



# Ministry of Defence

Secretariat  
Defence Infrastructure Organisation  
Kingston Road  
Sutton Coldfield  
B75 7RL

E-mail: [diosec-parli@mod.uk](mailto:diosec-parli@mod.uk)  
[www.gov.uk/DIO](http://www.gov.uk/DIO)

07 November 2017

Ref. FOI2017/09898

Dear 

Thank you for your letter of 6 October 2017 requesting the following information:

*"I am writing to you with reference to some land close to my property in Brizewood, this land is, I believe, owned by the Ministry of Defence, although the local Mod Base, RAF Brize Norton has only recently become aware of their ownership of this land. I am led to believe that your office has entered in to correspondence with one of my neighbours, with regard to this land, correspondence, which he appears very reluctant to share.*

*For this reason I would like to respectfully make a freedom of information request for any correspondence with regard to the following land.*

*A small circle of land centred within an area between 17 Brizewood and 30 Brizewood registered with the land registry under ON266308."*

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 Ministry of Defence (MOD) and I can neither confirm nor deny whether any information is held under section 40(5).

Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold any information.

Under Section 16 of the Act (Advice and Assistance) the Department is investigating the status of the land and the possibility of disposal. In accordance with departmental procedure as mandated by HM Treasury the MOD must first offer land for sale to any former owners under the Crichton Down Rules. Under HM Treasury guidelines land is then offered at market value to the public on the open market.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request 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](mailto:CIO-FOI-IR@mod.uk)). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

DIO Secretariat