



Ministry
of Defence

Secretariat
Defence Infrastructure Organisation
Kingston Road
Sutton Coldfield
B75 7RL

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

[REDACTED]
[REDACTED]
22 August 2017

Ref. FOI2017/08012

Dear [REDACTED]

Thank you for your letter of 29 July 2017, addressed to [REDACTED], Deputy Head of Estates requesting the following information:

“Request to see the papers (redacted where necessary in the National Interest) which the Minister saw as the basis for his decision to transfer Chalgrove Airfield to the HCA.”

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

Under Section 21 of the Act (Information reasonably accessible to the applicant by other means), I refer you to the response sent 30 March 2017 (FOI2017/03134) a copy of which is attached at annex A.

Under Section 16 of the Act (Advice and Assistance) you may find it helpful to note that the Ministry of Defence (MOD) has not held any flying or landing rights at Chalgrove Airfield since its occupation by Martin Baker. All efforts have been made by the MOD to contact all previous owners of Chalgrove airfield as specified by the Crichel Down Rules.

We also wish to assure you that RAF Benson, the Army, the RAF and Joint Helicopter Command were all consulted throughout the decision making process.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request 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). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the

MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

DIO Secretariat



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30 March 2015

Ref. FOI2017/03134

Dear [REDACTED]

Thank you for your letter of 28 February 2017 requesting the following information:

“a copy of the actual papers presented to the minister when he made his decision in the summer of 2016 to release Chalgrove Airfield to the Homes and Community (sic) Agency”

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 neither confirm nor deny that information in scope of your request is held.

The information you have requested falls entirely within the scope of the exemption provided for at section 36(2)bii of the FOIA and has been withheld. Section 36(2)bii is a conditional exemption and a public interest test has been applied. The balance of public interest was found to be in favour of withholding the information given that, overall, the public interest is best served in not releasing any details as to do so would prejudice the effective conduct of public affairs. In the Ministry of Defence (MOD) determining whether disclosure would have a detrimental effect as defined by the Section 36 exemption falls to a Minister as the qualified person asked to make the decision. All the relevant information was provided to allow the Minister to make a fully informed decision on the application of Section 36. The Minister has decided that section 36(2)bii applies to the information requested.

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 us in the first instance at the address above. 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). 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 normally 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