Freedom of Information Act 2000 (FOIA)

Environmental Information Regulations 2004 (EIR)

Decision notice

Date: **17 September 2019**

Public Authority: **The Ministry of Defence**
Address: **Main Building**
Whitehall
SW1A 2HB

Decision (including any steps ordered)

1. The complainant submitted a request to the Ministry of Defence (MOD) seeking a copy of a report by the Defence Safety Authority into the fire safety of 'defence single living accommodation' and along with all emails and correspondence associated with this report. The MOD directed the complainant to a copy of the report which was already available online. The MOD sought to refuse to comply with the remainder of the request on the basis of section 12(1) (cost limit) of FOIA and regulation 12(4)(b) (manifestly unreasonable) of the EIR. The complainant argued that the request should have been considered entirely under the EIR. The Commissioner has concluded that the requested information contains both environmental and non-environmental information. She has also concluded that MOD can refuse to provide the environmental information on the basis of regulation 12(4)(b) and can refuse to provide the non-environmental information on the basis of section 12(1) of FOIA.

Request and response

2. The complainant submitted the following request to the MOD on 6 January 2019:

'[Redacted] has seen an article in the Mail Online entitled "Ministry of Defence 'covered up' shock report that thousands of soldiers are living in 'deadly' barracks which could become new Grenfell disasters" (dated 1 January 2019):

https://www.dailymail.co.uk/news/article-6543643/Ministry-Defence-covered-report-thousands-soldiersliving-deadly-barracks.html

The article refers to a report by the Defence Safety Authority (DSA') being handed to defence chiefs on 14 August [2018]. [I] assume that the DIO [Defence Infrastructure Organisation] is as aware as the MOD of any such report.

I wish to receive a copy of the 'DSA report' referred to above, whether completed or still in draft, to aid [redacted] in better understanding the current and possible future state of barracks on the Hyde Park Barracks land.
As part of this request, I would like to receive copies of all emails, media briefing notes, ministerial briefings, correspondence and other information held by the DIO that relates to this request and/or the DSA report referred to above.'

3. The MOD responded on 22 January 2019 and explained that it had estimated that complying with the request would take more than 5.5 working days of effort and therefore the request was being refused on the basis of section 12 of FOIA.

4. The complainant contacted the MOD on 4 March 2019 and asked it to conduct an internal review of this decision. He argued that the MOD should have considered his request under the EIR. He also suggested that the DSA report could presumably be provided with minimal effort. Finally, he asked the MOD to provide him with some advice and assistance in narrowing down the remaining part of his request.

5. The MOD informed him of the outcome of the internal review on 5 April 2019. The MOD concluded that the requested information did not fall under the EIR because it is not a 'report on the state of the land' as the complainant had suggested in his email of 4 March; the request was therefore correctly considered under FOIA. The MOD explained that the DSA report had been published online prior to the request and this information was considered to be exempt from disclosure on the basis of section 21 (information reasonably accessible to the requester) of FOIA. However, the MOD concluded that providing the remainder of the information that fell within the scope of the request would exceed the appropriate cost limit and it therefore upheld the application of section

12(1) of FOIA. The MOD also provided the complainant with some advice and assistance to allow him to submit a refined request.

Scope of the case

6. The complainant contacted the Commissioner on 13 May 2019 in order to complain about the MOD's handling of his request. The complainant argued that the MOD should have considered this request under the provisions of the EIR, rather than FOIA. Furthermore, he argued that if the MOD sought to refuse to disclose this information on the basis of regulation 12(4)(b) (manifestly unreasonable) of the EIR, then in his view this exception did not in fact provide a basis to refuse the request, and even if it did, then the public interest favoured disclosing the requested information.

