



Ministry
of Defence

Secretariat
Defence Infrastructure Organisation
Kingston Road
Sutton Coldfield
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E-mail: diosec-parli@mod.uk
www.gov.uk/DIO

30 June 2015

Ref. FOI2015/04821

Dear [redacted],

Thank you for your email dated 2 June 2015 requesting the following information:

I recently received a letter from [redacted] summarising the results of his internal review of the above FOI response.

In the letter [redacted] invited me to refine my request for information by limiting it to a single wind farm development. Following this advice, I wish to request the following information:

- 1. Copies of all communications and reports including emails and file notes relating to the Hill of Lychrobbie wind farm (DIO19464);*
- 2. A copy of the operational assessment of the Hill of Lychrobbie wind farm (DIO19464) following the review of RAF Lossiemouth ATC carried out by RAF 1 Group Safeguarding SMEs in May 2014.*

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 confirm that some of the information in scope of your request is held.

Under part one of your request the information you have requested can be found attached within the 38 documents, but some of the information falls entirely within the scope of absolute exemption provided for at section 40 (Personal Data) and therefore personal information has been redacted. You are already in receipt of the DE&S ADATS Technical Assessment report dated 29 November 2013 – Hill of Lychrobbie; which you received as part of a previous FOI request in 2014, therefore this has not been supplied.

Section 40(2) has been applied to some of the information in order to protect personal information as governed by the Data Protection Act 1998. Section 40 is an absolute exemption and there is

therefore no requirement to consider the public interest in making a decision to withhold the information.

Under part two of your request, the information is not held within MOD and therefore has not been supplied. This was reiterated in the previous FOI response (FOI2014/06499) dated 24 November 2014 and the response provided following your internal review May 2015.

The MOD has previously advised that no official report of the site visit was produced; however a spreadsheet was created in order to identify those wind farm proposals with MOD planning objections against them that may affect the Air Traffic Control radar at RAF Lossiemouth. This spreadsheet was provided to you in the FOI response FOI2014/06499 dated 24 November 2014.

Under Section 16 (Advice & Assistance), the Defence Infrastructure Organisation would like to offer again the opportunity for you to meet with Air Command to discuss your application; this can be arranged by emailing: dio-safeguarding-comms@mod.uk.

If you believe there to be any attachments missing within the documents supplied, please contact DIOSec-Parli@mod.uk in the first instance.

Yours sincerely,

DIO Secretariat

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 DIO Secretariat 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, 1st 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>.