

From: [jan.johnston](mailto:jan.johnston@lendf.co.uk)
To: [bob.brialey](mailto:bob.brialey@lendf.co.uk); [eddie.thwaite](mailto:eddie.thwaite@lendf.co.uk); [james.grundy](mailto:james.grundy@lendf.co.uk)
Subject: Sale of leisure venues in Wigan MBC including latest reply recd yesterday
Date: 03 April 2012 09:57:13

Hi Bob

WE raised this issue at our meeting last night at Lowton East Neighbourhood forum, which is completely open and transparent, and the decision was taken for us to send all our relevant documentation to you for your information.

WE were originally told verbally that none of the information regarding these business transactions could be shared with the public due to it being an uncompleted and ongoing transactions, which wasn't fair to either the council or the purchasers.

I have put them in date order starting with the earliest at the end of the email, with the latest reply received yesterday, stating that there are no leases in place but 2 licences have been granted.

No person or persons, within the LENDF group or any of its meetings, has raised any accusations against any parties at any time regarding the transfer of these properties to the new owners, but we merely wanted to gain as much information as possible as to the current and future plans for the buildings and surrounding fields here at Lowton for future information..

Kindest regards

Jan Johnston

CC EdThwaite, Chairman Lendf, Irene Thompson, Secretary, James Grundy.

Dear Jan

I am writing to respond to your freedom of information request which we received on 13th February 2012, this request has been handled under the Environmental Information Regulations 2004.

I am unable to provide the information you requested in your email, in line with Section 12(4)(a) of the Environmental Regulations 2004, that the information is not held. I have explained below why this is the case.

There are no lease agreements in place for the sites you have stated. The sites are part of a pending sale, for which the transaction has not yet completed.

At least two of the sites have been occupied pending the completion of the sale, these have been occupied with licences and not by lease agreements.

If you are unhappy with any aspect of this response, an independent senior officer will review this decision. Please let me know if you would like to arrange this.

You can also complain to the Information Commissioner, who is the regulator for Freedom of Information. His website is www.informationcommissioner.gov.uk and his helpline number is 0303 1231113.

His staff may ask you to exhaust our internal complaints procedure if you choose to complain to his office now.

I apologise for the delay in responding to this request, this is due to the high volume of requests that are currently being received. If you need any further information please do not hesitate in contacting me

Yours Sincerely

Sharon

Sharon Crippin
Data Protection and Freedom of Information Officer
Resources Directorate
Legal & Risk
Wigan Council
Town Hall
Wigan
WN1 1YN
Tel: (01942) 827002 Internal: 2002
email: S.Crippin@wigan.gcsx.gov.uk
www.wigan.gov.uk

Hi Sharon,

Despite two reminders, I have still not had any answers to the FOI requests sent on 12th February.

Can you please give this matter your urgent attention, before I take this matter forward for resolution under the following act.

The FOIA requires public authorities to comply with requests for information within 20 working days following receipt of the request. In cases where a public authority is considering the application of an exemption that is subject to a public interest test (known as a qualified exemption), the FOIA requires the authority to reach its decision within such time as is reasonable in the circumstances.

I have forwarded all the previous documentation under your foirequest on the Wigan website and I am very disappointed at the non acknowledgement of this request.

Where the Commissioner is satisfied that a public authority has failed to comply with any of the requirements of Part 1 of the FOIA or Parts 2 and 3 of the EIR he may serve that authority with an Enforcement Notice.

An Enforcement Notice differs from a Decision Notice in that it is action initiated by the Commissioner rather than following a complaint from an applicant who believes that their request for information has not been properly dealt with.

The Commissioner's Enforcement Strategy specifically states that Enforcement Notices may also be served where a public authority has failed to adopt a publication scheme or where it fails to make information available in accordance with its scheme.

This request and subsequent correspondence has gone on in one form or another since April 2011, when 8th Wonder inclusive of Darren Rose of Red Rose estates, agreed to purchase the properties in question, and I feel that this matter requires further investigation as Wigan are failing under the FOI legislation to fulfil their obligation in this matter as the proposed sale failed to complete and there are now leases on the properties in Question and therefore no reason for the information requested not to be released.

Thanks for all your previous help and assistance, if you require previous copies of the earlier correspondence, please let me know.

Regards,

Jan Johnston,

LENDF.

www.lendf.co.uk

From: janjohnston86@hotmail.co.uk
To: foirequest@wigan.gov.uk
Subject: foirequest - urgent overdue
Date: Mon, 26 Mar 2012 08:58:24 +0000

From: janjohnston86@hotmail.co.uk
To: foirequest@wigan.gov.uk
Subject: FW: Inbox.com
Date: Mon, 12 Mar 2012 18:56:50 +0000

Dear Sirs,

Can you please let me have a reply to this fo request as quickly as possible.

Many thanks,

Jan Johnston

From: janjohnston86@hotmail.co.uk
To: foirequest@wigan.gov.uk
Subject: Inbox.com
Date: Sun, 12 Feb 2012 10:03:17 +0000

Dear Wigan Metropolitan Borough Council,

RE: Freedom of Information request

Could you please provide full information regarding the leases that have been agreed with 8th wonder on the four following sites.

Lowton Civic Hall,

Formby Hall, Atherton,

Monaco Ballroom, Hindley

and the property at Ince, Wigan.

