



Ministry
of Defence

Secretariat
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[REDACTED]

Email: [REDACTED]

10 December 2019

Ref. FOI 2019/12921

Dear [REDACTED]

Thank you for your email of 12 November 2019 requesting the following information:

"The properties I wish to enquire about are as follows and sat side by side and the MOD insisted on having the house at 5 Prothero as well as the factory unit

26 to 38 (even) Rylston Road, London, (SW6 7HG) Title at Land Registry BGL5803 . Lease to Ministry of Defence land reg BGL71181

5 Prothero Road, Fulham, London (SW6 7LY) Title at Land Registry 331665, Lease3 To Rylston Road Ltd BGL48053 Lease to MOD BGL48165

I am aware that the MOD has surrendered the Lease early on Rylston Road factory site , I would request to know the sum paid by the MOD to [REDACTED] and the date the lease was relinquished and sum paid for early release from the lease . [REDACTED] [REDACTED]

Re Prothero Road , this was an underlease from Rylston to the MOD and I would like to know if this formed part of the settlement with Rylston Road Ltd and if so was it a separate payment included in a bulk sum. Or if the MOD is still leasing 5 Prothero Road"

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.

The MOD surrendered the lease on the Rylston Road site at the end of March 2016.

The information you have requested with regards to the sum paid by the MOD to surrender the lease early falls entirely within the scope of the qualified exemption provided for at section 43 (Commercial) of the FOIA.

Section 43(2) has been applied to this information because if released it would be likely to prejudice the commercial interests of the MOD. The exemption is subject to a Public Interest Test (PIT) which means that the information requested can only be withheld if the public interest in doing so outweighs the public interest in disclosure. A PIT has been conducted and I am satisfied in this case that the balance of the public interest lies in withholding the information because its public disclosure has the potential to undermine third party confidence in the MOD.

With regard to your request in relation to 5 Prothero Road, this property did not form part of the settlement for the Rylston Road site and is subject to a separate ongoing lease agreement.

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