

Exhibit KF8

From: Parry1, James (Litigation Lawyer) [REDACTED]
Subject: PROHIBITION NOTICE FOR VICTORIA WAREHOUSE
Date: 10 October 2023 at 15:31
To: Michael Krantz [REDACTED]

Dear Mr Krantz

Your email of the 9th October 2023 to Nicola Duckworth and Suzanne Whitaker has been passed to me. Please note that I now have conduct of the matter and all further communications should be directed to me.

As you correctly opine, the action that was required to be taken under the terms of the prohibition notice has been completed and therefore as the notice has been complied with, the prohibition no longer applies and the notice is no longer extant.

You appear to suggest that notwithstanding that situation it is your client's intention to pursue an appeal against the issue of the notice on the basis of your assertion that the prohibition notice should not have been issued seemingly in the hope of obtaining an order for costs and compensation. Your assertion that the notice was invalid and ought not to be accepted is not accepted.

At the present time the appeal you submitted has not yet been issued by the Tribunal and, as the notice has been complied any such appeal would be redundant and a waste of the Tribunal's limited resources. The appropriate course of action for you to take is therefore to withdraw that appeal to avoid wasting further costs. Should you not do so and attempt to proceed with the appeal the Council will apply for it to be struck out on the basis that it is redundant and has not reasonable prospects of success. The Council will see to recover the costs of so doing on an indemnity basis as wasted costs.

We should add that even were there any merit in the assertions you have made on your client's behalf, which there are not, your client's prospects of receiving costs in the most unlikely event their appeal succeeded they would not succeed in recovering their costs having regard to the principle established within *Bradford Metropolitan Borough Council v Booth* (2000) 164 JP 145 which was cited with approval when its reach was extended within *R (Perinpanathan) v City of Westminster Magistrates' Court* [2010] EWHC 319 (Admin), the principle being that local authorities should not be deterred from making reasonable decisions in the public interest by the threat of adverse costs orders.

We look forward to confirmation from you that you have now withdrawn your client's appeal or threat thereof.

Kind regards

James Parry, Litigation Lawyer (Locum)

Legal Services | Trafford Council | Trafford Town Hall | Talbot Road | Stretford |

M32 0TH