REgarding all of the above, especially the Civic Hall, what

1. Please provide the length of the leases on each of the above and when did they get final agreement and come into force..
2. What are the leases, regarding maintenance and repair, are they internal or external repairing leases? or are they both,
3. What is the rent that has been agreed on each of the propertues, and when are the rent reviews scheduled to take place?
4. What covenants have been agreed within the leases to protect the future of these buildings and also any adjoining fields such as the playing fields next to the civic hall.
5. Can you provide a detailed copy of each lease?
6. What happens to the properties should the business operated from each location fail to thrive and therefore ceases to trade.
7. As all these buildings are still owned by Wigan MBC who is paying any ground rent and rates on these buildings? Who is paying the annual insurance invoice, fire maintenance agreement, water rates, security costs, etc?
8. Why has these properties been leased when originally all interested parties were told that they would only be sold and a lease wasn't an option.

This request is in place of the long standing request from myself, put to yourselves when the properties were being sold.

Yours faithfully,

Mrs. Jan Johnston,
Lowton EAsT Neighbourhood Development Forum

Hi Jan

I have received confirmation from the department, that this still isn't completed, and they cannot give me an anticipated date.

I have marked in my diary to check with them in about a month.

Kind Regards
Sharon

Sharon Crippin
Data Protection and Freedom of Information Officer
Resources Directorate
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From: jan johnston [mailto:janjohnston86@hotmail.co.uk]
Sent: Mon 03 October 2011 18:39
To: Crippin, Sharon
Subject: RE: Sale of Leisure Venues within Borough of Wigan to 8th Wonder

Hi Sharon,

Hope you are well and enjoying the sunshine, even though it was short lived.

Can you check on where we are up to with the regards to the FOI request regarding the sale of Leisure venues, as per my original request.

If they have not completed yet, can you tell me when it is expected though I would have thought that the transactions would be completed by now.

Kindest regards,

Jan

Hi Jan

Sorry for the delay in the response. Our conveyencing department have confirmed that none of the sales have been completed. We haven't had

formal instructions yet, and therefore the department don't anticipate that we will be completing any time soon.

I will keep in my diary and check on a regular basis for you.

Many thanks and kind regards
Sharon

Sharon Crippin
Assistant Data Protection Officer
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-----Original Message-----

From: jan johnston [mailto:janjohnston86@hotmail.co.uk]
Sent: Fri 03 June 2011 18:21
To: Crippin, Sharon
Subject: Re: Sale of Leisure Venues within Borough of Wigan to 8th Wonder

Hi Sharon,

Just to let you know that the sale is complete as far as I am aware. All the signs showing Lowton Civic Hall have been removed as have most of the interior boards etc.,

If they is correct, can you please proceed with the FOI request sent to you earlier and of which we have spoken about. I do hope your position is safe. It must be a worrying time for Wigan staff as the exterior job market is so poor at the moment as well. I used to work for local government, and unfortunately the pay outside of LG is not to the same level, unless you are exceeding lucky or you have a rich relative.


Look forward to hearing from you as quickly as you can.

Thanks Jan

>

RE: Sale of Leisure Venues within Borough of Wigan to 8th Wonder

To see messages related to this one, [group messages by conversation](#).

s crrippin
To janjohnston86@hotmail.co.uk10/05/2011  [Reply](#)

Dear Jan

I have contacted the department who was collating any information relating to this FOI request, and will forward a response ASAP.

Kind Regards
Sharon

Sharon Crippin
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-----Original Message-----
From: jan johnston [mailto:janjohnston86@hotmail.co.uk]
Sent: Tue 10 May 2011 08:08
To: Rumsey, Davina
Cc: Crippin, Sharon
Subject: Re: Sale of Leisure Venues within Borough of Wigan to 8th Wonder

Dear Sirs

Can you please chase up the reply to my request for information regarding the sale of the Leisure Venues in Wigan Borough especially the Lowton Civic Hall.

Your original reply stated that the closing date for the request was the 5th May and we are now on the 10th May, I would be grateful for an answer to my original questions by return please.

Kind regards,

Jan Johnston

Secretary,
Lowton East Neighbourhood Development Forum.

> -----Original Message-----

> From: jan johnston [mailto:janjohnston86@hotmail.co.uk]
> Sent: Thu 07 April 2011 17:12
> To: FoI Request
> Subject: Sale of Leisure Venues within Borough of Wigan to 8th Wonder

>

> Dear Sirs,

>

>
> I am Secretary of the Lowton East Neighbourhood development Forum, and I
> am
> requesting the following information under the Freedom of Information Act.
>
> I understand that the sale of Lowton Civic Hall, Formby Hall, Monaco
> Ballroom, and possible lease of Ince and Aspull venues has now completed
> with the preferred bidder of 8th Wonder being successful in their
> application.
>
> The directors of this Company, whom we have met are Gary Tyrer, Kerry
> Tyrer, Darren Rose plus possible others. The future plans sound exciting
> and
> offer investment into community resources.
>
> There seems to be much misinformation given to the press regarding this
> sale
> and we wanted to get actually clarification of the following points, with
> figures of £250,000 being paid for the three venues and then a different
> amount in another publication.
>
>
>
> How much did 8th Wonder pay for each individual property?
>
> Lowton Civic Hall,
>
> Formby Hall, Atherton
>
> Monaco Ballroom.
>
> Is the sale for the leasehold or the freehold? If leasehold, how long is
> the
> lease?
>
> Does the sale include the adjoining sports field to the rear of Lowton
> Civic
> Hall?
>
> What covenants have been written into the lease to protect the future of
> these buildings and adjoining land from future development?
>
> How was the actual selling price reached?
>
> How was each property valued and by whom?
>
> Did you use a member of the RICS Royal Institute of Chartered Surveyors?
> if
> so which company?
>
> What was the current condition of the Lowton Civic Hall, regarding any
> building survey carried out?
>
> Can you please let us have a copy of such report?
>
>
>
> I look forward to receiving this information within the standard timescale
> for dealing with FOI requests.
>
> Many Thanks,
>
> Jan Johnston,
> Secretary,
> LENDF