



Wigan♥
Council

Request

Communication between Wigan Council and Nacro regarding 17 Beech Hall Street. I am writing to request information under the Freedom of Information Act 2000.

I would like to request all information held by Wigan Council regarding discussions, correspondence and decisions relating to the property at 17 Beech Hall Street, Wigan, WN6 7HX and its use by Nacro as accommodation for ex-prisoners with complex needs, particularly those with drug issues. Specifically, I am requesting:

1. All correspondence (including emails, letters, meeting minutes, telephone conversation notes) between Wigan Council and Nacro regarding 17 Beech Hall Street from January 2024 to present.
2. Any planning applications, licences or permits submitted or granted relating to the change of use of 17 Beech Hall Street to a House in Multiple Occupation (HMO) or supported accommodation.
3. Any risk assessments conducted regarding the placement of ex-prisoners with complex needs at this address.
4. Minutes of any meetings (including virtual meetings) where this property was discussed.
5. Any documentation relating to community impact assessments for this property.
6. Any documentation relating to the selection criteria for residents to be housed at this property.
7. Details of any consultation process undertaken with local residents prior to approval.
8. Any correspondence between the Council and other agencies (police, probation services, etc.) regarding this property

Response

1. Attached redacted correspondence between NACRO and Wigan Council. Also, included is correspondence with HM Prisons and Probation, re: 17 Beech Hall St, with comments reflective of protocol requirements. Please note Wigan Council are only one of the agencies asked for comment.

Section 40(2) of the Freedom of Information Act 2000 (the Act) states that “...any information to which a request for information relates is also exempt information if (a) it constitutes personal data and (b) the first, second or third condition below is satisfied”. As names of employees are personal data, section 40(2)(a) of the Act is therefore satisfied as the information requested is personal data.

The first condition in section 40(3)(A)(a) of the Act states that the information is exempt from disclosure if “the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles”. The data protection principles are in Article 5 of UK GDPR and the first principle is that personal data shall be “processed lawfully, fairly and in a transparent manner in relation to the data subject”. The lawful bases for processing personal data are set out in Article 6 of UK GDPR and the only possible lawful bases for disclosure under the Act would be consent or legitimate interests. The Council does not have the consent of the employees’ names in the e-mails to disclose this information and therefore the legitimate interests lawful basis needs to be considered. Disclosure under the Act is deemed to be to the world at large and, indeed, the Council publishes all responses on its Disclosure Log. The data protection rights of the individual employees outweigh any third party legitimate interest in knowing these names which are not material to the content. The Council therefore does not have a lawful basis to process this personal data in this way and section 40(3)(A)(a) of the Act is satisfied.

As sections 40(2) and 40(3)(A)(a) of the Freedom of Information Act 2000 are engaged, the names of employees have been redacted from the emails.

2. There is no planning permission application for this property. To change the use from a house (which is in planning use class C3) to a large HMO of more than 6 people require planning permission and there is currently no application being processed by the Council's planning department to convert this property into a large HMO. If there are concerns that the property is being converted into a Large HMO you can report this to the Council's Planning Enforcement Service to be investigated at: [Enforcement and breaches](#).

This property is being used to house 3 people in a 3 bedroom property. A small HMO for between 3 and 6 people (planning use class C4) is classed as permitted development and does not require planning permission, unless permitted development rights have been removed through the introduction of an article 4 direction.

An Article 4 area means that the permitted development rights for changes of use from individual dwelling houses to small houses in multiple occupation (HMOs) are removed for any properties in a specified area – currently Article 4 is operated in [Swinley](#) and [central Leigh](#). This means that all HMOs, regardless of size, need planning permission in those two areas. This property is not in an Article 4 Area and so would not be subject to any further action.

