



Ministry
of Defence

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18 March 2019

Ref. FOI 2019/02298

Dear [REDACTED]

Thank you for your email of 18 February 2019 requesting the following information:

"Thank you for your response to my FOI request, however please can you provide the requested information (as per the bulleted list in my query) on the sections of fencing that you mention.

I note, firstly, that both areas you mention are within the areas marked as falling into the scope of the byelaws on the on map titled "Plan of Aldershot Military Lands" contained on page 11 of the Aldershot and District Byelaws 1976. Secondly, I note that section 2 of the bye laws states:

"...the public are permitted to use all parts of the Military Land not specially enclosed..."

Thirdly I note that enclosed is defined as "surrounded or closed off on all sides" by the Oxford English Dictionary, as well as numerous Acts of Parliament.

Therefore any additional fencing in the G2 area would be included in the scope of the enquiry as despite the fencing having been erected around the majority of the area, it is by no means enclosed as access is possible from a number of locations along the canal (presumably why the fence is planned to be further extended).

Similarly the second area of the fence is also within the scope of the enquiry as this area is neither fully enclosed, and also MoD has confirmed continued public access to Long Valley multiple times in a variety of forms (including signs by entrances).

Finally, the scope requested in my enquiry is for all areas of land that fall under the jurisdiction of the Aldershot and District Byelaws 1976 and, since you have mentioned just two plans to erect barriers please could you confirm that you have no plans to enclose any other parts of the land referred to by those Byelaws.

Thank you for your assistance with this and please don't hesitate to contact me if further clarification is required."

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 information you have requested can be found below:

1. Maps of areas impacted

No information in scope of this item is held.

2. Dates when any work is to take place or enclosure to be enacted or access to be restricted

No information in scope of this item is held.

3. Type of enclosure / restriction

There are future plans to erect 3 x 25 metre fences at Deepcut around the canal lock gate that borders area G2, this is to prevent the public bypassing the main SANGS fence to the west. There are also plans to erect 800 meters of fence on the western side of Rushmoor Road which will allow for the foot gates to be open when B4 is closed and give cyclists and others a safe, unimpeded, route between Fleet Road to the north and Bourley Road to the south.

4. Whether there is to be a public consultation

No Information in scope of this item is held.

5. Dates of any public consultation

No information in scope of this item in held.

6. Whether planning permission will be sought

Planning permission is not required as part of this work.

7. A copy of any cost benefit analysis that has been completed (for the avoidance of doubt this is any analysis that discusses the potential benefits of a removal of public access and / or the associated social or financial cost)

No information in scope of this item is held.

8. Details of communications or plans for communications with local councils and / or local access forums and / or local MPs.

No information in scope of this item is held.

9. Unredacted (minus any names but including positions of each attendee and information on other items discussed at the meeting) minutes of any Military Liaison Meeting where such plans have been discussed

No information in scope of this item is held.

10. The cost of each proposed fence/enclosure, broken down into the cost to DIO/MoD and any funding received or to be received from other parties (e.g. housing developer). For the purposes of this request, in this context funding means either monetary contribution or the estimated value of any material contribution (e.g. manpower, fencing supplies, etc)

No information in scope of this item is held.

11. Where a restriction of public access is expected or possible, please provide information on the nature of the restriction (e.g. allowing public use when training is not in place, opening

gates at xmas, etc.) together with an estimated proportion of time that public access will be restricted

The erection of these fences does not intend to restrict or remove public access as under the Aldershot and District Military Lands Byelaws 1976, the public do not have a right of access over this land. This work will permit the public to access Rushmoor Road on cycle or on foot at all times, even when the Long Valley (B4) gates are locked.

At present, there are no further plans to enclose any other areas of land that fall under the jurisdiction of the Aldershot and District Byelaws 1976. However, in managing the Defence Training Estate it is the departments primary responsibility to maintain a 'Safe Place' therefore we continue to review how best to balance the conflicting requirements of military training with public access.

Under Section 16 of the Act (Advice and Assistance) you may find it helpful to note that the Aldershot and District Byelaws 1976 state that the public are permitted to use all parts of the military lands not specially enclosed or the entry to which is not shown by notice as being prohibited or restricted.

Both sections of fence in question are in support of existing works and are by way of mitigation to prevent members of the public unlawfully accessing G2 and B4 by bypassing an existing fence. No public consultation is required as part of this work as there is no public right of way on either of the areas concerned. Whilst extensive discussion was had with the Basingstoke Canal Authority in relation to the original fencing (the canal Lock gates which border G2), no further discussions have taken place for this work, as it is merely mitigation to prevent individuals bypassing an existing fence. As both projects are still in the planning stage, the department is yet to be supplied with a Rough Order of Cost by the contractor.

The department does not hold a map specifically showing the areas affected but enclosed for your reference is a map showing the Defence Training Estate at Aldershot.

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

