

LICENCE REVIEW - ACADEMY MUSIC GROUP LTD - VICTORIA WAREHOUSE

From: Lewis, Gary <[REDACTED]> 13 October 2023 at 08:25
To: "Parryl, James (Litigation Lawyer)" <[REDACTED]>
Cc: "[REDACTED]" <[REDACTED]>, Phil Crier <phil.crier@[REDACTED]>

Dear Mr Parry

As you are aware, I am instructed by Academy Music Group Limited (AMG) in respect of the Improvement Notice and Prohibition Notice, served by Trafford Council on 6 September 2023.

Mr Crier is instructed by AMG to deal with the Licence Review.

I have received your email of 12 October 2023 (below) attaching a supplemental witness statement from Nicola Duckworth, dated 12 October 2023, via Mr Crier. The supplemental witness statement only makes reference to a prohibition notice served upon AMG by the Council on 6 September 2023.

In fact, an improvement notice and a prohibition notice were served upon AMG by the Council on 6 September 2023, as follows :-

1. Improvement Notice (IN) I/3468
2. Prohibition Notice (PN) P/3466

The supplemental statement is accurate in the following respects :-

Paragraph 4 - identifies that AMG submitted an appeal against the Prohibition Notice (PN) P/3466, to the Manchester Employment Tribunal on 27 September 2023, as is evidenced by Exhibit ND20 (attached).

Paragraph 5 – that AMG submitted structural assessment material to the Council, which the Council deemed sufficient to comply with the Prohibition Notice.

However, Paragraph 6 is wholly inaccurate. At no time has AMG sought an extension of time to comply with the Prohibition Notice. The requests for an extension of time only related to the time period for compliance with the Improvement Notice. All emails relating to requests for an extension of time are attached, together with the Council's responses. They all refer to "IN 3468" in the subject heading, they all reference the Improvement Notice and tellingly the Notice of Extension issued by the Council on 6 October 2023, confirmed that the time period for compliance with the Improvement Notice was extended to 20 October 2023. That extension date was further queried by email dated 11 October 2023, in the context of the Improvement Notice being withdrawn. The email response from the Council on 11 October

2023 @ 17.47 was written by Nicola Duckworth. Ms Duckworth confirmed that the extended date of 20 October 2023 for submission of documents in compliance with the Improvement Notice stood and that the Notice would not be withdrawn. The attached emails show there has been no request to extend the time to comply with the Prohibition Notice.

The factual position is :-

1. AMG sought and have been granted an extension of time to comply with the Improvement Notice to 20 October 2023, by an extension notice issued by the Council on 6 October 2023.
2. Structural assessment material was submitted to the Council by AMG on 5 October 2023. The Council have accepted that the structural assessment material constituted compliance with the Prohibition Notice. The Prohibition Notice is still the subject of an Appeal submitted to the Employment Tribunal on 27 September 2023. AMG have never requested an extension of time to comply with the Prohibition Notice.

I invite the Council to file a further statement from Ms Duckworth with the Licensing Authority remedying the factual inaccuracy contained in paragraph 6 of her supplemental witness statement in advance of the Review Hearing on 20 October 2023. My client reserves the right to refer to this email at the licensing hearing should the factual inaccuracy in the statement not be remedied.

I look further to hearing from you.

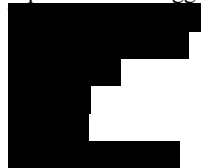
Regards

Gary

Gary Lewis

Director

Squire Patton Boggs (UK) LLP



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From: Parry1, James (Litigation Lawyer) <James.Parry1@trafford.gov.uk>

Date: Thu, 12 Oct 2023 at 16:15

Subject: REVIEW - ACADEMY MUSIC GROUP LTD - VICTORIA WAREHOUSE

To: Phil Crier <phil.crier@pblicensing.co.uk>

Dear Mr Crier;

I attach a second statement from Nicola Duckworth and what is her exhibit ND20 which I have asked the committee clerk to include within the bundle to provided to sub-committee members.

Regards

James Parry, Litigation Lawyer (Locum)

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