



7

2G

CONFIDENTIAL

HOACD 11/11/14

CONFIDENTIAL

11/11/14

16 Nov 14

REF: DIO Response to challenge to the Grading of SFA – 5 Alte Brennerai, Hutschenhausen dated 12 Nov 14.

1. In response to your letter SSO/4244 dated 12 Nov 14 regarding the grading of my property, 5 Alte Brennerai, I would like to raise the following points as I cannot agree with the conclusions you have reached. I would be grateful if you could either re-visit the points detailed below or provide details of the process for arbitration so that I may raise this issue higher.

2. I have listed below my concerns/challenges to the response you have provided and the justifications you have given. Where possible I have provided evidence or appropriate references that can be checked in order to amplify the justification. All points below are taken from the responses i-vii in your letter ref SSO/4244 dated 12 Nov 14:

a. **Point iii** – You have stated that deficiency points for the airing cupboard and reduced floor space cannot be applied at the same time as there is a cap of 3 deficiency points for this serial within JSP 464 part 4 annex A to chapter 1 part 1.

This is incorrect. Serials 1, 2 & 3 deals with the issue of reduced floor area, rooms below scale and space to accommodate scaled items. Only one of the 3 serials can be applied and there is a cap of 9 points when applying. Serials 6, 7 & 8 deal with the scaling of fixtures and fittings and have a maximum cap of 5 points. Annex A table 4, details what is covered under these serials and the issue of the airing cupboard is at Ser 3 within this table. Accordingly there is no reason why the stated deficiency points cannot be applied as they are covered under different serials in Annex A part 1 and the maximum deficiency points that can be awarded for either 1, 2 & 3 or 6, 7 & 8 is 5 points and 9 points respectively.

b. **Point iv.** – You have stated that no deficiency points can be awarded for a lack of security locks on the downstairs windows and patio doors in my property as there are shutters that are considered an added security measure.

As I stated in my correspondence to you in July I have been in contact with both the manufacturer of the shutters and the Master Locksmith Association, the company that

the MOD uses for its security advice, and both have stated that these type of shutter are not a security measure but are sun blinds, designed to keep out excessive light. Furthermore, many of the other properties in Alte Brennerai have locks on their downstairs doors and windows and since you received my last correspondence letter, DIO have installed a window lock, highlighting that they must agree with my statement.

c. **Point v.** – You have stated that the results of a recent noise survey, included in your response, show that the average noise level in my area was 30dB (A) Leq, and as such does not represent a noise nuisance.

I have a number of issues with this:

- i. It appears that the graph included in the response is a cut and paste from a 2005 study.
- ii. The data in the top left corner is a mixture of 2014 & 2005.
- iii. The start time for both studies is stated as 13:36:22. Given that the studies (if there were indeed 2) were 9 years apart to have a start time that matches to the second is quite an achievement.
- iv. The peak reading in 2014 (74.5) appears to match perfectly the attached graph. If this graph is indeed a 2005 graph as it appears to be this is again quite a coincidence.
- v. The page of the noise study states it took place at 8 Alte Brennerai. This property did not exist in 2005, so the chart must therefore be from 2014, yet all the evidence, including the red date time stamp in the top left of the chart seem to suggest otherwise.
- vi. 8 Alte Brennerai, sits behind a very active community church, one with loud and frequently used church bells. The noise study graph does not seem to depict the routine pattern one would expect to see from a property so close to a church that tolls, daily and weekly at specific times for specific periods.
- vii. The noise study talks about average noise and draws its conclusion from that average. This is in fact irrelevant. If the average is 30dB, yet every night at 2100 I am disturbed by aircraft landing on runway 08/26 creating a peak noise of 75dB, this to me would indicate the noise nuisance.

d. **Point vi** – You state that positive points must be awarded for the property as it has a utility room and the removal of the positive points will only be awarded when over 50% of the MOD wide estate has that room.

JSP 464 refers to 50% of the estate, not 50% of the MoD wide estate. Firstly, Alte Brennerai, Hutschenhausen is its own estate, a fact that is stated multiple times on the EJSU webpage. *“Alte Brenerei consists of nine X Type IV (four bed) purpose built properties. All occupants in this estate (small cul-de-sac) are British Military personnel based at Ramstein Air Base and these properties are private hirings. The Type IV Estate is approximately 7 miles from Ramstein Air Base main gate (West Gate). This estate consists of a number of differently designed properties and the following description is provided as a guide only. Some of the properties possess only a ground and first floor whilst a number also include a top floor.”*

Furthermore, to claim that it must be the “MOD wide estate” would require that DIO keeps a running account of all the properties on its books in order that this decision could be made. Something that I believe is highly unlikely given that until I raised the initial challenge on this property it was the belief of DIO that it was configured totally differently as the layout does not match the floor plans held.

The rule should apply to “the estate”. “The estate” is Alte Brennerai, Hutschenhausen, where all properties have a utility room. Accordingly there should be no provision of positive grading points.

3. Having reviewed some of the information in your response, I would also like to highlight that there should also have been a deficiency point awarded for the lack of the post office as per the original board.

4. Taking into account the points I have raised above I see no reason why this property should not be graded as grade 3. I believe that there are 3 negative points that have not been awarded and 2 positive points that should be deducted; this would give a score of 12 points even without the results of a noise study. Furthermore, I have little confidence in the details provided relating to the noise survey and must insist that I am provided with the full study, not just a snapshot.

5. Finally, in a letter sent to you on Oct 14, I included an FOI request. To date this request has only been partially responded to, if I assume the information provided in your letter ref SSO/4244 dated 12 Nov 14 was part of the intended response. This is not a satisfactory response and as you know I have contacted the DIO Chief Information Officer on this issue. Despite your response to me dated 12 Nov that he had not had the request passed formally to him by the DIO FOI team, the request was passed to you and you have a responsibility to deal with that request accordingly. The concern raised by me regarding names and data protection are clearly unfounded as you have included some of that information in your last response and although you sent me half of a report for properties 1 & 3

and half of the report for properties 4 & 6, neither contained any personal information other than the details of those conducting the board. Accordingly I will use this response to once again ask for this information, under the FOI. I have re-attached the original request and will copy to your CIO.

Di _ _ _

From: [REDACTED]
Sent: 17 November 2014 15:29
To: [REDACTED]
Subject: 20141117 - [REDACTED]
Attachments: [REDACTED]

Good afternoon

Hope you are well?

I have received a thick wadge of paperwork from a [REDACTED] which I think really ought to be for you?

I have scanned in the covering letter and attached it for you to this email. Our main concern is the allegation surrounding the FOI request. I have checked with DIO Secretariat Team at Sutton Coldfield and they confirm that they haven't ever received anything from him.