3. This process is managed by NACRO and the Council holds no information

4. The Council holds no information as specified in this question.
5. The Council holds no information as specified in this question.
6. This process is managed by NACRO and the Council holds no information
7. This process is overseen by NACRO and the Council holds no information
8. The Council holds no information as specified in this question

From: [REDACTED]
Sent: 08 October 2024 12:28
To: [REDACTED] <[\[REDACTED\]@justice.gov.uk](mailto:[REDACTED]@justice.gov.uk)>
Subject: RE: URGENT CAS2

Dear colleague

Thank you for your email in relation to the property listed below (17 Beech Hall Street, Wigan, WN6 7HX).

There are no significant comments or issues to report in relation to this property or location.

Kind Regards

[REDACTED]

[REDACTED]

Wigan Council
Wigan Life Centre(South site), College Avenue, Wigan WN1 1NJ

From: [REDACTED] <[\[REDACTED\]@justice.gov.uk](mailto:[REDACTED]@justice.gov.uk)> On Behalf Of CAS2Property
Sent: Tuesday, October 8, 2024 11:28 AM
To: [REDACTED] <[\[REDACTED\]@wigan.gov.uk](mailto:[REDACTED]@wigan.gov.uk)>
Cc: [REDACTED] <[\[REDACTED\]@justice.gov.uk](mailto:[REDACTED]@justice.gov.uk)>
Subject: URGENT CAS2
Importance: High

You don't often get email from [REDACTED] <[\[REDACTED\]@justice.gov.uk](mailto:[REDACTED]@justice.gov.uk)>. [Learn why this is important](#)

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OFFICIAL

Good morning,

I am a Contract Manager for the Community Accommodation Service (Tier-2), overseeing the procurement of Properties.

I understand that Nacro have recently reached out to you regarding a property @ **17 Beech Hall Street, Wigan, WN6 7HX** and whether you had any comments to make on the suitability of the property for use in the CAS-2 service.

I don't know whether you had no comments to make and that's why Nacro haven't heard back from you, but It is extremely important to us, that we consider our Stakeholder Views & I am keen to hear whether you've got any additional comments to raise before we take a final decision on the suitability to progress.

If you could please provide further information by **COP Thursday 10th October 2024**. If I do not hear from you I will make a decision on the information I currently hold.

Regards

[Redacted]
[Redacted] **Contract Manager**
HM Prison & Probation Service **CAS-2 (Community Accommodation Service Tier-2)**
Community Accommodation Service
HM Prison and Probation Service (HMPPS)



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Please consider the environment before printing this e-mail.

OFFICIAL

From: [Redacted] [@nacro.org.uk](mailto:[Redacted]@nacro.org.uk)>

Sent: Monday, September 30, 2024 2:12 PM

To: [Redacted] [@wigan.gov.uk](mailto:[Redacted]@wigan.gov.uk)

Subject: Nacro CAS-2 – Postcode Check Request - 17 Beech Hall St, Wigan WN6 7HX

Dear Sir/Madam

Please see the details below of a property we would like to submit to you for consideration for the Nacro CAS-2 service.

- **17 Beech Hall St, Wigan WN6 7HX**

This is a 3 bedroomed property which will house a maximum of 3 individuals

Please state in your response if you are happy for Nacro to take on the property or alternatively if you have any concerns, please can you highlight these so any risks can be reviewed and considered.

I would very much appreciate it if you could respond within 5 working days as per the Local Government Agreement protocol.

Please note the new email address for reply is [REDACTED] [@nacro.org.uk](mailto:[REDACTED]@nacro.org.uk), the [REDACTED] is no longer in use.

Thanks for your continued support in developing the Nacro CAS-2 service.

Kind Regards

[REDACTED]
[REDACTED]
[REDACTED]

Nacro, Concord Business Centre, Nottingham Road, Nottingham, NG7 7FF
nacro.org.uk Twitter: [@Nacro](https://twitter.com/Nacro) LinkedIn: [Nacro](https://www.linkedin.com/company/nacro)

To support Nacro's charitable work, [donate here](#).

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NacroCAS-2 
Community Accommodation Service – Tier 2

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