



**First-tier Tribunal
(General Regulatory Chamber)
Information Rights**

Appeal Reference: EA/2017/0136

STEPHEN COPPEN

Appellant

and

INFORMATION COMMISSIONER

Respondent

DECISION BY CONSENT ORDER

By consent, this decision replaces the one issued by the Information Commissioner's Office on 20 June 2017

1. The appeal is allowed.
2. Paragraph one of Decision Notice FS50661686 dated 20 June 2017 be substituted in the following terms:

"...The Commissioner finds that the Council was not entitled to rely on section 14(1) to refuse to comply with the Appellant's request of 26 September 2016.

The Commissioner requires the public authority to take the following step to ensure compliance with the legislation:

- *issue a fresh response under FOIA without relying on section 14.*

The public authority must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

Signed: **Mrs R Worth, Registrar**
Date: **5 October 2017**

This decision was made by the Tribunal's Registrar. A party is entitled to apply in writing within 14 days of the date of this document for this decision to be considered afresh by a Judge.