Please can I ask that this is looked into please? Our FOI rep here in office has taken a copy of the email dated 14 Oct at 09.59 emailed to yourself and [REDACTED] requesting an FOI.

Would you also like me to post the rest of this information to you? If so, please can you let me have your address please?

Many Thanks

Assistant Customer Service Manager
DIO Service Delivery Accommodation

Defence
Infrastructure
Organisation

St. [REDACTED]

MOD
Email: DIK

Telephone: [REDACTED]

Fax [REDACTED]
Website: www.mod.uk/DIO

This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient or there are problems please notify the sender and then delete the e-mail (and file(s) if attached) from your system. Recipients should note that e-mail traffic on MOD systems is subject to monitoring, recording and auditing to secure the effective operation of the system and for other lawful purposes.

30/01/2015



HQ AC Ramstein, A4 Division

Sustainment & Reporting Section (Reports)

14 October 2014

STAGE 2 COMPLAINTS – 5 ALTE BRENNERAI, HUTSCHENHAUSEN, GERMANY

Dear Sir/Madam,

Following my initial complaint form submission (14/10/14) see attached, I have yet to receive a response and have subsequently had a FOI ignored (no response within the required 20 working days).

I have addressed the failure to respond to the FOI request to the FOI CIO using the contact details provided in the DIO website, but am still awaiting a response from both the complaints department and DIO SHAPE.

I do not need to re-iterate the complaint as the info is attached along with the key e-mail correspondence between myself and DIO SHAPE. I just need to highlight that it is a further 4 weeks since my last correspondence to both the complaints department and DIO SHAPE and other than being copied into an internal e-mail I have still had no response at all from DIO. Accordingly I am progressing this complaint to Level 2 as per your complaints procedure.

Grateful for a response

Address for Correspondence:

A4 Division

L

From:
Sent: 18 November 2014 10:25
To:
Cc:
Subject: RE: 20141014-Grading Challenge Alte Brennerlei 5-U
Attache:

Is this done. Please can I see a copy by Thursday?

Jon Purser MRICS BSc PGDip | Delivery Manager ESG |
Defence Infrastructure Organisation | F

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From:
Sent: 12 November 2014 11:41
To: DIO
Cc: DIO
Subject: RE: .

Please have one of your staff go through all of the relevant files and copy the relevant bits of information. You are not to release them until I have data protection advice.

Thanks

Delivery Manager ESG |
Defence Infrastructure Organisation | B306 | SHAPE | Belgium | BFPO26

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From:
Sent: 12 November 2014 11:38
To: E
Cc: DIO
Subject: RE: 20141014-Grading Challenge Alte Brennerlei 5-U

Dea

Within Dio we have not had this issue provided to us directly as an FOI from within the DIO FOI team.

I have taken some informal data protection advice from EJSU and we don't believe we can release names, ranks or addresses of properties. Therefore we will have to go through all of the information available to us and redact large sections. If you wish to obtain all of this information I will need to take some formal specialist advice. Before I do this please can I ask what the point of the exercise is because it may be that we can offer a solution to the underlying issue?

I am available on the number below if you want to discuss.

Your sincerely

| Delivery Manager ESG |
Defence Infrastructure Organisation

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From: De
Sent: 12 November 2014 10:14
To:
Cc: DIO

30/01/2015

Jon B2); I.

Subject: FW: 20141014-Grading Challenge Alte Brennerai 5-U

Classification: NATO UNCLASSIFIED

Sir/Madam,

At the correspondence below, I requested certain information relating to the grading of my FMQ, under the FOI act. Under that act there is a requirement to either provide the requested information within 20 working days, explain if and why there is a delay in providing the information or refuse based on either the sensitivity of the information or cost. In all cases I should at least receive a response detailing what course of action is being taken.

The original request was submitted to DIO (see e-mail below) on 14 Oct 2014; accordingly 20 working days passed at COP yesterday. At this point I have not received either the requested information or an explanation as to what if any information will be provided. Whilst my issue with the poor service I have received to date is subject to a formal complaint and not something I wish you to deal with, I would appreciate your assistance in dealing with the lack of response regarding the FOI request.

Your assistance in this matter is greatly appreciated.

Rgds

D:

OF3 Logs Sustainment | NATO ACO CC, Rm D429, Ramstein, BFP

From: AIRN A4 LOR Purchase D OF3

Sent: Tuesday, October 14, 2014 9:50 AM

T

Cc:

Subject: RE: 20141014-Grading Challenge Alte Brennerai 5-U

Classification: NATO UNCLASSIFIED

Further to original e-mail referring my challenge of FMQ Grade & Type to DIO SHAPE dated 18 July 14 and my subsequent e-mails in Jul, Aug & Sep I am now at the point where I feel I must take a different tack due to the lack of response. The failure of DIO to either resolve the matter, provide an update on the status of the challenge or even acknowledge receipt of my e-mails, means that I will now submit a formal complaint. Utilizing the procedure detailed in the DIO "how to make a complaint" document found on the UK .gov website ([DIO Complaint](#)). This complaint should also investigate why it has taken so long to resolve and why (after multiple e-mails to DIO Shape) it appears I have been ignored.

Coupled with this complaint I am also submitting a Freedom of information (FOI) request (see attached) for the detailed output (4TG forms) of the Board of Officers conducted on all properties at Alte Brennerai, 66882, Hutschenhausen, Germany from the completion of their build through to the present day. This has also been accompanied by an FOI request for any Noise studies undertaken at Alte Brennerai during the same period, as though it has been quoted to me on many occasions that these studies took place I have yet to have sight of these studies (despite repeated requests). These requests have been copied to the complaints department at DIO Wyton.

As you are no doubt aware, UK government guidelines for FOI requests ([FOI requests](#)) require that FOI requests are handled and a response provided within 20 days. By taking this approach I am at least guaranteed that someone will respond to my request.

It is unfortunate that I have had to resort to this approach in order to gain a response, but the fact that I have waited over 3 months and have received not so much as a confirmatory or holding e-mail has left me little choice.

Rgds

63/1 402464 |

30/01/2015

From: [REDACTED]
Sent: 18 November 2014 10:25
To: [REDACTED]
Cc:
Subject: RE: 20141112 Grading Challenge at Alte Brennerei 5-O
Follow Up Flag: Follow up
Flag Status: Yellow
Attachments:
 Sq1

Thank you for this email.

I do not understand why the timings at which documents are saved would indicate that DIO were trying to deliberately tell you the wrong grade. I do not see that there is any action to take as this appears to be an innocent mistake that was corrected a few days later.

