



# Ministry of Defence

Defence Resources Secretariat  
Ministry of Defence  
Main Building  
Whitehall  
London SW1A 2HB  
United Kingdom

Reference: **FOI2017/00689**

[REDACTED]

E-mail: [REDACTED]

Date: **14 February 2017**

Dear [REDACTED],

Your correspondence dated 17 January 2017 has been considered to be a request for information in accordance with the Freedom of Information Act 2000 (FOIA). You requested the following information:

*Given that you have taken these requests together and judged them to be over and above the statutory £600 limit, may I ask that only FOI2016/12704 be considered? Had I realised that the three requests would have been taken in concert I would have have submitted such a broad timeframe as I would have guessed that it would exceed the £600.*

FOI2016/12704 was:

*I am writing to you under the Freedom of Information Act 2000 to request the following information*

1. *the number of fruitless payments (payments for which liability not to have been incurred or whether the demand for the goods and services in questions could have been cancelled in time to avoid liability) in excess of £30,000 made by or paid for by your department or its predecessor in the following financial years 2012/2013, 2013/2014, 2014/2015, 2015/16.*
2. *What each payment was for*
3. *The value of each payment*
4. *The reason why the payment was made*
5. *The reason why the payment was classified as fruitless*
6. *Whether any disciplinary action was taken as a result of the payment (if there was any disciplinary action, please specify what the action was)*

I can confirm that the Ministry of Defence (MOD) holds the information requested for financial years 2013/2014, 2014/2015 and 2015/16. The information is exempt under Section 21 of the FOIA because it is reasonably accessible to you by other means. It is already in the public domain and can be accessed via the links below:

This information can be found in a previous MOD FOI response (FOI2016/09426) that can be accessed via the link below:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/575089/FOI2016-09426 -  
Fruitless payments in excess of 30 000 made by or paid ....pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/575089/FOI2016-09426_-_Fruitless_payments_in_excess_of_30_000_made_by_or_paid_....pdf)

Please find below details of Fruitless Payment for financial year 2012/13 as defined in the Ministry of Defence Financial Accounting & Reporting Manual (JSP 472):

**Fruitless payments.** Payments where the Department receives nothing useful in return and: should not have incurred the liability; or could have taken appropriate action to avoid incurring the liability. For example: the cost of repairing incorrectly packed equipment damaged in transit, the cost of rectifying design faults arising from poor specification, failure to cancel travel, accommodation and training bookings in time to obtain a refund.

2) What the payment was for	3) Payment	4) Reason for Payment	5) Why the payment was Fruitless	6) Disciplinary action
Rent	£258,000	Estate management	Rent paid for property that the MOD could not use for various reasons.	These circumstances are effectively estate management decisions, therefore disciplinary action is not a factor
HMNB Clyde Northern Utilities Building (NUB) Seawater cooling system.	£162,964	Delivery and installation of automated seawater cooling system for standby generators.	The System was delivered but not commissioned and costs could not be recovered.	None noted in case.
Husle Cargo nets cancellation of future orders	£65,358	Contract deliverable cancellation charge.	Expected rise in requirement did not materialise, and there was sufficient stock of item held in store. Team cancelled remaining batches due for delivery incurring cancellation charge.	None noted in case.
SALVUS Urgent Operational Requirement (UOR)	£65,586	Degradable cyalumes.	Items not suitable for use as deemed too brittle.	None noted in case.

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, 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 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>.

I hope you find this helpful.

Yours sincerely,

Defence Resources Secretariat