Reasons for decision

The applicable access regime

The complainant's position

7. Regulation 2(1) of the EIR provides a definition of 'environmental information' including:

> *'(a) the state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among these elements;*
>
> *(b) factors, such as substances, energy, noise, radiation or waste, including radioactive waste, emissions, discharges and other releases into the environment, affecting or likely to affect the elements of the environment referred to in (a);*
>
> *(c) measures (including administrative measures), such as policies, legislation, plans,programmes, environmental agreements, and activities affecting or likely to affecting the elements and factors referred to in (a) and (b) as well as measures or activities designed to protect those elements'*

8. The complainant argued that it is well established that the term 'environmental information' is to be given a broad meaning. The complainant noted that in *DBEIS v IC and Henney* [2017] EWCA Civ 844 (Henney) the Court of Appeal held that the EIR must be construed purposively, in accordance with the Directive and the Aarhus Convention:

   '48. My starting point is the recitals to the Aarhus Convention and the Directive, in particular those set out at [15] above. They refer to the requirement that citizens have access to information to enable them to participate in environmental decision-making more effectively, and the contribution of access to a greater awareness of environmental matters, and eventually, to a better environment. They give an indication of how the very broad language of the text of the provisions may have to be assessed and provide a framework for determining the question of whether in a particular case information can properly be described as "on" a given measure'.

9. The complainant argued that the interpretation of the phase '*any information… on*' will usually include information concerning, about, or relating to the measure, activity, factor etc., in question. With regard to regulation 2(1)(c), the complainant noted that the Court of Appeal in *Henney* said:

   '43. It follows that identifying the measure that the disputed information is "on" may require consideration of the wider context, and is not strictly limited to the precise issue with which the information is concerned. It may be relevant to consider the purpose for which the information was produced, how important the information is to that purpose, how it is to be used, and whether access to it would enable the public to be informed about, or to participate in, decisionmaking in a better way. None of these matters may be apparent on the face of the information itself .'

10. The complainant argued that the DSA report clearly consisted of 'environmental information' and is likely to fall wholly under the EIR. In support of this position the complainant argued that the purpose of the DSA report is to manage the risk of fire by identifying measures to be taken to reduce the risk of fire at DIO premises. It is therefore (i) a report concerning measures likely to protect the state of elements of the environment, including air and atmosphere, insofar as the prevention of fire is the prevention of damage to both urban and natural landscapes, the prevention of harmful emissions and the protection of human life and eco-systems and (ii) a report concerning measures likely to affect

factors such as emissions, discharges and other releases into the environment, which are likely to affect the elements of the environment.

11. Furthermore, the complainant argued that the request should have been considered exclusively under the EIR and that FOIA should only have been considered in relation to information that fell outside the definition of 'environmental information' under the EIR and an explanation of why the information related to the DSA report or elements of it were not considered to be 'environmental information' should have been given.

The MOD's position

12. In its submissions to the Commissioner the MOD acknowledged that the DSA report contains environmental information as defined by regulation 2(1)(c) of the EIR and it accepted that this element of the request should have been handled under the EIR rather than FOIA. However, during the course of the internal review the MOD explained that it became clear that the report had already been released and therefore the focus of the internal review was on determining the way in which the remaining information falling within the scope of the request should be handled.

13. The MOD suggested that a recent Tribunal decision provided guidance on the approach public authorities should take in determining what should be considered environmental information.[1] (In effect the guidance offered by the Tribunal followed that set out in the *Henny* decision cited by the complainant). The MOD explained that using this guidance it had determined that, while the report itself could be considered environmental information, the information in scope of the second part of the request - namely '*all emails, media briefing notes, ministerial briefings, correspondence and other information held by the DIO that relates to this request and/or the DSA report'* - might or might not be environmental information depending on the content and context.

14. The MOD explained that when it was preparing the internal review the available evidence indicated that the bulk of the other information falling in scope of the request was highly unlikely to include anything that would enable the public to be informed about, or to participate in,

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1 http://informationrights.decisions.tribunals.gov.uk/DBFiles/Decision/i2195/All%20Party%20Parliamentary%20Group%20on%20Drones%20EA.2016.0176%20(08.05.18).pdf

decision making on environmental matters, such as the fire safety of single living accommodation (SLA). For this reason, the request was reviewed against the requirements of FOIA, and not the EIR.

15. However, the MOD explained that during the course of preparing its response to the Commissioner's investigation it had found that some of the further information relating to the report held by DIO should be considered under the provisions of EIR. Furthermore, the MOD had also identified some additional information, not previously considered, that could be considered to fall within the scope of the request, and that such information is also likely to constitute environmental information.