I have spoken with [REDACTED] and he has confirmed that the dates are for September 2014. [REDACTED] has explained to me that the reason that the dates are wrong is because the dates on the machine were not correctly set before recording was undertaken. This explains why the dates are incorrect. You are welcome to visit [REDACTED] in his office and see the machinery and software used. Unfortunately [REDACTED] did not pick this up in his response to you.

I hope this answers your emails satisfactorily, in particular if you have further issues with point 2 after you have spoken with [REDACTED] then please ask.

Kind regards

| Delivery Manager ESG |

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From: [REDACTED]
Sent: 14 November 2014 13:43
To: [REDACTED]
Subject: RE: 20141112 Grading Challenge at Alte Brennerei 5-O

Classification: NATO UNCLASSIFIED

The dates I am referring to are the dates the attached Excel spreadsheets were completed. The date 7/11/2014 refers to the microsoft time code (an in-built mechanism that microsoft uses to track document modification) and is captured in the United States format – hence 7/11/2014 equates to the 11th of July 2014.

The issue is that both Excel spreadsheets were last modified on the same day, but the

30/01/2015

spreadsheet showing my property as Grade 2 was completed 2 hours before the spreadsheet showing my property as grade 1. If this was the case and there was evidence that the property was grade 2, I should never have received the e-mail, or the first spreadsheet. Whilst it may have been an error in which spreadsheet was sent the wording of the e-mail was clear. "Please find attached ADM SHAPE Grading response. **I am afraid that after due consideration your property has only 4 deficiency points so therefore is Grade 1.** Please also find below my response to the matters mentioned in your challenge".

Although it states in the later e-mail that there was an error, this was after a written response to and Telephone calls with It is not until 3 days later (and after supposedly speaking with the landlord) that the property was re-assessed as Grade 2 and I was passed the second spreadsheet.

To me this appears as a deliberate attempt to leave me at grade 1. Had I not challenged this I have no doubt I would not have been re-assessed as grade 2 despite the information already being held within DIO (in the second spreadsheet).

In essence the issue I am trying to resolve is did DIO deliberately tell me my property was Grade 1 when they knew it was Grade 2?

Hope this clarifies the issue.

From: DIO SD OS-Eur2 ESG Area
Sent: Friday, November 14, 2014 1:19 PM
To: AIRN A4 OF3
Cc: DIO SD OS-Eur2 ESG Area
Subject: ----- Grading Challenge at Alte Brennerlei 5-O

I am looking into the issue with the noise report and have left a message with [redacted] to phone me back [redacted] is on leave). I will get an answer on this by early next week.

I have looked at the sent dates on the two emails and it looks like an error could have been made between the two. They are sent 3 days apart, the first email does not include any points for serial 6, 7 and 8 but then the second email does (and the second email apologises that there was an error in the first email). This appears like it is a genuine error. I am not sure if I have fully understood because you refer to dates during last week (November?)

Kind regards

Delivery Manager ESG |
Defence Infrastructure Organisation | B306 | SHAPE | Belgium | BFPO26

€

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

30/01/2015

From: [REDACTED]
Sent: 14 November 2014 09:41
To: DJN
Subject: I W. 20141112 Grading Challenge at Alte Brennerai 5-0

Classification: NATO UNCLASSIFIED

Further to our telecon:

The first point I would like you to look at is the information contained in the noise study included in the attached response.

1. Start time of the survey is stated as 5/09/2014 13:36:22, this is the exact start time of the 2005 survey (curser A: 39.3@14/09/2005 13:36:22) - This is an incredible coincidence.
2. The sipke (highest recorded sound 74.5db 20th Sept 2014 matches exactly the highest spike in the 2005 report – just before Sat 1)
3. The written note states the sample is from 8 Hutschenhausen. If the chart is from 2005, there were no properties in Alte Brénnerai in 2005? If the data is from 2014 why does it have exactly the same start time as those stated for 2005.
4. Why does the chart have original dates (in what appears to be the copy and pasted section) and new dates for 2014 underneath.

All these points lead me to believe there is either a massive error in drawing the information together, or this is an attempt to use old data to try to convince me a recent survey has been completed that gives the answer that [REDACTED] has used in para v. of his response to me.

Second point. I have attached 2 e-mails from the original chain when dealing with my initial challenge. (please go into document properties to obtain the required details).

E-mail 1 from DIO Ramstein with the attached Excel spreadsheet providing the evidence as to why my property was Grade 1. This document was last modified 7/11/2014 @ 12:27.
 The second e-mail, received after I challenged this result explains that following further investigation my property was in fact grade 2 again with an Excel spreadsheet providing the evidence as to why my property was Grade 2. This document was last modified 7/11/2014 @ 10:22: just over 2 hours before the spreadsheet showing I was grade 1.
 This suggests to me that there was an awareness that my property was grade 2 (or at least had the potential to be grade 2) prior to the e-mail telling me it was grade 1. This is potentially a deliberate attempt to defraud; had I not challenged the decision, I would still be classed a grade 1 today.

There are a number of other points I wish to raise [REDACTED] response, this I will do in a formal letter. The reason I raise these 2 points separately is that they suggest to me some very bad practices have been undertaken, potentially to persuade me that I was not entitled to any reduction and to close the complaint without the correct scrutiny and accuracy. In essence there could be a fraud issue here?

I would be grateful for your thoughts on these issues in particular and will be in office most of today should you wish to discuss any points. I am also at SHAPE 18-20 Nov so can meet in person during that time.

Rgds

30/01/2015

From: [REDACTED]
Sent: Wednesday, November 12, 2014 11:42 AM
To: AIRN A4 L OF3
Subject: 20141112 Grading Challenge at Alte Brennerrei 5-O

Dear [REDACTED],

Please find attached the result of your grading challenge.

Regards

**Gordon Stewart | Accommodation Manager DIO SHAPE |
| Defence Infrastructure Organisation |
SHAPE | BFPO 26 |**

Website: www.mod.uk/dio/

30/01/2015

From:

Sent:

18 November 2014 10:25

To:

DIC

Subject: Automatic reply: 20141112 Grading Challenge at Alte Brennerei 5-O

I am currently out of office on a course until 20 Nov 14. For urgent matters please contact either the Sustainment & Reporting

Rgds

30/01/2015

From: DIO SD OS-Eur2a2 FM
Sent: 18 November 2014 10:32
To:
Cc: DIO SD OS-Eur2a FM ; DIO SD OS-Eur2a1 FM
Subject: 20141014-Grading Challenge Alte Brenneri 5-U

I don't want to sloppy shoulder but all relevant information is with G nc 4 tier grading if there is anything else you want please let me know and I will get it to you ASAP.

