

Department for
Transport

Ms Daniela Drysdale
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Our Ref: F0004946

5 February 2009

Dear Ms Drysdale

Freedom of Information (FOI) Request – MV Derbyshire

I am writing in response to your e-mail to the Department dated 28 January 2009, in which you asked:

Does the Department agree with the arguments and disclosures presented in the above-mentioned online article? If not, could you provide us with your specific (technical) counter-arguments and with information regarding the identity of those who formulated them and offered you technical advice on this matter.

You have requested this information under the Freedom of Information Act. However, your request is not for information held in recorded form; it would require us to generate new information in order to answer it. The Freedom of Information Act does not compel us to generate new information in order to respond to requests, and therefore your request does not fall within that Act.

If you are unhappy with the way the Department has handled your request or with the decisions made in relation to your request you may complain within two calendar months of the date of this letter by writing to me at the above address. Please see attached details of the Department for Transport's complaints procedure and your right to complain to the Information Commissioner.

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely

Theresa Crossley

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Your right to complain to DfT and the Information Commissioner

You have the right to complain within two calendar months of the date of this letter about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF