



Wigan
Council

Request

I am writing to request the following information under the Freedom of Information act 2000:

All prosecutions of, and civil penalties issued to companies by the Council under the Housing Act 2004 since 2010, including;

- name of the company
- date of prosecution/penalty
- size of monetary penalty including costs awarded; and
- a brief description of the offence

Response

1 company with 1 Civil Penalty – Electrical Safety Regulations 2020 - £4000.00 – issued 12/7/2024

1 company with 1 Civil penalty – Electrical Safety Regulations 2020 - £1000.00 issued 27/9/2024

1 company with 5 separate Civil penalties issued January 2025 (unable to disclose further details - exemption for ongoing legal proceedings).

I am unable to release the company names you have requested as it is exempt under Section 30 (1)(b) of the FOI Act which states that:

Information held by a public authority is exempt information if it has at any time been held by the authority for the purposes of:-

Any investigation which is conducted by the authority and in the circumstances may lead to a decision by the authority to institute criminal proceedings which the authority has power to conduct.

This exemption is subject to a “public interest test”. This has been considered and concluded that as the information could still be referred to in any future proceedings, disclosing the information could potentially prejudice any future investigations.

Our public interest argument is as follows:

Public interest arguments in favour of maintaining the exemption:

Publishing information relating to civil penalties is not explicitly permitted under the statutory guidance unless they meet the criteria for inclusion in the rogue landlord database. None of these companies have been published on the Rogue landlord database as they did not meet the criteria to do so.