Kind Regards

Accommodation & DAS Manager
 Defence Infrastructure Organisation

Website: www.mod.uk/dio/

From: DI
Sent: 18 November 2014 10:25
To:
Cc:
Subject:

Is this done. Please can I see a copy by Thursday?

| Delivery Manager ESG |
 Defence Infrastructure Organisation | B306 | SHAPE | Belgium | BFPO26

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

Sent: 12 November 2014
To: DIO SI

Please have one of your staff go through all of the relevant files and copy the relevant bits of information. You are not to release them until I have data protection advice.

Thanks

J
 Defence Infrastructure Organisation | B306 | SHAPE | Belgium | BFPO26

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From:
Sent: 12 November 2014 11:38
To:
Cc:

Subject: RE:

Within Dio we have not had this issue provided to us directly as an FOI from within the DIO FOI team.

I have taken some informal data protection advice from EJSU and we don't believe we can release names, ranks or addresses of properties. Therefore we will have to go through all of the information available to us and redact large sections. If you wish to obtain

30/01/2015

all of this information I will need to take some formal specialist advice. Before I do this please can I ask what the point of the exercise is because it may be that we can offer a solution to the underlying issue?

I am available on the number below if you want to discuss.

Your sincerely

Delivery Manager ESG |
Defence Infrastructure Organisation | B306 | SHAPE | Belgium | BFPO26

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From:
Sent: 12 November 2014 10:14

Classification: NATO UNCLASSIFIED

Sir/Madam,

At the correspondence below, I requested certain information relating to the grading of my FMQ, under the FOI act. Under that act there is a requirement to either provide the requested information within 20 working days, explain if and why there is a delay in providing the information or refuse based on either the sensitivity of the information or cost. In all cases I should at least receive a response detailing what course of action is being taken.

The original request was submitted to DIO (see e-mail below) on 14 Oct 2014; accordingly 20 working days passed at COP yesterday. At this point I have not received either the requested information or an explanation as to what if any information will be provided. Whilst my issue with the poor service I have received to date is subject to a formal complaint and not something I wish you to deal with, I would appreciate your assistance in dealing with the lack of response regarding the FOI request.

Your assistance in this matter is greatly appreciated.

Rgds

From:
Sent: Tuesday, October 14, 2014 9:59 AM

Subject: RE: 20141014-Grading Challenge Alte Brennerer 5-U

Classification: NATO UNCLASSIFIED

Further to original e-mail referring my challenge of FMQ Grade & Type to DIO SHAPE dated 18 July 14 and my subsequent e-mails in Jul, Aug & Sep I am now at the point where I feel I must take a different tack due to the lack of response. The failure of DIO to either resolve the matter, provide an update on the status of the challenge or even acknowledge receipt of my e-mails, means that I will now submit a formal complaint. Utilizing the procedure detailed in the DIO "how to make a complaint" document found on the UK.gov website ([DIO Complaint](#)). This complaint should also investigate why it has taken so long to resolve and why (after multiple e-mails to DIO Shape) it appears I have been ignored.

Coupled with this complaint I am also submitting a Freedom of information (FOI) request (see attached) for the detailed output (4TG forms) of the Board of Officers conducted on all properties at Alte Brennerer, 66882, Hutschenhausen, Germany from the completion of their build through to the present day. This has also been accompanied by an FOI request for any Noise studies undertaken at Alte Brennerer during the same period, as though it has been quoted to me on many occasions that these studies took place I have yet to have sight of these studies (despite repeated requests). These requests have been copied to the complaints department at DIO Wyton.

As you are no doubt aware, UK government guidelines for FOI requests ([FOI requests](#)) require that FOI requests are handled and a response provided within 20 days. By taking this approach I am at least guaranteed that someone will respond to my request.

It is unfortunate that I have had to resort to this approach in order to gain a response, but the fact that I have waited over 3

30/01/2015

months and have received not so much as a confirmatory or holding e-mail has left me little choice.

Rgds

| OF3 LG,

it

30/01/2015

From: DIO SD US-Luzak
Sent: 18 November 2014 11:25
To:

Subject: 20141014-Grading Challenge Alte Brenneri 5-U

He has the grading report for the relevant house type in that street I have just searched through and found the rest of the street and the relevant previous "noise" challenge which was actually Keltenweg not Alte Brenneri (closer to base). I will fax it immediately

Kind Regards

Accommodation & DAS Manager
 Defence Infrastructure Organisation

website: www.mod.uk/dio/

From: DIO
Sent: 18 November 2014 11:16

Cc:
Subject: RE: 20141014-Grading Challenge Alte Brenneri 5-U

I can't find at the moment. Can you confirm GC has all of the 4TG reports throughout history for all of the houses in Alte Brenneri?

Thanks

| Delivery Manager ESG |
Defence Infrastructure Organisation | B306 | SHAPE | Belgium | BFPO26

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From:
Sent: 18 November 2014 10:32
To:

Subject: RE: 20141014-Grading Challenge Alte Brenneri 5-U

don't want to sloppy shoulder but all relevant information is with (inc 4 tier grading if there is anything else you want please let me know and I will get it to you ASAP.

Kind Regards

Accommodation & DAS Manager
 Defence Infrastructure Organisation
 Building 539 | Ramstein Air Base | BFPO 100

EM:
 Website: www.mod.uk/dio/

From:
Sent: 18 November 2014 10:25
To: DIC
Cc: DIC SD US
Subject: RE: 20141014-Grading Challenge Alte Brenneri 5-U

Is this done. Please can I see a copy by Thursday?

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and

30/01/2015

confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

Sent: 12 November 2014 11:31
To: DIO SD OS-EPR-550-11-11-14
Cc: DIO
Subject: RE: 20141014-Grading Challenge Alte Brennerei 5-U

Please have one of your staff go through all of the relevant files and copy the relevant bits of information. You are not to release them until I have data protection advice.

Thanks

Delivery Manager ESG |

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From:
Sent: 12 November 2014 11:38

Subject: Ref. 2011047 - Ongoing Challenge File 0000001 5-U

Within Dio we have not had this issue provided to us directly as an FOI from within the DIO FOI team.

I have taken some informal data protection advice from EJSU and we don't believe we can release names, ranks or addresses of properties. Therefore we will have to go through all of the information available to us and redact large sections. If you wish to obtain all of this information I will need to take some formal specialist advice. Before I do this please can I ask what the point of the exercise is because it may be that we can offer a solution to the underlying issue?

I am available on the number below if you want to discuss.

Your sincerely

De!

This e-mail and its contents have been certified at appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From: --
Sent: 12 November 2014 10:14
To: CIO-FOI (MULTIUSER)

Subject: FW: 20141014-Grading Challenge Alte Brennerei 5-U

Classification: NATO UNCLASSIFIED

Sir/Madam,

At the correspondence below, I requested certain information relating to the grading of my FMQ, under the FOI act. Under that act there is a requirement to either provide the requested information within 20 working days, explain if and why there is a delay in providing the information or refuse based on either the sensitivity of the information or cost. In all cases I should at least receive a response detailing what course of action is being taken.

