of money not that they had already invested it.

38. There is force in the argument contained in the grounds of onward appeal that this requirement to show that the business was registered with HMRC did not apply in September 2014 and that it was also an error to dismiss the appeal on those grounds.

39. Overall the Appellants must show that they meet each and every requirement of the Rules but they could not do this in relation to the advertising material or domain name. The applications therefore were bound to fail. Even if there were a principle of "de minimis" (which there is not) I would not consider that this was a minor failure in circumstances where the Appellants had met the major challenges to their application. The Judge had found against the Appellants on the leaflets issue partly because of the lack of credibility in the Appellants' oral evidence. Whether the Appellants could satisfy the requirements of advertising material went to the core of the Appellants' claim that is whether they were credible prospective Tier 1 Entrepreneurs. The Judge found they were not.

40. The Appellants' argument is that that was not a finding open to the Judge because it depended on the Judge's assessment of the way that the Appellants gave their oral evidence, all of which was by its nature post decision. If the Appellants could not produce post decision evidence to assist them (for example by producing bank statements or other documentation) then by the same token the Respondent could not rely on post decision evidence, namely the muddle which the Appellants got themselves into over their advertising material.

41. I do not accept that argument. Although Section 85A does contain a prohibition on post decision evidence it also contains certain exceptions. One of those was that the Tribunal might consider evidence adduced post decision if it was adduced to prove that a document was genuine or valid. In this case the point at issue was whether the advertising material was valid and the Judge found that it was not for the reasons he gave. It was quite proper for the Judge to take into account oral testimony on this issue.

42. The result is that the Judge was correct to dismiss the appeal on the basis that the Appellants could not meet the requirements in relation to the advertising material or domain ownership. Somewhat loose drafting in the Immigration Rules (subsequently tightened up) meant that the Appellants could satisfy the evidential requirements as to access to £50,000 and the lack of documentation from the HMRC but that cannot save the appeal in this case. The errors made by the Judge were not material to the outcome of the case since there was a relevant consideration which the Appellants

could not meet. I therefore find there was no error of law in the Judge's decision which would justify it being set aside and the decision remade.

Notice of Decision

The decision of the First-tier Tribunal did not contain a material error of law and I uphold the decision to dismiss the Appellants' appeal.

Appeals dismissed.

I make no anonymity order as there is no public policy reason for so doing.

Signed this 18th day of June 2015

…….
Deputy Upper Tribunal Judge Woodcraft

TO THE RESPONDENT
FEE AWARD

As the appeal has been dismissed there can be no fee award.

Signed this 18th day of June 2015

…….
Deputy Upper Tribunal Judge Woodcraft