



Ministry
of Defence



[REDACTED]
DE&S Secretariat (LD & SE)

DESSEC-PolSecLE-JSC-WPNS@mod.uk



Defence Equipment & Support
Maple 0a # 2043
MOD Abbey Wood
Bristol BS34 8JH



22 November 2017
Our Reference: FOI2017/11230

[REDACTED]
Thank you for your email dated 7 November 2017. You asked:

I have been told that all (100%) of Land Rover 130 Ambulances are not going to be auctioned to any UK bidders. They are all being sold abroad.

Please can you explain why this is, as I am a UK taxpayer I issue my right to at least be able to match the price of a single unit and purchase one?

Please could you let me know the average price these attain and how many are left to be sold?

I am treating your email as a request for information in accordance with the Freedom of Information Act 2000 (FOIA).

It might be helpful if I first explained that the Defence Equipment Sales Authority (DESA) disposes of defence equipment that is surplus to requirement and that DESA is mandated to obtain the best possible return to the UK taxpayer. For functioning and viable large capital assets such as ships, aircraft and vehicles, the first option usually considered is the possibility of selling to other governments for continued use in a military capacity.

When a Government-to-Government sale is not possible, the equipment is offered for commercial sale, through specialist contractors, for continued use either in a non-military capacity or for recycling. The contractors take responsibility for collecting, storing, marketing and selling the equipment on DESA's behalf; this ensures that the best return for the taxpayer is achieved. There are, however, occasions where DESA can interrupt this process to sell items either by Private Treaty or by Tender, but only if it can be demonstrated that such an action would provide a better financial return to the MOD.

Any parties interested in purchasing surplus equipment (including private individuals, companies and museums) are encouraged to register their interest with DESA and its marketing contractors, a list of which can be found using the following link:

<https://www.gov.uk/government/groups/defence-equipment-sales-authority>

Although the majority of surplus Land Rover ambulances are sold to other governments, some vehicles are sold commercially through DESA specialist contractors which in this case is Withams (Specialist Vehicles) Limited. Currently they have no Land Rover ambulances for sale; however, further surplus vehicles will become available in due course. I would recommend that you register your interest with both DESA (for the possibility of a Private Treaty Sale) and Withams.

You asked for the average sale price for these vehicles. We considered that this information fell within the scope of the qualified exemption: Section 43 (Commercial Interests). As such, it was necessary for us to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosure.

We have completed this work and concluded that the sale price of the Land Rover ambulances does fall within the scope of the qualified exemption provided for at Section 43 (2) of the FOIA and has been withheld.

Section 43(2) provides that information is exempt if its disclosure would, or would be likely to prejudice the commercial interests of any organisation or person holding it, including the MOD and its contractors.

The FOIA contains a presumption in favour of disclosure and there is a public interest in the release of information, which supports the accountability of the MOD for its use of public money; for example, to demonstrate that value for money is being obtained for taxpayers and that effective contractual processes are in place. Greater transparency of decision-making processes makes government more accountable and the release of information would allow an increased public understanding of how the procurement processes are undertaken in an open and honest way.

The Public Interest Test recognised that releasing information about sale prices could weaken the MOD's position in a competitive environment by revealing market sensitive information which would be of use to potential buyers in the future. This is particularly relevant given that further sales of Land Rover ambulances are expected to be concluded by DESA. More widely, companies could be deterred from sharing commercially sensitive information with the MOD if they are unsure about whether their information would be protected.

Accordingly, the Public Interest Test concluded that the release of this information would prejudice the commercial interests of the MOD and that the balance of the arguments lay in favour of withholding the information to protect the commercial interests of the MOD and its customers. I have considered it necessary to apply the higher level of prejudice against release of the exempted information at "would" rather than "would be likely to".

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,


DE&S Secretariat