

Memorandum

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and
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To: **Linda Clachan** Naval Service FOI Coordination Cell M3185-A31

From: **John H Large** 11 January 2010

Cc: David Hoadley – SCANS

Subject: **SCANS – FURTHER CLARIFICATION OF FOI REQUEST M3185-A25
YOUR REF 09-12-2009-141326-001**

Thank you for your e-mail and attached letter of 11 January 2010.

- 1) **S27(1a) Public Interest Test:** I am disappointed with your decision not to release the PÖYRY Energy report, particularly with the inclusion of FoI S27(1a) as being of relevance to the balance of public interest. Since S27(1a) relates generally to being prejudicial to UK interests abroad and, specifically, to relations between the UK and any other state, I must assume that for S27(1a) to apply an overseas state has to have some vested interest in the nuclear propulsion plant of Royal Navy submarines.

Indeed, I had assumed this to be the case with this overseas interest related to, in some part at least, the *1958 US-UK Mutual Defence Agreement* applying to, amongst other things, the technology transfer of the PWR1 nuclear propulsion plant of the operational *Swiftsure* and *Trafalgar* class submarines. I raised this very point at the public meeting of 4 November 2009 and my clear recollection is that Cdr Dabell stated on behalf of the Ministry of Defence that the release of details of the nuclear propulsion plant was not subject to any international agreement (and quite specifically he confirmed that this included the *1958 US-UK Mutual Defence Agreement*).

Obviously, on the basis of Cdr Dabell's informed and qualified opinion, I am puzzled how the S27(1a) exemption could be relevant to your public interest test?

So, at your invitation of paragraph 2 page3 of your letter, I am seeking further information from you about the handling of my request and, specifically, to obtain an informal resolution of the apparent dichotomy between Cdr Dabell and yourself (ie in the guise of dcsfoicell) over the matter of whether the exemption condition S27(1a) should be included in the public interest test.

- 2) **Progress of Requests:** With your term 'final response' I assume that you consider your letter 09-12-2009-141326-001 to be the final response to just my Item 1) of my 7th request M3185-A25 of 9 December 2009, that is leaving items 2) to 5) inclusive outstanding.

Finally and with respect, could I ask you to apply a little more business acumen and, dare I suggest, discipline when compiling your replies by including my unique correspondence reference (ie M3185-A31) and the item number to which your reply specifically relates.