[redacted]

Contact and verification details held separately; not reproduced in this letter.

The Secretary of State for the Home Department
Home Office, 2 Marsham Street, London SW1P 4DF
By email: public.enquiries@homeoffice.gov.uk
Copy to: PSED@homeoffice.gov.uk; crowncasework@communities.gov.uk; bicester.garrison@cherwell-dc.gov.uk; calum.miller.mp@parliament.uk

14 September 2026

MOD BICESTER (SITE A) – PUBLIC SECTOR EQUALITY DUTY, LGBT+ SAFEGUARDING AND GOOD RELATIONS

Home Office reference MOD015; planning application PCU/RARE/C3105/3378843

Formal representation and request for a substantive response. Not a pre-action letter. All rights reserved.

Dear Home Secretary,

1. Who we are and why we write

1.1 We are [redacted] area. On 1 July 2026 Cherwell District Council wrote to over 3,000 addresses in the vicinity of MOD Bicester Site A, including ours, to inform residents of the proposal; that letter is the basis of our standing to write to you.[1] [redacted] with a membership of between fifteen and twenty, and writes in her own name, in that capacity, and on behalf of [redacted]. We have made a separate representation to MHCLG on the planning application, which is copied to you.

1.2 This letter concerns matters for the Home Office as applicant and proposed operator, which a planning decision cannot resolve. Nothing in it assumes that any person seeking asylum presents a risk by reason of nationality, religion or status. Our concern arises from your Department's own published material.

1.3 This letter refers to our sexual orientation, which is special category data under Article 9 of the UK GDPR. If this letter, or any part of it, is disclosed – whether shared with MHCLG or a contractor, released in response to a request from a third party under the Freedom of Information Act 2000, or otherwise – we ask that our contact details and anything capable of identifying our home address be redacted first, and that the reference to our sexual orientation be handled consistently with the data minimisation principle and the Data Protection Act 2018. We ask you to confirm how this will be handled.

1.4 Put at its shortest: your Equality Impact Assessment identifies a risk of prejudice and harassment towards lesbian, gay and bisexual residents of Site A, and states that where welfare

[1] Cherwell District Council, 'Site A – Bicester Garrison: Home Office Proposals', timeline entry for 1 July 2026: "Cherwell District Council writes to over 3,000 addresses in the vicinity of the site …" <https://www.cherwell.gov.uk/info/118/communities/1404/site-a---bicester-garrison-home-office-proposals> accessed 14 September 2026.

is compromised such a resident "will be moved from the Site". It also states that the site is non-detained and that residents "will be free to interact with the local community".[2] People with the same protected characteristic who live in the surrounding villages cannot be moved from their homes. We cannot identify anywhere in the published material where the implications of that were considered.

2. The legal framework, briefly

2.1 Section 149 requires due regard to the need to eliminate discrimination and harassment, to advance equality of opportunity, and to foster good relations, which includes tackling prejudice and promoting understanding.[3] The exemption in Schedule 18 paragraph 2 disapplies limb (b) only, for age, race and religion or belief only, and in the exercise of immigration and nationality functions only. Your own assessment lists sex, sexual orientation, gender reassignment, disability, race, pregnancy and maternity and marriage and civil partnership as characteristics considered under limb (b), so the point is common ground. Due regard must be had in substance, with rigour, before the decision, and on the basis of proper inquiry.[4]

3. What your assessment says

3.1 We put this precisely. The assessment is not silent about the community: Section 4 addresses community relations, engagement, policing and protest in general terms. What we cannot identify anywhere in it is an assessment of the receiving community by reference to a protected characteristic. Sections 2 and 3 work through each characteristic exclusively by reference to the people to be accommodated, and Section 5 concludes that there are no significant negative impacts for protected groups "(within the wider group of single adult males)" – the parenthesis being yours. Section 8 then declares compliance with section 149 including the duty to foster good relations.[5]

3.2 We note also that the assessment is dated 28 May 2026, before the proposal was announced and before the engagement described in Section 4; that it describes a site of 5 hectares where the application is for 10.22; that the sign-off block carries no name, title or lead contact; and that Section 9, which is marked "This section should not be published", was published unredacted with the planning application, its publication status reading "[Not decided yet]" with neither consent box ticked.[6]

4. Questions

4.1 We ask for a substantive written response to each question by **12 October 2026**. Where a question touches information treated as sensitive under section 293B(11) of the Town and Country Planning Act 1990, please say so and answer so far as you can. Please answer each question as asked rather than by general assurance; where the answer is that something has not been done or does not exist, we would rather be told that plainly.

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[2]Home Office, 'Equality Impact Assessment [EIA]: Section 1: MOD015 (Bicester)', signed off 28 May 2026, published with Urgent Crown Development application PCU/RARE/C3105/3378843 <https://www.gov.uk/guidance/urgent-crown-development-application-mod-bicester-site-a> accessed 14 September 2026.

