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Ref. FOI2016/05641

20 June 2016

Dear

Thank you for your email of 31 May 2016 requesting the following information:

"Under the FOI Act, I seek access to information about the contract between the Ministry of Defence and VSM Estate, the joint venture between VINCI PLC and St Modwen Properties PLC established to deliver Project MoDEL (Ministry of Defence London). The contract is for the disposal of several military sites in London (RAF Uxbridge, RAF Eastcote, RAF West Ruislip, RAF Bentley Priory, Inglis Barracks and Victoria House) and the construction of new facilities in RAF Northolt.

I would be grateful if you could confirm the following information regarding the contract:

- the start date
- the value
- the content of the overreach clause
- the underwritten land receipts for each of the released sites"

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 and I can confirm that all the information in scope of your request is held.

The contract was signed on 3 August 2006, to the value of £178.659m

The content of the overreach clause is as follows:-

1.11.A "Overage" means provisions for the sharing of development profit or sharing enhanced land value or top up payments or deferred consideration or similar contractual arrangements that is not Clawback

"Overage" means the sum from time to time calculated during the Overage Period as follows:-

$$C = (D - E) \times F$$

Where

C means the Overage

D means the aggregate of the Revenue from Sales received by or on behalf of the Buyer during the Overage Period

E means the threshold amount of []

F means the Overage Percentage []

1.1A "Clawback" means provisions for clawing back an agreed percentage (being not less than 50%) of any enhancement of the value of a Disposal Site or part thereof derived from either or both a change in the planning zoning that differs from the zoning at time of Sale and/or an increase in density of development above the Clawback Baseline at the time of Sale such provisions to be in the form set out in Schedule 19

The underwritten land receipts for each of the released sites are in the table below:

UNDERWRITTEN LAND RECEIPTS AND UNDERWRITING FEES

Table 4: ULR for Each Disposal Site

| DISPOSAL SITE | UNDERWRITTEN LAND RECEIPT | UNDERWRITING FEE |
|--|---------------------------|------------------|
| Inglis Barracks, Mill Hill | £65,500,000 | £3,275,000 |
| RAF Bentley Priory | £31,250,000 | £1,562,500 |
| RAF Uxbridge | £80,500,000 | £4,025,000 |
| Victoria House, Woolwich | £1,600,000 | £80,000 |
| RAF Eastcote | £27,000,000 | £1,350,000 |
| RAF West Ruislip | £25,250,000 | £1,262,500 |
| Total Underwritten Land Receipt | £231,100,000 | |

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 me 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, 2nd Floor, Zone N, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FQI-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>.

Yours sincerely,

DIO Secretariat