



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

Appeal Reference: EA/2019/0122

CABINET OFFICE

Appellant

and

INFORMATION COMMISSIONER

Respondent

DECISION BY CONSENT ORDER

Background

1. The original requester, Mr Martin Paver, was a party to these proceedings until he chose to withdraw. In Case Management Directions dated 15 January 2020, the Tribunal agreed to him no longer being a party.
2. Therefore, whilst the standard practice of the Tribunal is to inform a potential party when it is proposed that the appeal is ended on terms of consent, I have decided against doing so in this appeal.

Consent Order

3. By consent, this decision replaces the one issued by the Information Commissioner's Office on 12 March 2019 as reference FS50771669:
 - 3.1. The appeal is allowed for the reasons set out in the annex to this decision, which is a copy of the parties' application for consent order.

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: 14 February 2020

CONSENT ORDER

UPON the Appellant appealing against the Respondent’s Decision Notice of 12 March 2019 (Reference: FS50771669) (the “Decision Notice”).

AND UPON the Respondent having reviewed the new witness statement and associated supporting documents/evidence and the further submissions served by the Appellant during the appeal, the Respondent now accepts that the exemption contained in section 43(2) Freedom of Information Act 2000 (“FOIA”) is engaged in respect of the commercial interests of the named bidder companies to Estates Professional Services Framework RM3816 and accepts that the balance of the public interest now favours maintaining the exemption under section 43(2);

Pursuant to rule 37(1) of the Tribunal Procedure (First-tier Tribunal)(General Regulatory Chamber) Rules 2009, IT IS HEREBY ORDERED BY CONSENT THAT:

1. The appeal is allowed,

Dated this 10th day of February 2020.