

Subject:

Marstons Representation - Oak Inn 119 Gosford Street,
Coventry CV1 5DL - Premises Licence LN/206000201
(OAK27/6)

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Dear Sirs

We act on behalf of Marston's Plc and should be obliged if you would take this email as a representation on behalf of the company in respect of the Review application which has been issued against the aforementioned premises by West Midlands.

As you are aware these premises form part of the Marston's Plc estate, that estate is broken into three distinct sectors and although having a global number of sites in the region of 1400 there are approximately 350 within the tenanted division.

This site is covered by a long Lease Agreement between Marston's Plc and Oak Inn (Coventry) Limited which was executed on the 27th January 2006 with a term of 21 years. The freehold of the premises is owned by the Marston's Plc and as such, Marston's Plc have an interest in the property. Marston's Plc have a property interest in the Premises Licence which the current Premises Licence Holder is obligated to protect and uphold by virtue of the clauses of the Lease, or on failure to do the Lease permits Marstons Plc to instigate steps to terminate the Lease.

Our clients have a long association with running premises such as these having had the benefit of a tenanted estate as part of the Brewery since the inception of its business. They place great stall by the professionalism of their systems and particularly those which touch upon regulatory matters. They also set out to cooperate very closely with the authorities over matters affecting their estate and on an ongoing basis. In doing however they have to appreciate a degree of autonomy that there tenants have by virtue of the agreements under which they hold the premises and the protection afforded by the law to such tenants.

It follows that where on a rare occasion our clients have to confront a Review application, the seriousness of the position to them cannot be overstated. In this instance the Licence is held by the tenant company Oak Inn (Coventry) Limited and operated by the Director of that company Darren Lee who is the Designated Premises Supervisor. As stated above the Lease in respect of this site commenced in 2004 with the same Tenant operating the premises for virtually 17 years. The premises operates as a late night venue within the city centre and it is understood that the premises has worked in cooperation with the Police and other Responsible Authorities within that period of time, However it is apparent from the Review papers that the position in recent times has changed.

Marston's Plc have had sight of the basic Review papers but as a result of filing of this representation and their interest in the property and the Premises Licence it is requested on their behalf that further disclosure is afforded to them and that they are viewed to have the same status as the Premises Licence Holder as opposed to a third party expressing an interest in the Review such as a resident or other commercial entity.

Our clients do not condone any of the complaints raised against the Tenant but seek to confirm the exact extent, nature and strength of those allegations and seek to work with both West Midlands Police and the Licensing Authority as to the promotion of the licensing objectives going forward.

Our clients seek to continue to keep close liaison with all the Authorities and to achieve compliance with the licensing legislation and uphold the licensing objectives.

Should this matter proceed to a Review hearing we will attend that hearing on our clients behalf with a senior representative of the company and at that hearing address any matters which need to be confronted. Until full disclosure of the allegations raised against the Premises Licence Holder has been made, Marston's Plc are unable to file a full response and reserve the right to submit further documentation in support of this representation as required and/or to make additional submissions at the Review hearing.

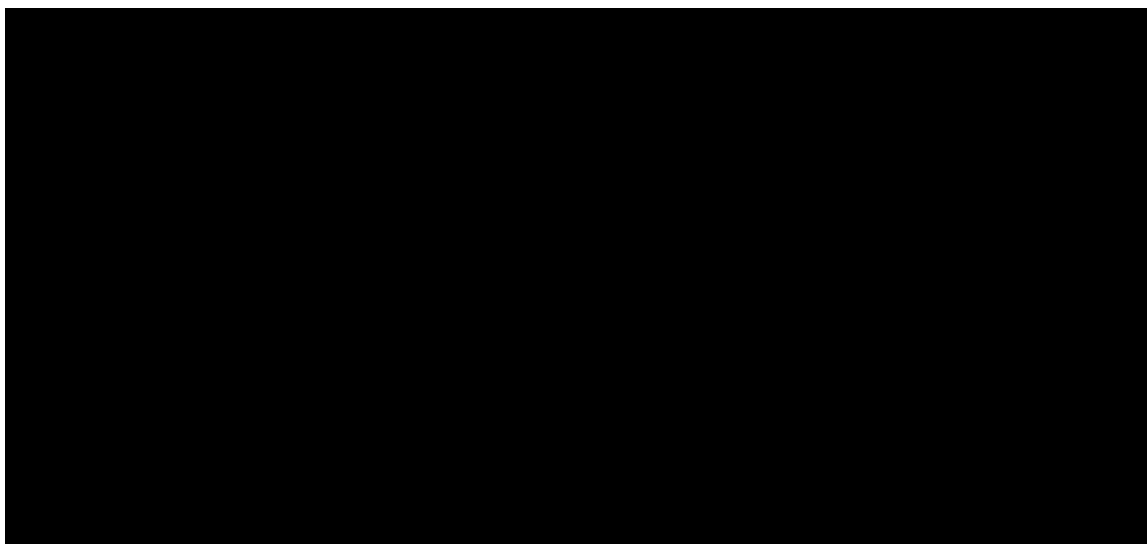
We should be grateful if you would kindly acknowledge safe receipt of this email and its status as a representation and that it was received during the consultation period. We would be grateful if you could confirm that on the basis of receipt of this representation and our clients standing in the matter will be deemed akin to that of the Premises Licence Holder and full disclosure will be afforded to our client.

Yours faithfully

Michelle Hazlewood

Partner

Sent by Sue McCourt



Partners: Tim Shield (569713) | Michelle Hazlewood (569714)
Christopher Grunert | Jon Wallsgrove | Patrick Robson
Practice Manager: Jonathan Pupius

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