16. Therefore, the MOD's position was that of the remaining information falling within the scope of the request, some of this information was environmental information as defined by the EIR and some of this was not environmental information.

The Commissioner's position

17. As part of her investigation the Commissioner asked the MOD to provide her with a sample of the information falling within the scope of the request which it considered to environmental information and a sample of information which it considered to be non-environmental information. Having considered both samples she agrees that the request captures both environmental and non-environmental information. With regard to the former category of information this includes information directly relating to the recommendations within the DSA report and follow-up actions to address them. In the Commissioner's view such information is environmental information given that it relates to measures, namely fire safety measures, concerning service accommodation. (For the record, the Commissioner would also agree that the DSA report itself should be considered environmental information for the same reasons). However, with regard to the latter category of information the Commissioner is of the view that some, albeit not all, of emails which fall within the scope of the request, although they relate to the DSA report (e.g. concerning preparations for its publication), do not relate to measures likely to affect elements of the environment. Moreover, the Commissioner accepts that disclosure of such information would not enable the public to be informed about, or to participate in, decision making on environmental matters, such as the fire safety of SLA.

18. For the reasons set out above the Commissioner has concluded that the information falling within the scope of his request constitutes both environmental and non-environmental information. The Commissioner has issued guidance which explains how the cost of complying with such

requests should be calculated.[2] This guidance explains that where any single request is for information which spans more than one access regime, then the costs of collating all the information can be taken into account under FOIA, but only the costs of collating the environmental information can be taken into account under the EIR. The only exception which allows public authorities to take into account the costs of collating all the information falling within the scope of the request under the EIR is where this is a necessary first step because they cannot otherwise isolate the environmental information.

19. The Commissioner is satisfied that the such an exception applies to this request and the MOD can only locate the environmental information falling within the scope of this request once it has collated *all* of the information falling within the scope of the request. This is because based on the sample of email correspondence that the Commissioner has seen, emails chains are likely to contain a mixture of both environmental and non-environmental information and there is no possible way to search simply for environmental information falling within the scope of the request. Rather, all relevant information has to be located first and then the content considered to determine if it falls within the description of environmental information.

20. Consequently, in line with the approach set out in the guidance referred to above, the Commissioner has considered whether the MOD has a basis to refuse this request under both FOIA and the EIR.

Section 12 – cost limit

21. Section 12(1) of FOIA states that:

> *'(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.'*

22. The appropriate limit is set in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 ('the Fees Regulations') at £600 for central government departments such as the MOD. The Fees Regulations also specify that the cost of complying with

[2] https://ico.org.uk/media/for-organisations/documents/1192/calculating_costs_foia_eir_guidance.pdf

a request must be calculated at the rate of £25 per hour, meaning that section 12(1) effectively imposes a time limit of 24 hours.

23. In estimating whether complying with a request would exceed the appropriate limit, Regulation 4(3) of the Fees Regulations states that an authority can only take into account the costs it reasonably expects to incur in:

- determining whether it holds the information;
- locating the information, or a document containing it;
- retrieving the information, or a document containing it; and
- extracting the information from a document containing it.

24. A public authority does not have to make a precise calculation of the costs of complying with a request; instead only an estimate is required. However, it must be a reasonable estimate. In accordance with the First-Tier Tribunal in the case of *Randall v IC & Medicines and Healthcare Products Regulatory Agency EA/2007/0004*, the Commissioner considers that any estimate must be 'sensible, realistic and supported by cogent evidence'.[3]

25. Section 12(1) is not subject to a public interest test; if complying with the request would exceed the cost limit then there is no requirement under FOIA to consider whether, despite this being the case, there is a public interest in the disclosure of the information.

The MOD's position

26. In its internal review response the MOD noted that the complainant's request asked for the report referred in the news story to which he provided a link but also additionally asked for *any* information held by the DIO relating to the report in question. The MOD explained that whilst DIO were not involved in drafting the report some of its staff were interviewed as part of the investigation process. Furthermore, the MOD noted that whilst DIO was not provided with a draft version of the report, some personnel were made aware of how the report was progressing towards the end of August 2018. The MOD explained that it was therefore conceivable that staff within DIO could hold information from this date up to the date of the request in any form and not necessarily by email alone.

