

**IN THE FIRST - TIER TRIBUNAL  
GENERAL REGULATORY CHAMBER  
INFORMATION RIGHTS  
BETWEEN**

**WIRRAL METROPOLITAN BOROUGH COUNCIL**

**Appellant**

**and**

**THE INFORMATION COMMISSIONER**

**Respondent**

**ORDER BY CONSENT**

- 1. The parties have applied to the Tribunal, pursuant to Rule 37 of the Tribunal Procedure (First - Tier Tribunal) (Regulatory Chamber) Rules, 2009 as amended, for its consent to an order disposing of this appeal on the terms set at paragraph 3 below. They have consented to the hearing of the application by telephone conference, pursuant to Rule 37(2) and by the Judge sitting alone.**
- 2. Having read the papers and considered the parties' oral submissions as to the merits of the Appellant's case and the public interest, the Tribunal consents to the order requested.**
- 3. The terms of the order are that -**
  - (i) The appeal is allowed.**
  - (ii) The following order, which reflects the terms set out at paragraph 3 of Annex A to this order, shall be substituted for the Commissioner's**

**order at paragraph 3 of the Decision Notice -**

**“The Tribunal requires Wirral Metropolitan Council to take the following steps to ensure compliance with the legislation -**

**Disclose the Amended Annotated Development Agreement at pages 256 - 351 of the Closed Bundle prepared for the appeal hearing, save the passages annotated in green and any marginal green notes, which may be withheld.**

**The Commissioner’s order at paragraph 2 of the Decision Notice stands.”**

- (iii) The Appellant has disclosed the required information and is not required to take any further steps.**
- (iv) There is no order as to costs.**

**Signed        David Farrer Q.C.  
Tribunal Judge  
14th. February, 2018**