The original request was submitted to DIO (see e-mail below) on 14 Oct 2014; accordingly 20 working days passed at COP yesterday. At this point I have not received either the requested information or an explanation as to what if any information will be provided. Whilst my issue with the poor service I have received to date is subject to a formal complaint and not something I wish you to deal with, I would appreciate your assistance in dealing with the lack of response regarding the FOI request.

Your assistance in this matter is greatly appreciated.

Rgds

30/01/2015

From:
Sent: Tuesday, October 14, 2014 9:59 AM
CC: DIO
Subject:

Classification: NATO UNCLASSIFIED

Further to original e-mail referring my challenge of FMQ Grade & Type to DIO SHAPE dated 18 July 14 and my subsequent e-mails in Jul, Aug & Sep I am now at the point where I feel I must take a different tack due to the lack of response. The failure of DIO to either resolve the matter, provide an update on the status of the challenge or even acknowledge receipt of my e-mails, means that I will now submit a formal complaint. Utilizing the procedure detailed in the DIO "how to make a complaint" document found on the UK .gov website ([DIO Complaint](#)). This complaint should also investigate why it has taken so long to resolve and why (after multiple e-mails to DIO Shape) it appears I have been ignored.

Coupled with this complaint I am also submitting a Freedom of information (Fol) request (see attached) for the detailed output (4TG forms) of the Board of Officers conducted on all properties at Alte Brennerai, 66882, Hutschenhausen, Germany from the completion of their build through to the present day. This has also been accompanied by an Fol request for any Noise studies undertaken at Alte Brennerai during the same period, as though it has been quoted to me on many occasions that these studies took place I have yet to have sight of these studies (despite repeated requests). These requests have been copied to the complaints department at DIO Wyton.

As you are no doubt aware, UK government guidelines for FOI requests ([FOI requests](#)) require that FOI requests are handled and a response provided within 20 days. By taking this approach I am at least guaranteed that someone will respond to my request.

It is unfortunate that I have had to resort to this approach in order to gain a response, but the fact that I have waited over 3 months and have received not so much as a confirmatory or holding e-mail has left me little choice.

Rgds

S

))

30/01/2015

From:

Sent: 19 November 2014 13:08

To:

Subject: 20141112 Grading Alte Brenneri

Having read that letter I am both exasperated and furious, this whole thing is a waste of DIO manpower

Kind Regards

Accommodation & DAS Manager
Defence Infrastructure Organisation

Website: www.mod.uk/dio/

30/01/2015

From: DIO SD OS-Eur2
Sent: 20 November 2014 11:52
To: Mr)

Subject: 20141120-Post Office
Gents,

Just to confirm there is a Deutsche Post office in Hutschenhausen.

Kind Regards

Accommodation & DAS Manager
Defence Infrastructure Organisation

Website: www.mod.uk/dio/

30/01/2015

From:
Sent: 20 November 2014 16:59
To:
Subject: RE: 20141022_ DIO ESG DC Meeting 7 AHE OS.doc
Attachments: De

Attached find please the letter to Sqn Cc

From: DIO SD OS-Eur2 ESG AreaMg
Sent: 06 November 2014 06:54
To: [
Subject: RE: 20141022_ DIO ESG DC Meeting 7 AHE OS.doc

I have put hand written notes from this on you desk. Please could you update for me. Thanks very much

| Delivery Manager ESG |
Defence Infrastructure Organisation | B306 | SHAPE | Belgium | BFPO26
Tel: 0032 27 100 0000

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From:
Sent: 23 October 2014 10:30
To: DIO SD OS-Eur2 ESG AreaMg

Subject:

Dear All

Please see the minutes of the last delivery committee.

Kind regards

| Delivery Manager ESG |
Defence Infrastructure Organisation | B306 | SHAPE | Belgium | BFPO26
Tel: 0032 27 100 0000

30/01/2015

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

30/01/2015

Thank you for your letter dated 16 Nov 2014. As a result of your letter we have reviewed your challenges.

Taking your points in turn.

1. We agree that there isn't an airing cupboard.
2. We agree that the lounge/dining is under size

Our understanding of the grading system is that you can only apply one of serial 1,2 or 3 not a combination. We have applied the serial that we think is of greatest benefit to you.

We agree that there weren't key turn security on the ground floor at the time of grading. We consider that security shutters are a greater deterrent to burglars than key turn security. Therefore we are of the view that they offer security that is equivalent to key turn security locks.

I can confirm we did not take the reading before the estate was built. The readings were taken in September 2014 but the date on the machine was incorrectly set. The sound test on an upstairs window was taken at 8 Alte Brennerei ledge with the window left at tilt. You are welcome to go to our DIO office in Ramstein to see the equipment, software and readings.

I can confirm that the estates apply across the entire MOD estate in the same way that the grading system and charges apply across the entire estate. Within the UK they do reassess percentage of features that attract positive points.

3. There is a post office within the village of Hutschenhausen.

There have been challenges on other locations closer to the base with similar circumstances.

Therefore the grading of your property should remain as grade 2.

21/11/2014

From:
Sent: 21 November 2014 13:24
To:
Subject: Accepted: Meeting ref .

From:
Sent: 21 November 2014 13:31
To:
Subject: 20141022_ DIO ESG DC Meeting 7 AHE OS.doc
Attachments: 20141121-Dear Sqn Cdr .doc

The letter has Sqn Cdr not Sqn Ldr and I have highlighted a paragraph that doesn't read well.

Kind Regards

Accommodation & DAS Manager
Defence Infrastructure Organisation

website: www.mod.uk/dio/

From:
Sent: November 2014
To: DIO ST
Subject:

Can you review and correct the english and send back by monday morning.

Also can the scanning of the redacted documents be ready for monday please?

Thanks

Message sent from a MoD Blackberry device.

From:
Sent: Thursday, November 20, 2014 03:59 PM
To:
Subject: RE: 20141022_ DIO ESG DC Meeting 7 AHE OS.doc

Attached find please the letter to Sqn Cdr

From:
Sent: 06 November 2014 06:54
Subject: FW: 20141022_ DIO ESG DC Meeting 7 AHE OS.doc

30/01/2015

I have put hand written notes from this on you desk. Please could you update for me. Thanks very much

MRICS BSc PGDip | Delivery Manager ESG |
Defence Infrastructure Organisation | B306 | SHAPE | Belgium | BFPO26

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From:
Sent: 23 October 2014 10:30
To: DIO ESG DC Meeting 7 AHE OS.doc
SHAPE (Liaison, Form D1)
Cc:

Subject: 20141022_ DIO ESG DC Meeting 7 AHE OS.doc

Dear All

Please see the minutes of the last delivery committee.