[3] http://informationrights.decisions.tribunals.gov.uk/DBFiles/Decision/i136/Randall.pdf - see paragraph 12

27. The MOD explained that as part of the internal review process a sample search had been carried out within the DIO secretariat's group inbox on the term 'DSA' for the period 31 August 2018 and 6 January 2019 and this had identified 55 emails that may fall within the scope of the request. The MOD explained that it had examined one of these emails which ran to 31 pages, not including attachments, and determined that a search of at least 10 further inboxes assigned to DIO personnel would be required to locate other emails that may fall within the scope of the request. The MOD also suggested that further keyword searches such as 'Fire Safety Review' or 'Fire Safety Report' would also need to be carried out to capture any additional emails that may contain information falling with the scope of the request. The MOD also noted that searches of other electronic holdings, such as SharePoint sites, and hard copy holdings (including briefing packs and personal notebooks) would also be required to locate all of the information falling within the scope of the second part of the request.

28. In its submissions to the Commissioner the MOD explained that as result of this complaint it conducted a further sample exercise involving keyword searches within the mailbox belonging to one desk officer within the DIO, the results of which were as follows:

- DSA – 177 emails
- Fire Safety Review – 151 emails
- Fire Safety Report – 156 emails
- Improvement Notices – 22 emails
- Respond to HCDC – 109 emails
- Urgent Fire Safety – 77 emails.

29. The MOD acknowledged that it was highly likely that there would be some duplication within the above results, and also likely that the results may not contain anything relating to the report which was the focus of the request. Therefore, each of the emails would have to be reviewed on their own merits to determine whether or not they fell within the scope of the request. The MOD explained that using an estimate of one minute per email to determine if it, or any relevant attachment, contained information in the scope of the request would take over 11 hours. Furthermore, the MOD explained that to locate all information in scope would require the same exercise to be conducted on the email accounts of at least ten individuals who are known to have briefed Ministers, been involved in developing press releases to support

the publication of the report, and those who were interviewed as part of the report investigation.

30. In addition to this work, the MOD reiterated the point made in the internal review that given the wide scope of the request, further searches would then have to be conducted of other electronic holdings, such as shared team sites, or personal folders, and any hard copy holdings which would further increase the time taken to comply with this request.

31. As noted above, the MOD explained to the Commissioner that as part of its response to this complaint it had located additional information falling within the scope of the request than had previously been located. The MOD explained that such additional information related to DIO's representation on the Defence Fire Safety Management Committee (FSMC), which was formed to address all areas identified in the report for further improvement. In addition to the FSMC, the MOD explained that the Fire Safety Working Group (FSWG) was also established to undertake any improvement activities identified by the FSMC. The MOD explained that it considered information relating to these forums held by the relevant DIO representatives to fall within the scope of the request, as their work directly related to the recommendations within the published report. Such information would also therefore need searching.

The Commissioner's position

32. The Commissioner is satisfied that complying with this request would take the MOD more than 24 hours. In reaching this conclusion she has taken into account the broad nature of the request, seeking as it does *all* information the DIO holds about the report in question. As result of this the Commissioner considers it logical and reasonable for the MOD to suggest that to locate relevant email correspondence not only would it have to search the DIO generic inbox but also the inboxes of at least DIO ten staff who undertook work related to this report. (On this point, the Commissioner has been provided with a copy of the 31 page email chain referred to above and having examined this it is clear that a significant number of individuals were involved in work associated with the report and that not all emails were sent to the generic inbox; thus also requiring a search of individual accounts).

