

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

EA/2015/0064

**B E T W E E N :-**

**THOMAS BROWN**

**Appellant**

**-and-**

**THE INFORMATION COMMISSIONER**

**Respondent**

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**CONSENT ORDER**

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**BY CONSENT, IT IS ORDERED THAT:**

1. The Commissioner's decision notice (reference FS50554256 & FS50557467, dated 17 February 2015) is substituted insofar as Hambleton District Council ("the Council") was not entitled to neither confirm nor deny under section 40(5)(b)(i) and/or regulation 13(5) that certain information was held.
2. Accordingly, and within 35 days, the Council must now confirm or deny whether it holds information to which it had previously claimed section 40(5)(b)(i) and/or regulation 13(5).
3. If the Council does hold any recorded information it must:
  - (i) either disclose the information to which it had previously applied section 40(5)(b)(i) and/or regulation 13(5); or
  - (ii) issue a refusal notice in respect of that information which does not seek to rely on section 40(5)(b)(i) and/or regulation 13(5).

SIGNED: *Stephie Hrusby*

DATED: *30* April 2015

SIGNED: Information Commissioner's Office

DATED : 1 MAY 2015