



GOSCHALKS
SOLICITORS

BY EMAIL ONLY
FAO David Smith
Principal Licensing Officer
Oldham Council
Sir Robert Peacock House
Vulcan Street, Oldham
Greater Manchester OL1 4LA

Please ask for: Richard Taylor
Direct Tel: 01482 590216
Email: rjt@gosschalks.co.uk
Our ref: RJT / MJM / 098454.25370
#GS2299517
Your ref:
Date: 27 November 2018

Dear Sir,

Re: Licensing Act 2003 – Review Proceedings
Royal Oak Hotel, 496 Oldham Road, Failsworth

We act on behalf of Ei Group Plc. Our client is the freeholder owner of these premises and we have just received details of the expedited review held on 14th November 2018. We understand that today is the last date for representations in respect of the full review.

We would be grateful if you would accept this letter as a formal representation on behalf of our client. Ei Group Plc owns around 4000 public houses in England and Wales. The company operates around 300 premises but the vast majority of its estate are the subject of lease/tenancy agreements by which the tenant operates his/her/its own business out of our client's premises. The lease/tenancy agreement makes it clear that all operational responsibility for the premises lies with the tenant. The Royal Oak is the subject of a 5 year agreement in favour of Debbie Richardson, a Director of Mia Call Limited (the premises licence holder). Ms Richardson has been responsible for the operation of these premises since March 2015.

Please note, that our client takes a wholly neutral stance with regard to the issues raised in the application for review. The purpose of this letter is to make representations with regard to the promotion of the licensing objectives moving forward.

We note from the information that we have received from the Police that there can be no certainty with regard to whether or not there was a stabbing or indeed the time of the incident that led to the injuries. In the circumstances, and without any certainty with regard to the time of any incident then the committee may not find it appropriate to determine that it would be appropriate to reduce the trading hours of the premises.

On the evidence that we have seen, it would appear that an appropriate and proportionate response would be to impose conditions on the premises licence relating to operation. It may also be

appropriate and proportionate (dependent upon the evidence) to remove the existing designated premises supervisor and require new management on site.

We reserve the right to expand upon matters raised within this letter of representation once we have seen any further evidence. At this stage, however we would be grateful if you would acknowledge receipt of this representation and advise as to the date of the hearing in order that we may discuss with our clients whether it wishes to be represented at the hearing.

We look forward to hearing from you.

Yours faithfully



GOSSCHALKS