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3 May 2019

Simon Banton

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Ref. FOI2019/04485

Dear Mr Banton

Thank you for your email dated 8 April 2019 requesting the following information:

*“When was the decision taken to commission an Auction House to place the Ablington Amenity Plantation woodland up for sale?”*

*Who took that decision?*

*Taking note of the Army Rebasing Military-Civilian Integration Partnership and the Armed Forces Community Covenant (signed by Col. Ed Heal OBE on 9th March 2017) why were parishioners, Figheldean Parish Council and other relevant stakeholders not consulted beforehand or informed at the time?*

*Who took the decision to ignore the Crichel Down Rules on Land Ownership, and on what basis was that decision made?”*

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

The information you have requested can be found below, but some of the information falls entirely within the scope of the absolute exemptions provided for at Section 40 (Personal Data).

Ablington Woodlands has been identified as a site surplus to military requirements and the Ministry of Defence (MOD) are disposing of the site in accordance with standard procedures. On 6 March 2018 the Defence Infrastructure Organisation's (DIO) Commercial Team instructed and signed a contract with Lambert Smith Hampton, a property management company, to place Ablington Woodlands up for auction.

With reference to your question “*who took that decision*”, Section 40(2) has been applied in order to protect personal information as governed by the General Data Protection Regulation and Data Protection Act 2018. Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

The DIO have followed the MOD process when disposing of land. Once a site is declared surplus to defence purposes it is placed on the cross-Government core electronic Property Information Mapping Service (e-PIMS) database managed by the Government Property Unit within the Cabinet Office. Ablington Woodlands was placed on e-PIMS database on 27 September 2018. The database provides an opportunity for public bodies to express an interest in acquiring sites before being placed on the open market.

While there is no requirement to inform local residents, the date of auction has been postponed to 29 May 2019 to ensure that everybody has the opportunity to bid.

In terms of the Crichel Down Rules on Land ownership, this was reviewed and as the original conveyances are dated 12 August 1897 and 7 November 1898, the property is outside the time horizons for which Crichel Down Rules apply.

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](mailto: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