

## 'Exhibit KF5'

**From:** Acton, Alison <[Alison.Acton@trafford.gov.uk](mailto:Alison.Acton@trafford.gov.uk)>  
**Sent:** Friday, October 6, 2023 3:27 PM  
**To:** Lewis, Gary <[gary.lewis@squirepb.com](mailto:gary.lewis@squirepb.com)>  
**Cc:** Whittaker, Suzanne <[Suzanne.Whittaker@trafford.gov.uk](mailto:Suzanne.Whittaker@trafford.gov.uk)>  
**Subject:** [EXT] re Prohibition Notices for Victoria Warehouse

Afternoon,

Thank you for sending over the documentation relating to the structural assessment of the first floor (including balcony) at Victoria Warehouse .

Once the works detailed in the prohibition notice schedule have been completed, the notice is complied with and therefore the prohibition lifted. It does not require the Officer serving the notice to confirm compliance with the prohibition to be lifted.

Although the Council's Structural Engineer is not available at present to advise on his opinion of the suitability and content of the documents you have submitted, your engineer has determined the suitability of the structure of the first floor and balcony for its current use. If there are any comments relating to the documents when he looks at them next week, these will be fed back.

Please be advised that I am on annual leave from Monday 9<sup>th</sup> October and will be returning to work on Monday 23<sup>rd</sup> October. Whilst I am on leave please direct correspondence to my Line Managers Nicola Duckworth and Suzanne Whittaker ([Nicola.duckworth@trafford.gov.uk](mailto:Nicola.duckworth@trafford.gov.uk) and [Suzanne.whittaker@trafford.gov.uk](mailto:Suzanne.whittaker@trafford.gov.uk)) Matters relating to your appeal of the notices should be directed to James Parry, our legal representative ([James.parry1@trafford.gov.uk](mailto:James.parry1@trafford.gov.uk))

Kind Regards

*Alison Acton*

Environmental Health Officer

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**From:** Lewis, Gary

**Sent:** Thursday, October 12, 2023 2:13 PM

**To:** 'Parry1, James (Litigation Lawyer)' <[James.Parry1@trafford.gov.uk](mailto:James.Parry1@trafford.gov.uk)>

**Subject:** Victoria Warehouse - Academy Music Group Limited PN 3466 and Live Nation (Music) UK Limited PN 3465

Dear Mr Parry

I write further to Alison Acton's email (below) which responded to my earlier email (attached) submitting structural assessment material in relation to the Mezzanine and the Balcony areas at Victoria Warehouse, being the subject of the two Prohibition Notices.

Ms Acton's email appears to adopt the position that once the structural material was submitted, evidencing the structural integrity of the Mezzanine and Balcony, the Prohibition Notices were deemed complied with, without further input from the Council. That position lacks certainty. You will appreciate that my client would not wish to resume normal use of the Mezzanine and Balcony areas in contravention of a Prohibition Notice.

Ms Acton advised me to address future correspondence to yourself in relation to the Prohibition Notices.

Accordingly, could I trouble to confirm that it is the Council's position that my client can resume normal use of the Mezzanine and Balcony areas of the premises, on the basis that compliance with the Prohibition Notices was achieved upon submission of the structural assessment material to the Council on 5 October 2023.

I look forward to hearing from you.

Regards

*Gary*

**Gary Lewis**

Director

Squire Patton Boggs (UK) LLP



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**From:** Parry1, James (Litigation Lawyer) <[James.Parry1@trafford.gov.uk](mailto:James.Parry1@trafford.gov.uk)>  
**Sent:** Thursday, October 12, 2023 4:00 PM  
**To:** Lewis, Gary <[gary.lewis@squirepb.com](mailto:gary.lewis@squirepb.com)>  
**Subject:** [EXT] YOUR CLIENTS ACADEMY MUSIC GROUP LIMITED and LIVE NATION (MUSIC) LIMITED

Dear Mr Squire

I refer to your email of event date in which you ask for confirmation that your clients can resume using the areas within the Victoria Road, Wharf Road Trafford to which the prohibition notice to which you refer applied.

As you will be aware, the schedule to the prohibition notice stated, in so far as is relevant that "Cease to use the first floor until there has been a comprehensive analysis of the floor loadings, to include a typical beam, column and floor analysis and to consider dynamic crowd loading". As you point out, your client's supplied documents upon which they rely as being such a comprehensive analysis as required by the notice on the 5th October. Accordingly the prohibition ceased to be effective from that date. It is of course a matter for your client's in the light of the information they now have, to satisfy themselves that the analysis they have provided permits them to carry out their operations safely.

I am bound to observe that the fact that the notice is now of no effect renders the appeals you have submitted to the Employment Tribunal redundant. Clearly given that your clients have been able to do what was required within the schedule to the prohibition notice by the 5<sup>th</sup> October 2023, the process of lodging that appeal was premature, particularly given that it has yet to be issued by the ET. I look forward to you confirmation those matters have been withdrawn. Similarly your request to extend the period in which your clients should comply with the notice to the 27<sup>th</sup> October 2023 are equally redundant.

Regards

James Parry, Litigation Lawyer (Locum)  
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