Kind regards

MRICS BSc PGDip | Delivery Manager ESG |
Defence Infrastructure Organisation | B306 | SHAPE | Belgium | BFPO26

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

30/01/2015

Dear Sqn

Thank you for your letter dated 16 Nov 2014. As a result of your letter we have reviewed your challenges.

Taking your points in turn.

1. We agree that there isn't an airing cupboard.
2. We agree that the lounge/dining is under size

Our understanding of the grading system is that you can only apply one of serial 1,2 or 3 not a combination. We have applied the serial that we think is of greatest benefit to you.

We agree that there weren't key turn security on the ground floor at the time of grading. We consider that security shutters are a greater deterrent to burglars than key turn security. Therefore we are of the view that they offer security that is equivalent to key turn security locks.

I can confirm we did not take the reading before the estate was built. The readings were taken in September 2014 but the date on the machine was incorrectly set. The sound test on an upstairs window was taken at 8 Alte Brennerei ledge with the window left at tilt. You are welcome to go to our DIO office in Ramstein to see the equipment, software and readings.

I can confirm that the estates apply across the entire MOD estate in the same way that the grading system and charges apply across the entire estate. Within the UK they do reassure percentage of features that attract positive points.

3. There is a post office within the village of Hutschenhausen.

There have been challenges on other locations closer to the base with similar circumstances.

Therefore the grading of your property should remain as grade 2.

From: DIO SD OS-Eur2a2 FM
Sent: 21 November 2014 14:07
To:

Subject: 20141121-SQn Ldr
Attachments: 20141121-Dear Sqn Ldr doc

I have re-written the letter and I now think it makes sense.

Kind Regards

Accommodation & DAS Manager
Defence Infrastructure Organisation
Building 539 | Ramstein Air

Website: www.mod.uk/dio/

30/01/2015

De

Thank you for your letter dated 16 Nov 2014. As a result of your letter we have reviewed your challenges.

In taking all of your points in turn we find the following.

1. We agree that there isn't an airing cupboard.
2. We agree that the lounge/dining is under size

However our understanding of the grading system is that you can only apply one of the serials 1,2 or 3 not a combination. We have applied the serial that we think is of the greatest benefit to you.

We agree that there weren't key turn security on the ground floor windows at the time of grading. We consider that security shutters are a greater deterrent to burglars than key turn security. Therefore we are of the view that they offer security that is equivalent to key turn security locks. Indeed German insurance companies offer lower premiums on properties with shutters.

I can confirm we did not take the reading before the estate was built. The readings were taken in September 2014 but the date on the machine was incorrectly set. The sound test on an upstairs window was taken at 8 Alte Brennerei with the window left on the tilt function and the shutters raised. You are welcome to go to our DIO office in Ramstein to see the equipment, software and readings.

I can confirm that the estates statement applies across the entire MOD estate in the same way that the grading system and charges apply across the entire estate. Within the UK they do ensure that there are a percentage of features that attract positive points.

3. There is a post office within the village of Hutschenhausen.

There have been similar challenges on other locations closer to the base with the same outcomes.

Therefore the grading of your property should remain as grade 2.

From:)
Sent: 25 November 2014 09:45
To:
Subject:
Attachments:

Please can you provide me with a printed copy of the letter to [REDACTED] as I wish to have one for my file on this case.

MRICS BSc PGDip | Delivery Manager ESG |
Defence Infrastructure Organisation

1377036

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

30/01/2015

From:
Sent: 01 December 2014 09:40
To:
Subject: RE: 20141112 Grading Challenge at Alte Brenneri 5-O
Attachments: Jc).vcf
 De

I have just received a copy of your written complaint from DIO Housing Complaints team in Wyton. It appears to be incorrectly dated at 14th October 2014 (I think it is meant to be 14th November and have taken as such).

I can confirm that we have sent the response to the FOI back to the UK FOI team to send to you. We have redacted certain sections having taken advice from EJSU. You have received a response to your grading challenge which addresses each point. I have responded to you regarding the dates at which excel spreadsheets were saved.

However there appear to still be two items outstanding;

1. A review of why the process took so long and
2. Investigation into whether the SBO was involved in the process (and if he was why)

I have therefore taken an action to resolve these two issues. I have given my staff 10 days to provide me with a response to these points and I will then write to you. My target date to write to you is the 15th December 2014.

Yours sincerely

| Delivery Manager ESG |
Defence Infrastructure Organisation | B306 | SHAPE | Belgium, ...
 | Mob: 00 Email: d

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From: .
Ser
To:t
C
Subject: RE: 20141112 Grading Challenge at Alte Brenneri 5-O

Thank you for this email.

I do not understand why the timings at which documents are saved would indicate that DIO were

30/01/2015

trying to deliberately tell you the wrong grade. I do not see that there is any action to take as this appears to be an innocent mistake that was corrected a few days later.

I have spoken with [redacted] and he has confirmed that the dates are for September 2014. [redacted] has explained to me that the reason that the dates are wrong is because the dates on the machine were not correctly set before recording was undertaken. This explains why the dates are incorrect. You are welcome to visit [redacted] in his office and see the machinery and software used. Unfortunately [redacted] did not pick this up in his response to you.

I hope this answers your emails satisfactorily, in particular if you have further issues with point 2 after you have spoken with [redacted] then please ask.

Kind regards

I Delivery Manager ESG I

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

Fr

Sent: 14 November 2014 13:46

To

Subject: RE: 20141112 Grading Challenge at Alte Brennerei 5-O

Classification: NATO UNCLASSIFIED

The dates I am referring to are the dates the attached Excel spreadsheets were completed. The date 7/11/2014 refers to the microsoft time code (an in-built mechanism that microsoft uses to track document modification) and is captured in the United States format – hence 7/11/2014 equates to the 11th of July 2014.

The issue is that both Excel spreadsheets were last modified on the same day, but the spreadsheet showing my property as Grade 2 was completed 2 hours before the spreadsheet showing my property as grade 1. If this was the case and there was evidence that the property was grade 2, I should never have received the e-mail, or the first spreadsheet. Whilst it may have been an error in which spreadsheet was sent the wording of the e-mail was clear. "Please find attached ADM SHAPE Grading response. **I am afraid that after due consideration your property has only 4 deficiency points so therefore is Grade 1.** Please also find below my response to the matters mentioned in your challenge".

