



**FIRST-TIER TRIBUNAL
GENERAL REGULATORY CHAMBER
Information Rights**

Tribunal Reference: EA/2016/0025
Appellant: Nigel Hobro
Respondent: The Information Commissioner

Judge: Peter Lane

DECISION NOTICE

1. Mr Hobro has appealed against a decision notice of the respondent. The Tribunal has jurisdiction to allow an appeal against such a notice, if it is not in accordance with the law. The problem for Mr Hobro, however, is that he does not contend that the notice is wrong. His complaint is that it is in his view taking too long to finalise a particular report, which apparently still exists only in draft form (with the result that its disclosure is exempt, according to the balance of the public interest).
2. I have had regard to the respondent's application for a strike out and to Mr Holbro's response. I am fully satisfied that there is no reasonable prospect of Mr Holbro's case succeeding for the simple reason that it is common ground between the parties that the respondent's decision is legally sound. The Tribunal lacks jurisdiction to require anyone to release the final report. There is no point in these proceedings continuing.
3. Mr Hobro is concerned that any further requests from him for the report are not treated as vexatious. If he should make further such requests to the Information Commissioner, it will be for the latter to decide how to respond and for the Tribunal to adjudicate upon, if there is an appeal. The Tribunal has no jurisdiction to tell the Council or the DCLG how it should respond to any further requests made to it for the report.
4. This appeal is, accordingly, struck out.

**Judge Peter Lane
Chamber President**

Dated 7 April 2016

**Amended under rule 40 of the Tribunal
Procedure (First-tier Tribunal) (General
Regulatory Chamber) Rules 2009
(paragraphs 1 and 2).**

Judge Peter Lane

14 April 2016

Promulgated 15th April 2016