

**Freedom of Information Act 2000 (FOIA)  
Environmental Information Regulations 2004 (EIR)**

**Decision notice**

**Date:** 6 April 2023

**Public Authority:** Maritime and Coastguard Agency (Executive Agency of the Department for Transport)

**Address:** Spring Place  
Commercial Road  
Southampton  
SO15 1EG

**Decision (including any steps ordered)**

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1. The complainant has requested information from the Maritime and Coastguard Agency ("the MCA") relating to their own vessel whilst in possession of the MCA.
2. The Commissioner's decision is that, on the balance of probabilities, the MCA has provided all recorded information relevant to the request and does not hold any further relevant information. The MCA has complied with section 1(1) of FOIA.
3. The Commissioner therefore does not require the MCA to take any corrective steps.

**Request and response**

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4. On 17 September 2021, the complainant wrote to the Maritime and Coastguard Agency and requested information in the following terms:

"Good Day, the vessel was NOT damaged on 9/7/2021, that is around the date I received the 5 year safety certificate. At the end of July the shaft of the vessel broke through previous faulty work by a shipyard and required towing to another shipyard for repair. That repair has been completed at a shipyard recommended by a surveyor who was previous head of MCA in Plymouth and the invoice paid. The vessel was reinspected by MCA surveyors at end of August, they require some

unrelated works which are being completed. I regard the suggestion that the registration of this vessel somehow being cancelled as an abuse of process. As clearly stated I received the 5 year safety certificate at beginning of July 2021.

Please under FOI release all documentation held on this vessel in the possession of MCA anywhere in past 3 years and that includes any information on me as owner so I can see what is going on. It is completely ridiculous to suggest that a vessel should be deregistered when it received a five year safety certificate at the beginning of July 2021, has undergone a £28000 repair and at every opportunity it seems to me that attempts are made to deregister this vessel and so this is a direct complaint against MCA. The additional items notified are being attended to a copy of the invoice for the completed shaft repair etc from shipyard can be provided if necessary."

5. On 6 December 2021, another request was made in the following terms:

"Good Day again, this vessel obtained its five year safety certificate on 23/62021 . Either your Plymouth Office is incompetent or this represents an unreasonable continuing attempt to deregister this vessel. Please provide all invoices and receipts for MCA fees raised this year for this vessel , all email and records held on this vessel and the previous request was woefully incomplete and one wonders about the very individual I am complaining about providing the information, I.e. censoring? I would suggest I am contacted by a senior member of MCA to discuss further."

6. The MCA responded to the first request on 11 October 2021, disclosing all information relevant to the request under the reference number 3776.
7. The MCA responded to the second request on 22 December 2021, again disclosing all information relevant to the request under the reference number 3836.
8. Following an internal review, the MCA wrote to the complainant on 29 December 2021. It stated that it upheld its original position, confirming that all information requested was provided in its initial response dated 11 October 2021. The internal review did not cover the second request, reference 3836.

## **Scope of the case**

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9. The complainant contacted the Commissioner on 30 March 2022 to complain about the way their request for information had been handled as they believe the MCA holds more information than it has provided.
10. The Commissioner has considered whether, on the balance of probabilities, the MCA holds any further recorded information within scope of the request, and whether it has complied with section 1(1) of FOIA.

## **Reasons for decision**

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11. This reasoning covers whether the MCA has disclosed all the information it holds within scope of the request.
12. Section 1(1) FOIA provides that:

"Any person making a request for information to a public authority is entitled –

  - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
  - (b) if that is the case, to have that information communicated to him."
13. The complainant believes that the MCA holds further information within the scope of their request, specifically relating to invoices and receipts. In their complaint to the Commissioner, the complainant makes reference to being dissatisfied with the invoices and receipts which have been provided.
14. The MCA has explained to the Commissioner the searches that have been carried out for information in scope of the request. It has confirmed that the Registry of Seamen & Shipping, a branch of the Agency UK Maritime Services Directorate, maintains vessel files for each vessel registered on the UK Ship Register. These files comprise all current and historic documentation for each vessel as a chronological history of the vessel and the Agency's formal engagement with it and correspondence with its owners/operators on registration, survey and certification matters. To provide information relevant to the request, the MCA has confirmed that the files for this vessel were printed and scanned for the period requested. All surveyors within the Plymouth Marine Office were contacted and asked to provide copies of emails or any correspondence relating to the vessel or the complainant, along with the Registry of Shipping and Seamen.

15. In relation to the request specifically concerning invoices and receipts, the MCA has confirmed that the business unit was contacted and all relevant information was identified and provided to the complainant in their response (3836). The complainant believes that more information is held in relation to receipts and invoices. The MCA has explained to the Commissioner that whilst this information has been disclosed, there has been a lot of non-chargeable attendance by the MCA to assist this vessel and as a result, for such actions, invoices and receipts will not exist.
16. The MCA has also provided the Commissioner with the information it provided to the complainant in response to the requests and the bundle is a large amount of information. Given the amount of information it has already provided that is within scope of the requests and the searches the MCA has explained it has carried out to find additional information it may hold, the likelihood of it holding further information within scope of the request is low.
17. Therefore, on the balance of probabilities, the Commissioner is satisfied that the MCA does not hold further information within the scope of the request.

## Right of appeal

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18. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

19. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
20. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Catherine Fletcher**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**