



**FIRST-TIER TRIBUNAL – GENERAL REGULATORY CHAMBER: Information Rights**

**Tribunal Reference:** EA.2013.0162

**Appellant:** The Mayor and Burgesses of the London Borough of Southwark

**Respondent:** The Information Commissioner

**Second Respondent:** Lend Lease

**Third Respondent:** Adrian Glasspool

**Registrar:** R Worth

**Case Management Note**

*Joinder of Lend Lease*

1. Lend Lease is made a party to this appeal as the Second Respondent. Whilst I realise that Lend Lease support this appeal, they do not have a right of appeal (that lies only with the parties to whom the Decision Notice was directed) I therefore cannot join them as a “second appellant”.
2. Tribunal staff should send a copy of the documents in the case so far to Lend Lease who must then respond to it in accordance with the GRC procedural rules, subject to the amendments I make below concerning the timetable of the proceedings.

*Joinder of original requester*

3. Mr Adrian Glasspool is made a party to this appeal as the Third Respondent.
4. Tribunal staff should send a copy of the documents in the case so far to Mr Glasspool who must then respond to it in accordance with the GRC procedural rules, subject to the amendments I make below concerning the timetable of the proceedings.

*Progress towards hearing*

5. In this case, Lend Lease supports the appeal. Therefore, it is appropriate that their response is sent to all parties before the Information Commissioner and Mr Glasspool are required to respond to the appeal. The following timetable will apply:
  - (a) Lend Lease to provide their response to the appeal by **18<sup>th</sup> September 2013**
  - (b) The Information Commissioner’s response is due within 28 days of the date on which Lend Lease’s response is sent to them
  - (c) Mr Glasspool’s response is due within 28 days of the date on which the Information Commissioner’s response is sent to him
  - (d) The Mayor and Burgesses of the London Borough of Southwark may reply to all the responses in the appeal in one document. This will be due not more than 14 days after Mr Glasspool’s response is sent to them

Prevention of disclosure – disputed information

6. In order to deal with this matter, it will be necessary for the Tribunal to receive copies of the disputed information. The disputed information will be received on the basis that it will not be disclosed to anyone except the Information Commissioner, the Mayor and Burgesses of the London Borough of Southwark and Lend Lease. To do otherwise would defeat the purpose of the proceedings.
7. Any other application in respect of Rule 14 should be made promptly.

Effect on oral hearing

8. It may be that the Panel at the hearing decide that they need to have a “closed session”, excluding some people prior to hearing some of the evidence or submissions/representations.
9. After any “closed session” the Tribunal will summarise so far as possible what was discussed in that session to enable those not present at that part of the hearing to participate as fully as possible in the proceedings generally.

Effect on written decision

10. The Panel, in their written decision, will specifically record any part(s) of that decision which have been influenced by closed material. They will do this in such a way as to not reveal the detail of that material.

Hearing bundles

11. The Mayor and Burgesses of the London Borough of Southwark are responsible for providing the necessary bundles. I would be grateful if these were supplied with their reply:
  - (a) Open bundles: 4 copies to Tribunal, 1 each to the Information Commissioner, Lend Lease and Mr Glasspool
  - (b) Closed bundles (disputed information only): 4 copies to the Tribunal, 1 each to the Information Commissioner and Lend Lease

I am aware that those representing the Mayor and Burgesses of the London Borough of Southwark have indicated they may wish to rely on witness evidence. If this is not supplied with their reply and the bundles, would they please at that time indicate how many witnesses they wish to call and when witness statement/s will be provided.

*This decision was made by the Tribunal's Registrar. A party is entitled to apply in writing within 14 days of the date of this document for this decision to be considered afresh by a Judge.*



**R Worth**

**Registrar, dated 20<sup>th</sup> August 2013**

**NOTES:**

When reading these Directions, you may find it helpful to refer to the [Information Rights Tribunals - Explanatory Notes for Directions](#), you may also find it helpful to refer to the [Good practice guide for hearing bundles](#), you may also find it helpful to refer to the [Practice Note - Closed Material](#).