Although it states in the later e-mail that there was an error, this was after a written response to [redacted] and Telephone calls w [redacted] It is not until 3 days later (and after supposedly speaking with the landlord) that the property was re-assessed as Grade 2 and I was passed the second spreadsheet.

To me this appears as a deliberate attempt to leave me at grade 1. Had I not challenged this I have no doubt I would not have been re-assessed as grade 2 despite the information already being held within DIO (in the second spreadsheet).

In essence the issue I am trying to resolve is did DIO deliberately tell me my property was Grade 1

30/01/2015

when they knew it was Grade 2?

Hope this clarifies the issue

From: I
Sent: Friday, November 14, 2014 1:19 PM
To: AIRN A4 : OF3
Cc:
Subject: RE: 20141112 Grading Challenge at Alte Brennerei 5-O

I am looking into the issue with the noise report and have left a message v..... to phone me back (..... is on leave). I will get an answer on this by early next week.

I have looked at the sent dates on the two emails and it looks like an error could have been made between the two. They are sent 3 days apart, the first email does not include any points for serial 6, 7 and 8 but then the second email does (and the second email apologises that there was an error in the first email). This appears like it is a genuine error. I am not sure if I have fully understood because you refer to dates during last week (November?)

Kind regards

| Delivery Manager ESG |

Defence Infrastructure Organisation

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From
Sent: 14 November 2014 09:41
To
Subject: FW: 20141112 Grading Challenge at Alte Brennerei 5-O

Classification: NATO UNCLASSIFIED

Further to our telecon:

The first point I would like you to look at is the information contained in the noise study included in the attached response.

1. Start time of the survey is stated as 5/09/2014 13:36:22, this is the exact start time of the 2005 survey (curser A: 39.3@14/09/2005 13:36:22) - This is an incredible coincidence.
2. The sipke (highest recorded sound 74.5db 20th Sept 2014 matches exactly the highest spike

30/01/2015

in the 2005 report – just before Sat 1)

3. The written note states the sample is from 8 Hutschenhausen. If the chart is from 2005, there were no properties in Alte Brennerai in 2005? If the data is from 2014 why does it have exactly the same start time as those stated for 2005.
4. Why does the chart have original dates (in what appears to be the copy and pasted section) and new dates for 2014 underneath.

All these points lead me to believe there is either a massive error in drawing the information together, or this is an attempt to use old data to try to convince me a recent survey has been completed that gives the answer that [redacted] has used in para v. of his response to me.

Second point. I have attached 2 e-mails from the original chain when dealing with my initial challenge. (please go into document properties to obtain the required details).

E-mail 1 from DIO Ramstein with the attached Excel spreadsheet providing the evidence as to why my property was Grade 1. This document was last modified 7/11/2014 @ 12:27.

The second e-mail, received after I challenged this result explains that following further investigation my property was in fact grade 2 again with an Excel spreadsheet providing the evidence as to why my property was Grade 2. This document was last modified 7/11/2014 @ 10:22: just over 2 hours before the spreadsheet showing I was grade 1.

This suggests to me that there was an awareness that my property was grade 2 (or at least had the potential to be grade 2) prior to the e-mail telling me it was grade 1. This is potentially a deliberate attempt to defraud; had I not challenged the decision, I would still be classed a grade 1 today.

There are a number of other points I wish to raise with [redacted] response, this I will do in a formal letter. The reason I raise these 2 points separately is that they suggest to me some very bad practices have been undertaken, potentially to persuade me that I was not entitled to any reduction and to close the complaint without the correct scrutiny and accuracy. In essence there could be a fraud issue here?

I would be grateful for your thoughts on these issues in particular and will be in office most of today should you wish to discuss any points. I am also at SHAPE 18-20 Nov so can meet in person during that time.

Rgds

| OF3 Logs Sustained

From: [redacted]
Sent: Tuesday, November 17, 2014 11:42 AM
To: [redacted]
Subject: 20141112 Grading Challenge at Alte Brennerai 5-O

30/01/2015

Please find attached the result of your grading challenge.

Regards

**Gordon Stewart | Accommodation Manager DIO SHAPE |
| Defence Infrastructure Organisation |
SHAPE | RFDO 26 |**

Role email
Website: www.mod.uk/dio/

30/01/2015

From:

Sent: 25 November 2014 15:54

To:

Subject: FW: 20141124 Alte Brenneri 4TG

Please see email below

| Accommodation Manager DIO SHAPE |
| Defence Infrastructure Organisation |
SHAPE | BFPO 26 |

Role email:

Website: www.mod.uk/dio/

Fron

Sent: 25 November 2014 15:46

Subject: RE: 20141124 Alte Brenneri 4TG

Classification: NATO UNCLASSIFIED

Thank \

I think at this point, given that we both seem to interpret the JSP differently,
there is little point in my challenging this further.

Rgds

| OF3 Logs Sustainment | NATO ACO CC, Rm D429, Ramstein, BFPO 109 Mil

Fron

Sent: Monday, November 24, 2014 5:04 PM

To: AIRN A OF3

Cc

Subject: 20141124 Alte Brenneri 4TG

Attached letter is the result of the further four tier grading appeal on your SFA.

Regards

30/01/2015

| Defence Infrastructure Organisation |
SHAPE | REFID 26 |

4745

Role em

Website: www.mod.uk/dio/

From:

Sent: 01 December 2014 09:40

To:

Subject: Automatic reply: 20141112 Grading Challenge at Alte Brennerei 5-O

I am currently out of office on a course until 5 Dec 14. For urgent matters please contact either the Sustainment & Reporting

Rgds

30/01/2015

From:
Sent: 01 December 2014 09:52
To:
Cc:
Subject: RE: 20141112 Grading Challenge at Alte Brennerei 5-O
Attachments:
De:

I expect a comprehensive draft response by 12th December.

Thanks

| Delivery Manager ESG |
Defence Infrastructure Organisation | B306 | SHAPE | Belgium | BFPO26

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From:
Sent: 01 December 2014 09:40
To: DI
Subject: RE: 20141112 Grading Challenge at Alte Brennerei 5-O

I have just received a copy of your written complaint from DIO Housing Complaints team in Wyton. It appears to be incorrectly dated at 14th October 2014 (I think it is meant to be 14th November and have taken as such).

I can confirm that we have sent the response to the FOI back to the UK FOI team to send to you. We have redacted certain sections having taken advice from EJSU. You have received a response to your grading challenge which addresses each point. I have responded to you regarding the dates at which excel spreadsheets were saved.

However there appear to still be two items outstanding;

1. A review of why the process took so long and
2. Investigation into whether the SBO was involved in the process (and if he was why)

I have therefore taken an action to resolve these two issues. I have given my staff 10 days to provide me with a response to these points and I will then write to you. My target date to write to you is the 15th December 2014.