33. With regard to the two sample exercises conducted by the MOD to locate relevant emails, the Commissioner considers the keyword searches that were used to be logical ones. In terms of the results of these searches the Commissioner also accepts that an average of one minute per email to determine if an email and/or an attachment

contains relevant information is a reasonable period of time. In light of this the Commissioner accepts that it would take just under 1 hour to review the emails returned by the search of the DIO inbox and that it would take over 11 hours to review the emails returned by the search of emails returned by the individual member of staff. Furthermore, for the reasons discussed above, the Commissioner accepts that in order to locate all relevant information the MOD would need to conduct similar searches of the inboxes of at least ten further members of DIO. If such searches took a similar length of time, ie 11 hours per each individual's inbox, then the total time to conduct such email searches would be in excess of 100 hours. As the MOD noted, the Commissioner accepts that there is likely to be an element of duplication in the emails returned by these searches but they would nevertheless still have to be examined and considered as part of the process of gathering all relevant information.

34. Furthermore, beyond the searches that would need to be conducted of the email accounts, the Commissioner accepts that the MOD would also need to search other electronic holdings in order to locate all relevant information. Given these further searches that need to be undertaken, in addition to the time already taken to undertake the email searches, this provides a further basis for concluding that complying with the request would take more than 24 hours.

35. Therefore, the Commissioner is satisfied that the MOD can refuse to comply with the request on the basis of section 12(1) of FOIA.

Regulation 12(4)(b) – Manifestly unreasonable requests

36. Regulation 12(4)(b) of the EIR provides that a public authority may refuse to disclose environmental information if the request for information is manifestly unreasonable. There is no definition of 'manifestly unreasonable' under the EIR, but in the Commissioner's opinion manifestly unreasonable implies that a request should be obviously or clearly unreasonable. One such way in this could be the case is if a public authority is able to demonstrate that the time and cost of complying with the request is obviously unreasonable.

37. As the Commissioner's guidance on regulation 12(4)(b) explains, the section 12 cost provisions in FOIA are a useful starting point to determining whether the time and cost of complying with the request is obviously unreasonable. However, they are not determinative in any way. Furthermore, in assessing whether the cost or burden of dealing with a request is 'too great', public authorities will need to consider the

proportionality of the burden or costs involved and decide whether they are clearly or obviously unreasonable.

38. This will mean taking into account all the circumstances of the case including:

- the nature of the request and any wider value in the requested information being made publicly available;
- the importance of any underlying issue to which the request relates, and the extent to which responding to the request would illuminate that issue;
- the size of the public authority and the resources available to it, including the extent to which the public authority would be distracted from delivering other services; and
- the context in which the request is made, which may include the burden of responding to other requests on the same subject from the same requester.

The MOD's position

39. With regard to the cost and burden of complying with the request, the MOD's submissions are set out above. In terms of whether it would be proportionate for it to comply with the request the MOD suggested that the complainant's view appeared to be that the report which is the focus of the request directly concerned the fire safety of a tall building at Hyde Park Barracks (HPB) and therefore the complainant, and those living within the vicinity have concerns (with Grenfell and other barracks in mind) of the safety of those living/situated in such a densely populated area. However, the MOD argued that the report makes no mention of a review of this property, nor does it indicate that there are any underlying issues with the building at HPB. This means that it is highly unlikely that the specific interests highlighted by the complainant would be met if the MOD was to expend the significant effort required in fulfilling the request.

40. With this in mind the MOD argued that it would be unreasonable for the DIO, who have taken on a number of actions following the DSA report, to search through their records to find everything they hold relating to the report, the majority of which may be completely innocuous and highly unlikely to reveal anything further that will help inform the public debate about the fire safety of SLA beyond the information already published in the report.

The complainant's position

41. The complainant emphasised that regulation 12(4)(b) permits the withholding of information 'to the extent that' the request is 'manifestly unreasonable'. He accepted that the exception is somewhat analogous to section 12 of FOIA. However, he emphasised that regulation 12(4)(b) is a much narrower exception than section 12 as the test to be applied is whether the cost or burden of dealing with a request is 'too great' having regard to the proportionality of the burden or costs involved in light of all the circumstances of the request. (And furthermore, even if the exception is engaged, then it is subject to a public interest test).

42. The complainant argued that in the responses provided to him by the MOD there had been no attempt to determine whether this amount of time was proportionate to the circumstances of the request including the factors set out above at paragraph 38.

43. The complainant argued that it is likely that given the importance of the underlying issue to which the request relates (i.e. fire safety of a tall building at HPB in a densely populated area of central London), the amount of time required to process the request would be proportionate.

