



**Upper Tribunal
(Immigration and Asylum Chamber)**

Appeal Number: HU/01849/2019

THE IMMIGRATION ACTS

**Field House
On 19 December 2019**

**Decision & Reasons Promulgated
On 30 December 2019**

Before

UPPER TRIBUNAL JUDGE KOPIECZEK

Between

**FATOUMATTA MANNEH
(ANONYMITY DIRECTION NOT MADE)**

Appellant

and

ENTRY CLEARANCE OFFICER

Respondent

Representation:

For the Appellant: Mr D. Ouattara, Solicitor

For the Respondent: Mr I. Jarvis, Senior Home Office Presenting Officer

**DECISION PURSUANT TO RULE 40(3)(a) OF THE TRIBUNAL PROCEDURE
(UPPER TRIBUNAL) RULES 2008**

1. The appellant, a citizen of Gambia, appealed to the First-tier Tribunal ("FtT") against a decision dated 16 December 2018, being a decision to refuse entry clearance as the child of a parent present and settled in the United Kingdom. The FtT dismissed the appeal.
2. Permission to appeal the decision of the FtT having been granted, the appeal came before me. At the hearing before me it was agreed between the parties that the FtT erred in law for the reasons advanced in the grounds of appeal upon which permission to appeal was granted (and to

EA/14088/2016

which reference should be made for a full understanding of the errors of law).

3. It was further agreed between the parties that the errors of law are such as to require the decision of the FtT to be set aside and for the appeal to be remitted to the FtT for a hearing *de novo*.
4. In the circumstances, I set aside the decision of the FtT for error of law and remit the appeal to the FtT for a hearing *de novo*, on all grounds, before a judge other than First-tier Tribunal Judge Row, with no findings of fact preserved.
5. In remitting the appeal I have had regard to paragraph 7.2 of the Practice Statement of the Senior President of Tribunals.
6. Pursuant to rule 40(3)(a) of the Tribunal Procedure (Upper Tribunal) Rules 2008, no reasons (or further reasons) are required, the decision being made with the consent of the parties.

Upper Tribunal Judge Kopieczek

19/12/19