Yours sincerely

30/01/2015

Defence Infrastructure Organi

Tel: 0032 27 11 11 11

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From:**Sent:** 18 November 2014 10:25**To:****Cc:** [**Subject:** RE: 20141112 Grading Challenge at Alte Brennerei 5-O

Thank you for this email.

I do not understand why the timings at which documents are saved would indicate that DIO were trying to deliberately tell you the wrong grade. I do not see that there is any action to take as this appears to be an innocent mistake that was corrected a few days later.

I have spoken with [redacted] and he has confirmed that the dates are for September 2014.

[redacted] has explained to me that the reason that the dates are wrong is because the dates on the machine were not correctly set before recording was undertaken. This explains why the dates are incorrect. You are welcome to visit [redacted] in his office and see the machinery and software used. Unfortunately, [redacted] did not pick this up in his response to you.

I hope this answers your emails satisfactorily, in particular if you have further issues with point 2 after you have spoken with John then please ask.

Kind regards

| Delivery Manager ESG |

Defence Infrastructure Organisation | B306 | SHAPE | Belgium | BFPO26

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From:**Sent:** 14 November 2014 13:46**Subject:** RE: 20141112 Grading Challenge at Alte Brennerei 5-O

Classification: NATO UNCLASSIFIED

Mr Purser,

30/01/2015

The dates I am referring to are the dates the attached Excel spreadsheets were completed. The date 7/11/2014 refers to the microsoft time code (an in-built mechanism that microsoft uses to track document modification) and is captured in the United States format – hence 7/11/2014 equates to the 11th of July 2014.

The issue is that both Excel spreadsheets were last modified on the same day, but the spreadsheet showing my property as Grade 2 was completed 2 hours before the spreadsheet showing my property as grade 1. If this was the case and there was evidence that the property was grade 2, I should never have received the e-mail, or the first spreadsheet. Whilst it may have been an error in which spreadsheet was sent the wording of the e-mail was clear. "Please find attached ADM SHAPE Grading response. **I am afraid that after due consideration your property has only 4 deficiency points so therefore is Grade 1.** Please also find below my response to the matters mentioned in your challenge".

Although it states in the later e-mail that there was an error, this was after a written response to and Telephone calls with John Roberts. It is not until 3 days later (and after supposedly speaking with the landlord) that the property was **re-assessed** as Grade 2 and I was passed the second spreadsheet.

To me this appears as a deliberate attempt to leave me at grade 1. Had I not challenged this I have no doubt I would not have been re-assessed as grade 2 despite the information already being held within DIO (in the second spreadsheet).

In essence the issue I am trying to resolve is did DIO deliberately tell me my property was Grade 1 when they knew it was Grade 2?

Hope this clarifies the issue

From:

Sent: Friday, November 14, 2014 1:19 PM

To:

Subject: RE: 20141112 Grading Challenge at Alte Brennerei 5-O

I am looking into the issue with the noise report and have left a message with [redacted] (phone me back [redacted] is on leave). I will get an answer on this by early next week.

I have looked at the sent dates on the two emails and it looks like an error could have been made between the two. They are sent 3 days apart, the first email does not include any points for serial 6, 7 and 8 but then the second email does (and the second email apologises that there was an error in the first email). This appears like it is a genuine error. I am not sure if I have fully understood because you refer to dates during last week (November?)

Kind regards

| Delivery Manager ESG |

30/01/2015

This e-mail and its contents have been certified at the appropriate classification, and cleared for transmission via the Internet, by the originator. The information contained in this e-mail is private and confidential and for the above named recipient(s) only. For persons other than the intended recipient(s), any use, disclosure, copying or distribution of the e-mail or information contained therein is prohibited and may be unlawful without prior approval from the originator. If you have received it in error, please notify the originator by reply e-mail and delete it from your system.

From: [REDACTED]
Sent: 14 November 2014 00:41
To: [REDACTED]
Subject: FW: 20141112 Grading Challenge at Alte Brennerai 5-O

Classification: NATO UNCLASSIFIED

Further to our telecon:

The first point I would like you to look at is the information contained in the noise study included in the attached response.

1. Start time of the survey is stated as 5/09/2014 13:36:22, this is the exact start time of the 2005 survey (curser A: 39.3@14/09/2005 13:36:22) - This is an incredible coincidence.
2. The sipke (highest recorded sound 74.5db 20th Sept 2014 matches exactly the highest spike in the 2005 report – just before Sat 1)
3. The written note states the sample is from 8 Hutschenhausen. If the chart is from 2005, there were no properties in Alte Brennerai in 2005? If the data is from 2014 why does it have exactly the same start time as those stated for 2005.
4. Why does the chart have original dates (in what appears to be the copy and pasted section) and new dates for 2014 underneath.

All these points lead me to believe there is either a massive error in drawing the information together, or this is an attempt to use old data to try to convince me a recent survey has been completed that gives the answer that [REDACTED] has used in para v. of his response to me.

Second point. I have attached 2 e-mails from the original chain when dealing with my initial challenge. (please go into document properties to obtain the required details).

E-mail 1 from DIO Ramstein with the attached Excel spreadsheet providing the evidence as to why my property was Grade 1. This document was last modified 7/11/2014 @ 12:27.

The second e-mail, received after I challenged this result explains that following further investigation my property was in fact grade 2 again with an Excel spreadsheet providing the evidence as to why my property was Grade 2. This document was last modified 7/11/2014 @ 10:22: just over 2 hours before the spreadsheet showing I was grade 1.

This suggests to me that there was an awareness that my property was grade 2 (or at least had the potential to be grade 2) prior to the e-mail telling me it was grade 1. This is potentially a deliberate attempt to defraud; had I not challenged the decision, I would still be classed a grade 1 today.

There are a number of other points I wish to raise with [REDACTED] response, this I will do in a formal letter. The reason I raise these 2 points separately is that they suggest to me some very bad practices have been undertaken, potentially to persuade me that I was not entitled to any reduction and to close the complaint without the correct scrutiny and accuracy. In essence there could be a fraud issue here?

I would be grateful for your thoughts on these issues in particular and will be in office most of today should you wish to discuss any points. I am also at SHAPE 18-20 Nov so can meet in person during that time.

30/01/2015

Rgds

From: [REDACTED]
Sent: Wednesday, November 12, 2014 11:42 AM
To: [REDACTED]
Subject: 20141112 Grading Challenge at Alte Brenneri 5-O

D,

Please find attached the result of your grading challenge.

Regards

— | Accommodation Manager DIO SHAPE |
| Defence Infrastructure Organisation |
SHAPE | REFO 2014

Role email
Website: www.mod.uk/dio/

30/01/2015