

personnel at risk. A public interest test has been conducted to determine whether the risk posed to our armed forces personnel through this information is tolerable and the balance of public interest lay in redacting the information.

Under section 16 FOIA (Advice and Assistance) you may find it helpful to note that we have recently reviewed the safety and security of our armed forces in relation to answering FOIA requests which seek the type of information you have requested. Any release under the FOIA is a release into the public domain and a request can be made by anyone without the requirement to provide identification or a reason for their request. With this in mind, as detailed above, there are clear risks in providing the public with information in relation to any specific address that might have been involved in the agreement with Annington Homes, as this would identify the location of Service Family Accommodation.

Section 42(1) has been applied because some of the information that was provided during the course of legal proceedings remains of a sensitive nature. It has been necessary to weigh the factors favouring disclosure against the strong public interest in protecting the legal professional privilege which has been recognised by the courts and the Information Tribunal. The balance of the public interest lay in withholding this information.

I can confirm that documents 4 and 5 are exempt from release under section 21 FOIA because they are reasonably accessible to you by other means. The documents requested are available from H M Land Registry. Further information on how to request these can be found using the following link: <https://www.gov.uk/government/organisations/land-registry>

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