



Navy Command

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Mr Andrew

13 May 2013

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Dear Mr Andrew,

Release of Information

Thank you for your correspondence dated 12 April 2013 requesting information on the financial and contractual aspects of the Fishery Protection provisions of the Royal Navy (RN). Your enquiry has been considered to be a request for information in accordance with the Freedom of Information (FOI) Act 2000.

Taking your questions in order:

Q1. The annual charge to the Marine Management Organisation (MMO) for Fishery Protection work?

A1. The Ministry of Defence (MOD) has recently signed an agreement with the MMO to provide 500 non-exclusive Marine Enforcement (fishery protection) days a year for the next three years. The charge to the MMO is £2M per annum.

Q2. What is the annual cost of the contract with BAe Systems for the fishery protection vessels?

A2. To address your question regarding the annual cost of the contract with BAE Systems Maritime-Naval Ships (BAES-MNS) for the Fishery Protection vessels, it may be helpful if I explain that HMS MERSEY, SEVERN and TYNE are the Royal Navy's three River Class Offshore Patrol Vessels (RCOPVs). The vessels entered service in 2003-04 and were originally operated under a lease arrangement from BAES-MNS. In March 2012, the MOD took up the option to buy the ships outright, to ensure that they could continue their essential operations policing the UK's territorial waters.

Since the purchase of the RCOPVs, the contract with BAES-MNS has covered only the logistic support costs, and it is due to expire in December 2013. The MOD is currently running a competition to replace the support contract for these three vessels. As you may be aware, there are provisions in the FOI Act under which some data is exempt from release. It has been judged that this specific information you have requested falls within the scope of the Section 43(2) (Commercial Interests) exemption of the Act, as its release would be likely to harm the commercial interests of both the MOD and BAES-MNS. As this is a qualified exemption, the decision to release or withhold the information depends on where the balance of public interest lies and, to make this decision, an assessment of the public interest factors on both sides of the argument has been undertaken.

The factors considered in favour of release include demonstrating the MOD's commitment to transparency regarding its commercial relationships and its intention to achieve value for money for the taxpayer. The factors against release include advice that release of the

information would harm BAES-MNS' commercial interests and to release the information would be an advantage to BAES-MNS' potential competitors and may harm their prospects in bidding both for future defence contracts and for this specific contract. Moreover, if the MOD was to release this information, it could harm the commercial relationship between the MOD and BAES, leading to a potential reduction in the MOD's ability to achieve value for money.

Q3. How many RN personnel are employed, at sea and shoreside, on Fishery Protection work and what is their annual costs?

A3. The RN contribution to Fishery Protection work, as part of the Maritime Security role, has three RCOPVs engaged discontinuously and for variable amounts of time within the overall limit of 500 days of tasking per year. Manpower for the RCOPVs is drawn from a pool of personnel to provide each vessel with a ship's company of 30 and to staff the small support team on shore. The variable programme of other Maritime Security duties throughout the year means that these vessels and their complement of personnel are not solely allocated to the Fishery Protection task. We do not hold records on the direct manpower costs associated with the Fishery Protection task alone and the FOI Act does not require the creation of records to meet a request.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Deputy Chief Information Officer, 2nd Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.gov.uk>

Yours sincerely

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