

Selection Criteria

For the sale of Forestry
Commission England land in
2011

SELECTION CRITERIA FOR SALES OF FORESTRY COMMISSION LAND IN 2011/12

On 2 December 2010, Ministers announced that approximately 40,000 hectares of land currently managed by Forestry Commission England would be sold over the four year period 2011/12 to 2014/15.

The following selection criteria will be used to determine the sales programme for 2011/12. As part of this process, Forestry Commission England will operate a preferred purchaser scheme. This will provide a mechanism for voluntary sector or public bodies to identify areas of land in which they have a particular interest and to request a first option to purchase this land at market price within a specified timeframe prior to the properties being offered on the open market.

Access rights on foot to freehold land are dedicated in perpetuity under the Countryside and Rights of Way Act 2000 (CRoW) – these rights will transfer on sale and cannot be terminated. In addition, existing rights of way will be unaffected by sale.

Selection Criteria

Achieving rationalisation

Improving the financial performance of the estate to meet the wider challenges of the Spending Review must be a consideration in selecting disposal candidates and so properties will be selected with a view to:

- prioritizing woods which are outliers on the estate and/or with difficult access;
- prioritizing for sale woods that are likely to incur significant net expenditure over the next five years;
- avoiding adverse impact on income streams (e.g. from timber revenue) required to meet Spending Review targets;
- complementing other actions, such as changes in organisational structure, needed to meet Spending Review targets.

Preserving public benefits

Woods selected will be those which provide limited added value from public ownership in the delivery of public benefits:

- Public access: priority will be given to leasehold woods with constrained public access, and freehold woods dedicated under CRoW but with limited public usage.
- Ancient woodlands: Plantations on Ancient Woodland Sites (PAWS) will only be included where they comprise less than 10% of a woodland unit. Ancient Semi Natural Woodlands can be considered for sale, and will be individually assessed for their quality and potential.

Exceptional quality ancient woodland sites will only be considered for sale under the arrangements for “higher quality” woodlands set out below.

- Sales in a National Park, Community Forest, AONB, or including a SSSI will be considered in relation to the particular contribution they make to that designation. Those making a significant contribution will only be considered for sale under the arrangements for “higher quality” woodlands set out below.

Where woodlands are identified as being of “higher quality”, they will only be sold to preferred purchasers, or other purchasers who can demonstrate that they have access to sufficient expertise, knowledge and experience in woodland management and would be prepared to enter a relevant English Woodland Grant Scheme to sustain/improve public benefits. Such purchasers would be public bodies, NGOs or established private woodland owners.

Outline of Preferred Purchaser Scheme

- All woodlands selected for sale will be notified on the FC website.
<http://www.forestry.gov.uk/>
- The Forestry Commission will also notify voluntary sector or public bodies with whom it has regular contact over the selected wood of the proposed sale. The notification date will be the date on which the proposed woodland sale is identified on the website.
- If a voluntary sector or public body feels there is a case on public or community benefit grounds for their being given an opportunity to purchase, they may respond within 28 days of the notification date requesting consideration for preferred status. The request must justify the benefit grounds claimed and set out clearly the status and standing of the organisation seeking to make the purchase. This request must also include confirmation that funding for an open market value purchase will be available.
- The FC will confirm whether or not preferred purchaser status will be offered, and notify the stakeholder of the decision. The following time table will be adhered to:

Notification Date - FC website announcement/stakeholder notification;

Request by voluntary or public body - expression of interest with case for preferred purchase status within 28 days of Notification Date;

FC Response - decision on whether a preferred purchaser opportunity can be offered;

Valuation - within 14 days of a favourable FC response, a valuation will be submitted to the voluntary or public body. This will be an open market valuation carried out by the FC’s selling agents;

Conclusion - the decision on whether to proceed must be taken by the stakeholder within 28 days. The agent’s valuation will be justified with supporting detail and comparables. If not accepted there will still be further opportunity for the stakeholder to compete on the open market;

Completion – once an offer has been accepted, completion must take place in line with the Forestry Commission's normal open market sale arrangements.