



**IN THE FIRST TIER TRIBUNAL  
(INFORMATION RIGHTS)**

**RULING on an APPLICATION for PERMISSION to APPEAL**

**By**

**Potto Parish Council**

1. This is an email application dated 12 January 2015 by Potto Parish Council for permission to appeal part of the decision of the First Tier Tribunal (Information Rights) (“FTT”) dated 11 December 2014. That decision dismissed, by a majority, the appeal of Potto Parish Council and upheld the Information Commissioner’s (IC) Decision Notice dated 15 July 2014.
2. The right to appeal against a decision of the FTT is restricted to those cases which raise a point of law. The FTT accepts that this is a valid application for permission to appeal under rule 42 of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 as amended (“the Rules”).
3. The FTT has considered whether to review its decision under rule 43(1) of the Rules, taking into account the overriding objective in rule 2, and has decided not to review its decision because the grounds of the application do not raise an error of law for the reasons stated below.
4. The Grounds of Appeal re-iterate the original Grounds of Appeal and – on the face of them – raise no new issues or points of law.
5. The FTT is mindful of the fact that its decision was by a majority but does not consider that is sufficient reason to allow the appeal to the UTT for that reason alone.
6. It follows that the appeal has no prospect of success and that permission to appeal is refused.
7. Under rule 21(3) the Tribunal Procedure (Upper Tribunal) Rules 2008 as amended Potto Parish Council has one month from the date this Ruling was sent to it to lodge the appeal with The Upper Tribunal (Administrative Appeals Chamber)

**ADDRESS**

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**Robin Callender Smith**

Judge  
First-tier Tribunal (Information Rights)  
16 January 2015