



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

Appeal Reference: EA/2020/0182

IVAN MURRAY-SMITH

Appellant

and

INFORMATION COMMISSIONER

Respondent

and

LONDON BOROUGH OF HAVERING

Second Respondent

UPON Mr Murray-Smith providing to the Tribunal a document titled 'Consent order draft 1 - reviewed by ICO 27012021.odt' under cover of an email stating: Please find attached a consent order agreed between the parties";

AND UPON that document making no mention of section 21 which was found as an applicable exemption;

AND UPON the Tribunal being informed that the London Borough of Havering has now provided additional information to Mr Murray-Smith which had originally been withheld;

AND UPON the Tribunal seeing that the information which has now been provided has some redacted parts;

AND UPON the Tribunal reminding itself that whilst parties may request terms of consent on which an appeal ends it is the Tribunal which makes the Consent Order and, therefore, the terms are the Tribunal's decision;

IT IS ORDERED

1. By consent:

1.1. The appeal is allowed in part.

- 1.2. Decision Notice FS50892255 is substituted in the following terms: some of the information withheld from Mr Murray-Smith did not engage section 40(2) of the Freedom of Information Act 2000.
- 1.3. As Mr Murray-Smith is content with the information which has now been released to him, the London Borough of Havering is not required to take any steps.

This decision was made by the Tribunal Registrar. A party is entitled to apply in writing within 14 calendar days of the date this document is sent for this decision to be considered afresh. If you apply later than 14 days you must explain why you are late.

Signed: ***Mrs R Worth***

Tribunal Registrar

Date: 03 February 2021