The Commissioner's position

44. For the reasons set out above, the Commissioner is satisfied that complying with the request is likely to place a considerable burden on the MOD, far in excess of the appropriate cost limit. With regard to whether it would be proportionate for the MOD to undertake this work, the Commissioner has considered the content of the report which is the focus of the request, and which of course is now in the public domain. She agrees with the MOD's assessment that it makes no mention of a review of this property, nor does it indicate that there are any underlying issues with the building at HPB. The Commissioner therefore agrees with the MOD that disclosure of the further correspondence that it holds is unlikely to provide any insight into the specific issues identified by the complainant, namely HPB. Furthermore, whilst the Commissioner accepts that the matters that are addressed in the report, namely fire safety issues in SLA more broadly, are clearly matters of considerable significance, having seen a small sample of the information in the scope of the request, ie the 31 page email chain referred to above, she accepts that much of it is likely to be administrative or innocuous in content and unlikely to significantly inform the public debate beyond the content of the report itself.

45. Taking the above into account the Commissioner is satisfied that the request is manifestly unreasonable and that the MOD can rely on regulation 12(4)(b) to refuse to comply with the request.

Public interest test

46. Regulation 12(4)(b) is subject to the public interest as set out at regulation 12(1)(b) of the EIR. Therefore, the Commissioner has considered whether in all the circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosing the information.

Public interest in disclosing the information

47. In his submissions to the Commissioner the complainant made the following points to support his view that the public interest favoured disclosure of the information:

48. Firstly, the complainant argued that the issue of fire safety of tall buildings is one which has attracted a high level of public interest following the Grenfell Tower disaster and the implications it has or might have on existing and future buildings. He noted that this is acknowledged by government which has established a dedicated Building Safety Programme 'to make sure that residents of high-rise buildings are safe – and feel safe – now, and in the future.' The complainant noted that the Programme regularly publishes guidance and advice on fire safety for owners of high rise buildings.

49. Secondly, the complainant argued that the issue of fire safety in barracks owned by the MOD has attracted a high level of interest following the fires at Aliwal barracks in Tidworth, Wiltshire, and Thiepval Barracks in Lisburn, Northern Ireland which he argued were caused by a failure of the MOD to adhere to Fire Safety Regulations. This is demonstrated by the fact that the DSA report was commissioned and the Daily Mail article referred to in the original request. Furthermore, the complainant argued that there is considerable public interest in knowing what steps the government is taking to ensure that military personnel, and members of the public in central London, will be sufficiently protected against the risk of fire.

Public interest in maintaining the exception

50. With regard to the public interest in maintaining the exemption, the MOD emphasised that complying with the request would place a high burden on the department and would require consultation with a number of individuals not only to locate any information that is held, but to use their subject matter expertise to advise on any exceptions that might apply to some information throughout. The MOD also emphasised that for the reasons discussed above disclosure of the requested information would be unlikely to fulfil the specific interests identified by the complainant. The MOD therefore argued that there is a greater public interest in the DIO and other business units continuing to carry out their role in maintaining and, where necessary, improving the fire safety of its buildings than in suspending such activities to fulfil the request.

Balance of the public interest

51. The Commissioner agrees with the complainant there is significant and weighty public interest in the disclosure of information which would inform the public about the fire safety of MOD buildings, in particular identifying any areas of concern within such buildings. However, the Commissioner is conscious that the remaining withheld information falling within the scope of this request focuses – at least in part – on matters not directly associated with fire safety, e.g. timeline publications for the report. Whilst the processing of the request may request in the disclosure of information of a more substantive nature, the Commissioner is conscious of the significant burden that would be placed on the MOD, and the staff within DIO more specifically, in processing the request. The Commissioner is also conscious that complying with the request would have a direct impact on the ability on the DIO to maintain and improve the fire safety of its buildings. Taking the above factors into account the Commissioner has concluded that the public interest favours maintaining the exception contained at regulation 12(4)(b).

Right of appeal

52. 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: 0300 1234504
    Fax: 0870 739 5836
    Email: grc@justice.gov.uk
    Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

53. 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.

54. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed .....

Jonathan Slee
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