



Ministry
of Defence

Secretariat
Defence Infrastructure Organisation
Kingston Road
Sutton Coldfield
B75 7RL

E-mail: diosec-parli@mod.uk
www.gov.uk/DIO

[REDACTED]
[REDACTED]
9 June 2017

Ref. FOI2017/05530

Dear [REDACTED]

Thank you for your email of 19 May 2017 requesting the following information:

*"In February 2014 you placed this notice in the London Gazette:
https://urldefense.proofpoint.com/v2/url?u=https-3A_www.thegazette.co.uk_notice_L-2D60773-2D1990443&d=CwICaQ&c=axaOw2qHyp7zEDNbTjpaYA&r=338_LDuXi2CRJzQpHh2t-w&m=34KHvbUCfA4V6C-WW5_3cXbphRqG5LTotl8Fqc_4_OM&s=-mqVFb2vAXQCYZP_GDKoHn4WGFJtY_sLwrzXLDszo0&e= . Please provide copies of the initial responses from the parties listed in the notice."*

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 all the information in scope of your request is held.

The information you have requested can be found annex A, but some of the information falls entirely within the scope of the absolute exemptions provided for at section 40 (Personal Data) of the FOIA and has been redacted.

Section 40(2) has been applied to some of the information in order to protect personal information as governed by the Data Protection Act 1998. 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.

Under Section 16 of the Act (Advice and Assistance) you may find it helpful to note that out of the sixteen names listed in the original notice, there were only four respondents. The copies of their initial responses are included in Annex A.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for 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 must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely,

DIO Secretariat

Evidence in LDA Box

Our Ref: [redacted]
Your Ref: [redacted]
Date: 27/03/14

[redacted]
[redacted]
[redacted]
[redacted]



Dear [redacted]

OUR CLIENTS - [redacted]
PROPERTY - FORMER RAF CHURCH FENTON AIRFIELD

We act on behalf of [redacted] and [redacted] and [redacted] in relation to the above matter. We have had sight of the notice in London Gazette dated Friday 31 January 2014 ("the Notice") relating to the proposed sale of the former RAF Church Fenton airfield in North Yorkshire ("the Site").

Our clients are successors in title to the original landowners of a large proportion of the Site which was compulsorily purchased by the Government to create the airfield on the Site and has held land in such form since acquisition. We have provided details of our clients' descendant history below and evidence of the successors in title.

We understand from the Notice that the Site has now become surplus to the requirements of the Ministry of Defence and is to be sold. The Notice also refers to the Crichel Down Rules where a government department wishes to dispose of land that is surplus. If the Rules apply then former owners (or their successors in title) will be given first opportunity to repurchase the land which was previously in their ownership, at current market value. Our clients would wish to purchase the land which was previously in the ownership of their ancestors prior to its compulsory purchase by the Government.

We note that the Site excludes the main buildings of the site and comprises principally runways and grasses areas around it. As well as the Site being capable of agricultural uses in the future, there is significant heritage element of the airfield to the local area and community.

[redacted]
[redacted]
[redacted]

Indeed there are specific policies in the Selby Development Plan that limit the type of proposed development on the Site and the Site is included in the development plan as a Special Policy Area (saved policy CFA/1). The development plan recognises the remote and unsustainable nature of the Site with the only recognised classes of potential development being offices, residential institutions and tourism and leisure. In any event planning permission would have to be granted for any of these proposed uses. Developments such as residential development and intensive commercial uses would not be compliant with local development plan policies and as such it would be highly unlikely that such permissions could be obtained.

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A list of members is available for inspection at the above office. Also at Bradford 01274 202202
Authorised and regulated by the Solicitors Regulation Authority.

We note from the Notice that you state that you will not offer the land back to the former owners under the Crichel Down Rules as exemptions apply in this case. We do not have any further details apart from that reference and on that basis we cannot comment on which exemptions you are looking to apply so we would request further information on this proposition.

Our clients are the descendants of landowners who owned a substantial part of the Site prior to its acquisition by the MOD and we enclose copies of the necessary evidence at Appendix 1 and Appendix 2.

1. The original landowner of land known as [redacted] was / [redacted] whose offspring included [redacted] who married [redacted]. The children of that couple included [redacted] who is our client and who inherited the estate from his family. A descendant chart for [redacted] attached at Appendix 1 with all the necessary birth certificates and death certificates to demonstrate this descendency line. Our client also informs us that it was his recollection part of this land was used for grass cutting and making hay at times through the existence of the airfield.
2. Part of the Site which was known as Primrose Hill and was owned by the [redacted] family was also descended from this family.
3. The land to the south west of the Site was owned by the [redacted] family. The birth certificates and death certificates and Will of [redacted] the original landowner are attached at Appendix 2. You will note that the estate passed to [redacted].

Our clients would wish to purchase the relevant land from the MOD and recognises this should be at market value and therefore are seeking the opportunity to re-purchase the land previously in their families' ownership and would request that the land is offered back to them in the first instance.

We look forward to hearing from you.

Yours faithfully

Gordons LLP
Gordons LLP

D: [redacted]
F: [redacted]



E A Lane & Sons

Chartered Surveyors

Estate & Land Agents Auctioneers & Valuers
Planning & Development Consultants

Established 1905

100 Regent Road Leicester LE1 7DG

[REDACTED]

10 FEB 2014

10 FEB 2014

Our ref: RGN/GEN
6th February 2014

Dear [REDACTED]

Former RAF Church Fenton, North Yorkshire

We respond to your notice and inform you that we act as Agents for the owners of Poplars Farm and part Sycamore Farm, Ryther and represent the owners numbers [REDACTED] on your list. *Proof*

Please supply us with all relevant information relating to the above including the former owners rights, etc.

Yours sincerely,

[REDACTED]

[REDACTED]

DIY Car Wash Area C.

25 FEB 2014

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

I am writing on behalf of my [REDACTED] of [REDACTED],
[REDACTED] in response to your advert. We believe [REDACTED] referred to
was [REDACTED] on [REDACTED]. Any
correspondence regarding the land at Church Fenton should be addressed to [REDACTED]
[REDACTED] (see above), as he has power of attorney due to my [REDACTED] advanced
age and health issues.

Many Thanks,

[REDACTED]

[REDACTED]

Tel: [REDACTED] Fax: [REDACTED] Mob: [REDACTED]
Email: [REDACTED]

14 February 2014

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

LAND AT FORMER RAF CHURCH FENTON NORTH YORKSHIRE

I refer to the Ministry of Defence notice placed in the 7 February 2014 edition of the Farmers Weekly.

Please note that in your list of previous owners, no. [REDACTED] was my [REDACTED] and no [REDACTED] refers to myself.

I enclose a copy of my passport and if required can search my records for a copy of the will of my mother [REDACTED]. She was the only child of A [REDACTED] and his wife [REDACTED].

I look forward to being informed how we progress this forward. I would be most interested if it is possible to re-acquire our land.

Please put this request on your file and if your stated exemptions are not upheld, what is the price per acre, and how many acres are involved?

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Encs

