



Ministry of Defence

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www.gov.uk/DIO

[REDACTED]

4 June 2019

Ref. FOI 2019/05278

Dear [REDACTED]

Thank you for your email of 1 May 2019 requesting the following information:

"please accept this email as a formal request for the Ministry of Defence to disclose the following details:

1. Please provide the total number of Deed of Covenant restrictions to the registered titles (properties) contained on the (Land on the North side of Plassey Road, Tidworth) Taylor Wimpey estate since 1 Jan 2014 to 1 May 2019.
2. Please could you provide the number of restriction consents issued, by the MOD, over the period of time detailed in point 1.
3. Please provide listed titles on estate WT417208 (Land on the North side of Plassey Road, Tidworth) where the purchaser has not entered into a direct Deed of Covenant with the MOD.
4. Please provide information on the amount of money paid, per registered title, towards lifting the restriction on the respective properties (i.e funds received by the MOD to provide consents to property restrictions)."

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 of the information in scope of your request is held.

The information you have requested can be found enclosed, below:

1. *Please provide the total number of Deed of Covenant restrictions to the registered titles (properties) contained on the (Land on the North side of Plassey Road, Tidworth) Taylor Wimpey estate since 1 Jan 2014 to 1 May 2019.*

Information not held, however under section 16 you will find further guidance on where to access this information.

2. *Please could you provide the number of restriction consents issued, by the MOD, over the period of time detailed in point 1.*

A total of 84 consents have been issued up until May 2019.

3. *Please provide listed titles on estate WT417208 (Land on the North side of Plassey Road, Tidworth) where the purchaser has not entered into a direct Deed of Covenant with the MOD.*

The title number quoted in this question specifically relates to [REDACTED]. As such, in the context of [REDACTED] I can confirm that the MOD are not aware of any instances where the purchaser has not entered into a direct Deed of Covenant with the MOD.

4. *Please provide information on the amount of money paid, per registered title, towards lifting the restriction on the respective properties (i.e funds received by the MOD to provide consents to property restrictions).*

The MOD has not lifted any of the restrictions on the properties on the Tidworth Estate. However, when the MOD are asked to provide letters of consent to comply with the Restriction, the standard procedure is to charge a fee of £150 plus VAT. In instances involving service personnel, the MOD will sometimes exercise a discretion and reduce this to £100 plus VAT. The MOD try to keep this work in-house to keep the cost down but where this work needs to be outsourced to an external firm of solicitors on the Government's Legal Assistance Panel, the fee charged would be somewhere between £400 plus VAT to £950 plus VAT.

Under Section 16 of the Act (Advice and Assistance) you may wish to note that the information requested at question 1 can be accessed at a cost from the Land Registry website at the following link: <https://www.gov.uk/government/organisations/land-registry>.

In relation to question 3, I can confirm that the MOD are not aware of any other properties on the Tidworth Estate where the purchaser has not entered into a direct Deed of Covenant with the MOD.

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.gov.uk). Please note that any request for an internal review should be made in writing 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