



**Upper Tribunal
(Immigration and Asylum Chamber) Appeal Number: HU/16378/2017
(V)**

THE IMMIGRATION ACTS

**Heard at Field House by remote means
On 1 December 2020**

**Decision & Reasons
Promulgated
On 14 December 2020**

Before

**MR C M G OCKELTON, VICE PRESIDENT
UPPER TRIBUNAL JUDGE KEBEDE**

Between

OLUFEMI STEVE BOLARINWA

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: E. Pipi, instructed by Devine Solicitors.
For the Respondent: T. Melvin, Senior Home Office Presenting Officer.

DECISION AND REMITTAL

1. This notice of decision is issued in accordance with rule 40(3)(a).
2. The hearing today is treated as a 'rolled up hearing', the hearing of the substantive appeal immediately following the hearing of the application for permission.

3. Permission is granted.
4. The decision of the First-tier Tribunal is set aside for error of law as identified in the grounds of appeal read with the observations of Steyn J.
5. The appeal is remitted to the First-tier Tribunal for a fresh decision.
6. No findings are preserved; but it is noted that the First-tier Tribunal as previously constituted found that it would be unduly harsh for the entire family to leave the United Kingdom at the date of that hearing, and the Secretary of State did not challenge that finding.

C.M.G. Ockelton

C. M. G. OCKELTON
VICE PRESIDENT OF THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER
Date: 3 December 2020