[3]Equality Act 2010, s 149(1), (3), (5) and (7); sch 18 para 2.

[4]R (Bracking) v Secretary of State for Work and Pensions [2013] EWCA Civ 1345, [2014] Eq LR 60 [25]–[26].

[5]Home Office, 'Equality Impact Assessment [EIA]: Section 1: MOD015 (Bicester)', signed off 28 May 2026, published with Urgent Crown Development application PCU/RARE/C3105/3378843 <https://www.gov.uk/guidance/urgent-crown-development-application-mod-bicester-site-a> accessed 14 September 2026.

[6]Home Office, 'Equality Impact Assessment [EIA]: Section 1: MOD015 (Bicester)', signed off 28 May 2026, published with Urgent Crown Development application PCU/RARE/C3105/3378843 <https://www.gov.uk/guidance/urgent-crown-development-application-mod-bicester-site-a> accessed 14 September 2026.

A. The receiving-community assessment

1. Does the Home Office hold any assessment, other than the published Equality Impact Assessment of 28 May 2026, of the effects of this proposal on people in the surrounding community by reference to a protected characteristic? Please answer yes or no. If yes, please identify it and provide it. If no, please confirm that no such assessment exists.

2. If no such assessment exists, will one be carried out and published before the final decision to open the site, and before the planning application is determined? If not, on what basis does the Home Office consider the duty to foster good relations to have been discharged in respect of that community?

3. What engagement informed Section 4 of the assessment? Please identify the organisations engaged and the dates. If no LGBT+ organisation, women's organisation or representative of the Gypsy and Traveller site approximately 150 metres from the boundary was engaged, please confirm that.

4. The assessment was signed off on 28 May 2026 and states it will be reviewed six months from that date. Will the November 2026 review be completed before the site opens, and will it be published in full?

B. Differentiation within the LGBT+ population

5. Does the Home Office accept that lesbian women, gay men, bisexual people, trans people and same-sex couples may have materially different exposure and safeguarding needs, such that assessing "sexual orientation" as a single undifferentiated characteristic may not discharge the duty? Please answer yes or no, and give reasons.

6. The published assessment considers sexual orientation only as it affects men accommodated at the site. Where, if anywhere, has the Home Office considered the position of lesbian women in the receiving community, for whom sex and sexual orientation operate together?

7. Your assessment records that in 2023 some 2 per cent of asylum claims (1,377) cited sexual orientation, and that disclosure is not required so the figure understates the true number. Applying that proportion to 1,256 bedspaces, what is the Home Office's working estimate of the number of LGB residents likely to be accommodated at Site A at any one time, and what safeguarding provision has been sized against it?[7]

C. Preventive safeguarding, as distinct from relocation

8. Your assessment states that a resident who raises safeguarding concerns arising from how others respond to his sexual orientation "will be moved from the Site". What measures will operate *before* harassment occurs? Please address specifically: (a) whether induction covers the law of England and Wales on sexual orientation and gender identity and the standards of conduct expected; (b) whether there will be a named LGBT+ liaison within the welfare team; (c) whether a resident can report a concern confidentially without disclosing his sexual orientation to security staff; and (d) whether single-room accommodation will be available on request, given that the Allocation Policy records that residents of ex-MoD sites "are generally expected to room share".[8]

[7]Home Office, 'Equality Impact Assessment [EIA]: Section 1: MOD015 (Bicester)', signed off 28 May 2026, published with Urgent Crown Development application PCU/RARE/C3105/3378843 <https://www.gov.uk/guidance/urgent-crown-development-application-mod-bicester-site-a> accessed 14 September 2026.

[8]Home Office, 'Allocation of asylum accommodation policy', version 16.0, 29 July 2026 <https://www.gov.uk/government/publications/asylum-accommodation-requests-policy/allocation-of-asylum-accommodation-policy-accessible> accessed 14 September 2026.

9. What training on sexual orientation and gender identity will staff, including SIA-licensed security staff, be required to complete before the site opens, and will that be a contractual requirement of the service provider?

10. For RAF Wethersfield and Napier Barracks, how many safeguarding referrals and how many relocations have been recorded in which sexual orientation or gender reassignment was a relevant factor, by year? If those figures are not held in that form, please say so.

D. Allocation and suitability

11. The suitability criteria in version 16.0 of the Allocation of Asylum Accommodation Policy do not include sexual orientation or gender reassignment.[9] Given that your own assessment identifies a risk of harassment on those grounds at this site, is that omission deliberate? Will a person whose asylum claim rests on sexual orientation be allocated to Site A under the no-choice policy, and if so on what assessment of suitability?

