

# Memorandum

Large  
and  
ASSOCIATES

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To: **Wayne Cadman** NSFOICC M3185-A50

From: **John H Large** 30 March 2010

Cc: David Hoadley SCANS  
Gareth Rowlands DE&S Policy Secretariat (Submarines)

Subject: **SCANS – CLARIFICATION OF M3185-A48  
FOI REQUEST RELATING TO OPERATIONAL BERTH SAFETY STATEMENTS  
REPORT OF ASSESSMENT REPPIR**

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Thank you for your letter of 25 March 2010 in response to my request M3185-A48 for a catalogue or index on the Navy Command holdings on the submarine Operational Berth Safety Statement – I have attached below a copy of your letter for ease of reference.

In your letter you state that if my request is voluminous or complex it may take some time to process, thereby implying that it may take you more than the maximum of 20 working days to respond. Please correct me if I am wrong but my understanding of the Freedom of Information Act is that you are required to respond promptly and at least by within 20 workings and that the only exceptions to this are if you consider

- a) it appropriate to issue a fees notice and only then whilst you are awaiting the fee to be paid; and/or
- b) if you have identified an exemption for which it is necessary to engage a public interest test for which the timescale for your response can be extended by a 'reasonable period', even so I would direct you to a recent ruling of the Information Commissioner against the MoD (FS50194621<sup>1</sup>) which confirmed that in all but extreme circumstances the 20 working day timescale should be complied with.

So, your response promptly or at least by 20 working days please.

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<sup>1</sup> see [http://www.largeassociates.com/3185%20SOTONSAFE/Information%20Commissioner%20%2005\\_02\\_2010%20\[123850\].pdf](http://www.largeassociates.com/3185%20SOTONSAFE/Information%20Commissioner%20%2005_02_2010%20[123850].pdf)



## **Navy Command**

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Our Reference: 25-03-2010-144410-001

Date: 25 March 2010

Mr J Large  
Via E-mail: [largeassociates@o2.co.uk](mailto:largeassociates@o2.co.uk)

Dear Mr Large

### Request for Information – Acknowledgement

Thank you for your request for information received on 25 March. Your enquiry has been considered to be a request for information in accordance with the Freedom of Information Act 2000.

This letter is to acknowledge receipt of your request and to inform you that generally, in accordance with the Freedom of Information Act 2000 a response is to be given within 20 working days of your application, in this case 26 April. However, if your request is voluminous or complex it may take some time to process in which case we will advise you further.

A copy of your question as received by this office is attached.

Yours sincerely

*Wayne Cadman*

**Request for Information**

I understand that Navy Command is the responsible authority for the drawing up, maintaining and substantiating the Operational Berth Safety Statement specific to each nuclear powered submarine berth in the United Kingdom.

In this respect, please provide me with a *Catalogue* or *Index* relating the documentation, etc., produced by Navy Command in respect to Operational Berth Safety Statements for each UK operational berth for the periods

- 1) from the issue of FLEET/252/008 of 30 January 2008; and
- 2) thereafter to date.

In your response it would be helpful if you refer to my order of itemisation above.

To avoid unnecessary duplication of effort, you should note that I have already requested similar information from your colleague at DE&S Policy Secretariat (Submarines) – see M3185-A47<sub>3</sub> - and from the HSE – see M3185-A49.