

**Upper Tribunal**

**(Immigration and Asylum Chamber)** Appeal Number: Ea/14088/2016

**THE IMMIGRATION ACTS**

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| **Heard at Field House** | **Decision & Reasons Promulgated** |
| **On 26 July 2018** | **On 31 July 2018** |
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**Before**

**UPPER TRIBUNAL JUDGE KOPIECZEK**

**Between**

**SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Appellant

**and**

**DOMINIC OTCHERE**

Respondent

**Representation:**

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

For the Respondent: Mr E. Waheed, Counsel

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

1. Although the appellant in these proceedings is the Secretary of State, I refer to the parties as they were before the First-tier Tribunal (“FtT”).
2. The appellant appealed to the FtT against a decision to refuse a permanent residence card as the wife of an EEA national exercising Treaty rights. His appeal was allowed. Permission to appeal against the FtT’s decision was granted to the Secretary of State and the appeal came before me.
3. At the hearing before me it was agreed between the parties that there was no error of law in the FtT’s decision allowing the appeal and that its decision to allow the appeal should stand.
4. Accordingly, I am not satisfied that there is an error of law in the decision of the FtT and therefore its decision allowing the appeal stands.
5. 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 26/07/18