

E-mail Message

From:
To: Pubs Consultation Responses
[EX:/O=DTI/OU=DTIHQ/CN=RECIPIENTS/CN=PUBSCO]
Cc:
Sent: 14/06/2013 at 20:27
Received: 14/06/2013 at 20:27
Subject: Pubs Consultation

Attachments: [1 attachment withheld, 1 attached and redacted]

Dear Pubs Consultation

Please find attached evidence that I would like to submit as part of the pubs consultation. Attached is the follow up since that time, which, I believe, shows the inadequacies in self regulation and the attitude from the very top of the pubcos.

If you require any further information then I will gladly help.

I would like to be very clear that this is my personal submission

Kind regards

This email was received from the INTERNET.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

By First Class post and email

Dear [Pub Company executive]

With reference to the chain of emails dated _____ and as detailed below for your convenience.

I have now sort legal advice from _____ and it has been advised that I make you aware of the following.

I have no further liability in respect of the lease for the premises known as _____, to continue as below could be viewed as dishonest appropriation and therefore actions by yourself could be viewed as dishonestly dissipated.

As to my _____ debt, that responsibility lies solely with _____ and therefore I must insist that you comply with the Data Protection Act in the respect that I have no liability, if you do not I will have no hesitation in informing The Commissioners Office about breach of the Data Protection Act 1998. I have been advised that the Commissioner has the power to levy a fine of up to £500,000 against an organisation that breaches said Act. Therefore it is in your interests to confirm receipt of this letter and to assure that records will be amended forthwith.

It is my belief that a personal apology would be in order for the misguided way in which you tried to scare me into believing that I owed a sum of _____. I am especially concerned that you are not trying to scare me as _____ which is trying to protect the interest of vulnerable licensees.

With the above in mind, I look forward to receiving your confirmation of receipt of this letter, your assurances that records have been amended and your personal apology and assurance that you have no intention whatsoever of trying to scare or intimidate me further.

Yours sincerely

Cc:

Dear

With reference to
and the failure of _____
to follow Health and

Safety regulations. We would be grateful if you could clarify if any previous tenants have been charged dilapidations which covered Health and Safety issues? Thanking you in anticipation. Yours sincerely

Dear [Tenant]

I am replying to your email of 12th October 2010.

It would be wholly inappropriate to discuss, or provide details of, matters relating to any pub in the estate to anyone who is not associated with the site or indeed to any other unauthorised party.

I am, however, able to reconfirm the details regarding the dilapidations and Health & Safety status of the pub previously leased and occupied by you at [pub] in

You will recall that, under the terms of the full repairing lease agreement you entered in to, in addition to the clearly specified repairing responsibilities you agreed to, you and were responsible for ensuring that the premises at [pub] were statutorily compliant in relation to Health & Safety matters.

Following a complete house survey conducted by the Company in it was noted that many of the necessary statutory compliance certificates for which you were responsible were not available for inspection, although it is noted that you were able to demonstrate compliance with the Electric Safety Regulations.

At a later review meeting in you were again unable to produce relevant Gas and Asbestos statutory certification. You did however maintain at the time that you had a valid Electrical Certificate but could not locate it. These facts were duly recorded in the notes of the meeting, copies of which were forwarded to you as is normal practice.

Further to your apparent failure to fulfil all of your obligations, a full house survey was conducted in where it was again pointed out to you that you had not complied with your Health & Safety responsibilities, particularly in relation to Gas, Asbestos & Portable Appliance Testing. Subsequent to this review, in you wrote to the Company enclosing a current copy of the CP12 Gas Certification for [pub]. In the same letter you identified the fact that your electrical certification for the site had lapsed, but that you intended to rectify this situation via your own electrician imminently.

Notwithstanding your confirmation that you would fulfil your Health & Safety responsibilities, when a complete dilapidations inspection of the site was undertaken by the Company in , yet again you were unable to produce any statutory certification to demonstrate that you had met your obligations.

Furthermore, at a subsequent visit to [pub] by a representative of the Company to determine whether any of the stated dilapidations had been discharged by you, it was clear that you had not fulfilled your responsibilities for Health & Safety and that both gas and electrical supplies to the premises had been disconnected by the relevant utilities suppliers. It was also pointed out to you that the central heating boiler, which was in a largely dismantled state, was both unsafe and would not pass a gas safety inspection.

We were later provided with extensive photographic evidence of the appalling condition in which you left the premises upon your departure. The final reconciliation of your account identified sums due to the Company totalling £ of which £ related to the costs we would incur making good the dilapidations for which you and were wholly responsible under the terms of your lease, but which you had failed to fulfil. Within the dilapidations figure, £ was assessed as relating to the Health & Safety works which should have been completed by you.

As you will be aware, all of the sums owed to the Company by you and remain outstanding.

I trust this provides you with the information you were seeking.

Yours sincerely

e-mail:

Dear [Pub Company] Thank you for your reply, the first paragraph would have sufficed and that would have been the end of the matter. The 'information' that you provided was not requested

With reference to Health and Safety regulations and I had been prepared to put it down to experience, however as you feel that it is an important matter I am prepared to discuss it . We moved into the premises on

and there was neither a gas safety certificate, an electrical safety certificate or an asbestos certificate supplied, as we moved in under a TAW this was the responsibility of the pub co and they failed to supply the legally required documentation. I take on board that the asbestos certification may or may not have been a legal requirement at that period in time, however the gas and the electrical certification most certainly was. In we had to involve the carbon monoxide poisoning people in London, a report of which was logged, after we had complained to the BDM that the flue to the boiler was not properly connected and family and staff were suffering from headaches. The had told us to open the window, close the door and not to worry about it,

came in and repaired the boiler following the contact from London. In after a period of months without the statutory regulation, [pub company name] carried out a gas safety inspection upon which the gas fire in the family room was condemned as it was dangerous!!! In March 2003 also carried out the Electrical Safety which was carried out by [pub company name] received copies of both of these documents and I have copies of all documentation on file including the condemned certificates. In we had an asbestos survey carried out and a copy was given to the , we retained the original and that remains on file. [Pub company] wanted to send in their own electrician to carry out an electrical inspection, however we had found that work carried out previously by contractors employed by [pub company] had been unsatisfactory and therefore we preferred to employ our own. We had an inspection carried out and the ensuing report found that the inspection in had not met with 2000 requirements as there was no earth bonding, a copy of this report was supplied to Mr Andrew

and the original remains on file. We questioned _____ on why the electrical safety certificate as supplied by [pub company] in 2003 had failed to comply with NICEIC regulations, _____ refused to supply any answer. I note that this is the first time that _____ have mentioned any outstanding monies despite having my contact details .

You are also aware that [pub company] made me bankrupt on the _____ with this in mind I will have to seek legal advice and speak to my official receiver with reference to outstanding monies that I may or may not owe. If you wish to continue with this then I must request a full and complete breakdown of all alleged monies including F & F and deposits. It is inappropriate to discuss matters pertaining to _____ with myself and I respectfully request that you do not continue this course of action. Yours sincerely