12. The same policy states that "[t]here may be some occasions where accommodation is provided before we have information about an individual's needs". How is that reconciled with the exclusion from ex-MoD sites of those subjected to torture, rape or other serious forms of psychological, physical or sexual violence? Specifically: what happens where a person is placed at Site A and subsequently found to fall within an excluded category – who decides, within what timescale, and where is that recorded?

13. Version 16.0 restored the previous exclusions "pending further consideration following litigation concerning the policy development process". Is the Home Office presently considering removing or narrowing those exclusions, and would any such change apply to Site A?

E. Same-sex relationships and family unity

14. Your assessment states that couples who have both claimed asylum "will not be accommodated at this site", and that where a partner is "subsequently identified" it "may be possible" to accommodate them together elsewhere. Since the Allocation Policy defines "single" as "on asylum support with no dependants" rather than unmarried or unpartnered, please confirm whether a man in a subsisting relationship, including a same-sex relationship, may be allocated to Site A.

15. What is the Home Office's position where two residents form a relationship while accommodated at Site A, including a same-sex relationship? Is there any policy or guidance on this? If not, will one be produced before the site opens?

16. How long, in practice, does the Change of Circumstances process take to reunite partners once a partner is identified?

F. Good relations, protest and hate crime

17. Beyond a GOV.UK factsheet and "non-statutory engagement" which "may be undertaken", what specific measures will discharge the duty to foster good relations between residents of the site and LGBT+ people, women and the Gypsy and Traveller community in the surrounding area? Please explain why those generic measures are considered sufficient.

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[9] Home Office, 'Allocation of asylum accommodation policy', version 16.0, 29 July 2026 <https://www.gov.uk/government/publications/asylum-accommodation-requests-policy/allocation-of-asylum-accommodation-policy-accessible> accessed 14 September 2026.

18. Your assessment anticipates protest from four identified categories.[10] What assessment has been made of the risk to residents of the surrounding villages, including those with protected characteristics, from protest activity drawn to the area by the site, and what protective measures are proposed for them?

19. How will hate incidents be recorded and escalated in both directions – against residents of the site and against residents of the surrounding area – and to whom will they be reported?

20. Will the Home Office commit, as an operational undertaking, to inviting local LGBT+ organisations and representatives of the neighbouring Gypsy and Traveller site to the Multi-Agency Forum?

G. Parameters, monitoring and the point at which you would act

21. Please confirm the maximum length of stay intended at Site A. The Screening Direction assesses 90 days; your assessment says a maximum "will be subject to confirmation"; your policy records 9 months at Wethersfield and 90 days at Crowborough. Which applies here, and will the Home Office accept it being secured by condition?

22. Is the intention that the use ceases after ten years, or that the site forms part of a longer-term solution? Does the Home Office intend to seek capacity beyond 1,256, and if so when?

23. Your assessment states that equality impacts on the community "continue to be re-assessed for the duration that the Site is operational". What will be measured, against what baseline, by whom, how often, and will the results be published?

24. If a review disclosed material adverse effects, what would the Home Office do? Please identify the official or Minister holding the power to reduce capacity, withhold later phases or discontinue the use, and the criteria on which it would be exercised.

25. Has the Home Office ever reduced the capacity of, or ceased to use, a large accommodation site on the ground of its effects on residents or the surrounding community, as distinct from cost or contract? If so, please identify the site and the criteria applied.

5. What we ask you to do

- Carry out and publish an assessment of the effects of this proposal on the receiving community by protected characteristic, differentiated as set out above, before the final decision to open the site, and provide it to the MHCLG Crown Casework Team before the planning application is determined.
- Adopt and publish, for this site, a preventive LGBT+ safeguarding framework covering the matters in questions 8 and 9, and a Community Safety and Good Relations Plan covering questions 17 to 20.
- State plainly which safeguards are Home Office operational undertakings, so that neither we nor the Secretary of State proceed on the assumption that planning conditions can deliver them.
- Meet representatives of our group and other Oxfordshire LGBT+ organisations before operational arrangements are settled. We are available at short notice.

[10] Home Office, 'Equality Impact Assessment [EIA]: Section 1: MOD015 (Bicester)', signed off 28 May 2026, published with Urgent Crown Development application PCU/RARE/C3105/3378843 <https://www.gov.uk/guidance/urgent-crown-development-application-mod-bicester-site-a> accessed 14 September 2026.

– Answer the questions in section 4 by 12 October 2026.

5.1 Because the representation period on the planning application closes on 17 September 2026, please send anything relevant to that determination to the Crown Casework Team as soon as it is available, and copy it to us.

5.2 This is not a letter before claim and we do not presently threaten proceedings. We reserve all our rights and would take legal advice before taking any step. Our strong preference is that these matters are addressed now, while they still can be.

Yours sincerely,

[redacted]

[redacted].