



UK Hydrographic Office

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Taunton
Somerset
TA1 2DN

Telephone: [REDACTED]

E-mail: [REDACTED]

Website:

www.gov.uk/ukho

[REDACTED]
[REDACTED]
REF: FOI2020/07179

08 July 2020

Dear [REDACTED]

Thank you for your email of 5th June 2020 requesting the following information:

“In the meantime, we note that, on 12 March 2019, the UKHO licensing team promoted a proposal that our client apply to become an external third-party marine data licensee in order to resolve the dispute in the most expedient and amicable way. On this basis and pursuant to the Freedom of Information Act 2000 (FOIA), we request certain information from you in relation to any external third-party marine data licence agreements which you may have agreed/entered to date.

If you have entered into any external third-party marine data licence agreements, please provide us with a copies of these licence agreements (redacted, if necessary, to keep details of the licensee anonymous).

If you are unable to provide us with copies of any external third-party marine data licence agreements, please provide us with the following information:

- 1. the number of external third-party marine data licence agreements you have agreed/entered; and*
- 2. in respect of each external third-party marine data licence agreement, details of the royalty payments payable by the licensee”*

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the UKHO, and I can confirm that all the information in scope of your request is held.

The information you have requested falls entirely within the scope of the qualified exemptions provided for at Section 43, Commercial Interests. Section 43 is a qualified exemption and is subject to public interest testing which means the information requested can only be withheld if the public interest in doing so outweighs the public interest in disclosure.

Section 43 has been applied because the public interest test concluded that while release of this information would promote openness and transparency, the disclosure of the information requested would be likely to prejudice UKHO's commercial position with our Marine Licence partners. The disclosure of the information requested would be likely to prejudice UKHO's commercial position in negotiations for future licence agreements with Marine Licence partners. Therefore, the balance of the public interest lay in withholding this information.

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 Information Rights Compliance team, Ground 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.org.uk>.

Yours sincerely,



UKHO Secretariat