



Upper Tribunal  
(Immigration and Asylum Chamber)

Appeal Number: EA/14088/2016

**THE IMMIGRATION ACTS**

Heard at Field House  
On 26 July 2018

Decision & Reasons Promulgated  
On 31 July 2018

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