



Secretariat
Defence Infrastructure Organisation
Kingston Road
Sutton Coldfield
B75 7RL

E-mail: diosec-parli@mod.uk
www.gov.uk/DIO

20 July 2016

Ref. FOI2016/06687

Dear

Thank you for your email of 21 June 2016 requesting the following information:

“What is the cost of the contract to the MoD?

Whilst you have stated that the information is not held and the total value of the contract will be determined by future demand for properties, are you stating that no formal figure was agreed to? If so, how was the contract awarded, what criteria were applied to select the successful bidder? is there no budget set for ears Ltd to work to?

What are the criteria applied by Mears Ltd when selecting a property?

Again you have stated that the information is not held, are you stating that no criteria is to be achieved by Mears ie. one bedroom, kitchen etc? If you are stating that the contractual requirement drives Mears, what is that requirement?

How much is allocated at each rank for hiring a property per month?

You have stated that no limit is set in respect of rank, ergo, is there another limit set? If the cost of a property is based solely on its location and type, why ask occupants if they are willing to pay a subsidy for location. Surely that reflects that a level exists ie. £1000 limit. Otherwise what stops Mears only providing lower quality housing for the cheapest price, maximising their return? Or selecting the higher end properties only?”

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 information, in scope of your request is held.

Whilst you have stated that the information is not held and the total value of the contract will be determined by future demand for properties, are you stating that no formal figure was

agreed to? If so, how was the contract awarded, what criteria were applied to select the successful bidder? is there no budget set for ears Ltd to work to?

The information you have requested can be found below, but some of the information falls entirely within the scope of the qualified exemptions provided for at section 43 (2) (Commercially Sensitive), of the FOIA.

Section 43 (2) (Commercially Sensitive) is a qualified exemption and subject to public interest testing which means that the information requested can only be withheld if the public interest in doing so outweighs the public interest in disclosure. The balance of the public interest lay in withholding this information you desire. I have considered it necessary to apply the higher level of prejudice against release of the exempted information at the higher level of "would" rather than "would be likely to".

The contract value was quoted for based on a notional quantity of housing provided from historical data. At the end of year one all elements are subject to a reconciliation against actual quantities and those quantities are then used to forecast for year two.

Again you have stated that the information is not held, are you stating that no criteria is to be achieved by Mears ie. one bedroom, kitchen etc? If you are stating that the contractual requirement drives Mears, what is that requirement?

The requirement is outlined in the relevant Joint Service Publications and Decent Homes Standard.

You will find the information using the links below.

<https://www.gov.uk/government/publications/jsp-464-tri-service-accommodation-regulations-tsars>

<https://www.gov.uk/government/publications/a-decent-home-definition-and-guidance>

You have stated that no limit is set in respect of rank, ergo, is there another limit set? If the cost of a property is based solely on its location and type, why ask occupants if they are willing to pay a subsidy for location. Surely that reflects that a level exists ie. £1000 limit. Otherwise what stops Mears only providing lower quality housing for the cheapest price, maximising their return? Or selecting the higher end properties only?"

The contractor has an obligation to meet the standards and the criteria laid down in the contract that has been written in accordance with MOD policy. There are maximum rental prices in the contract, if Mears only provided lower quality housing they would not meet the standards in their contract. If an individual wants to vary either entitlement or policy then there might be a requirement to make an additional individual contribution.

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-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>.

Yours sincerely,

DIO Secretariat