

The Licensing Act 2003

Interested Party Representation Form

The Licensing Act 2003 (the act) makes local authorities responsible for the licensing of pubs, clubs, theatres, cinemas, restaurants, takeaways and so on. Some premises may apply to extend their hours or add some form of regulated entertainment and this is where interested parties can have their say by making relevant representations and objecting to the proposals.

Interested parties

An interested party is defined by the act as:

- An Elected Member
- A person living in the vicinity;
- A body representing persons living in the vicinity;
- A person involved in business in the vicinity of the premises; or
- A body representing persons involved in such businesses.

The word “vicinity” has not been clearly defined by the act. If you are living or working close enough to a premises and you are to be affected by the activities, we will look at your location to determine if you can be described as ‘in the vicinity’.

What are the objectives?

Representations can only be made on the grounds that there may be a breach of the licensing objectives in the act. These are:

- The prevention of crime and disorder;
(Examples of representations relevant to this objective are illegal drugs, sex related activities, violent behaviour, anti-social behaviour, drunkenness, drug dealing, underage selling, and so on.)
- Public safety;
(Examples of representations relevant to this objective are breaches of health and safety laws, accommodation limits, first aid, unauthorised alterations to property and so on.)
- The prevention of public nuisance; and
(Examples of representations relevant to this objective are noise nuisance, noxious smells, anti-social behaviour, litter in the vicinity and so on.)
- The protection of children from harm.
(Examples of representations relevant to this objective are underage selling, sexual activities, access to premises, drugs use and so on.)

What are relevant representations?

“Relevant representations” is the term used in the act for comments including objections on applications, reviews etc.

For the purposes of making a representation by an interested party, a representation must be relevant. For a representation to be relevant it must:

- relate to the effect of the grant of the licence on the promotion of the licensing objectives (stated as above);
- be made by an interested party or responsible authority;
- not have been withdrawn;
- not be 'frivolous' or 'vexatious' or, in the case of a review, 'repetitious' if made by an interested party.

Section 1 - Application Details	
<p>I object to the following Application: Applicant's name (if known): Donkeystone Brewery</p> <p>Premises name and address: Wellington Road, Greenfield.</p>	
Type of Application: New Premise	
Application Number (if known):	

Section 2 – Details of person making Representation (objection)	
<p>Details of person making Representation (objection): <i>If you are a representative for an objector go to the next section</i></p>	
Objector's Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____
Surname	Brophy
First name(s)	Gary
Telephone:	██████████
Address (including post-code): 27 Knoll Close, Greenfield, Oldham, OL37FJ <i>Please complete this information or your objection may not be considered.</i>	

Please note that a full copy of your objection (including your name and address) will be sent to the applicant and will be a public document at any hearing of this matter.

If you represent residents or businesses in the vicinity, please complete the boxes below.

Section 3 – Representative’s details	
Representative’s Details:	
Representative’s Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____
Surname	_____
First name(s)	_____
Telephone:	_____
Organisation	_____
Address (including post-code): <i>Please complete this information or your objection may not be considered.</i>	
Please state nature of representation: e.g. Residents association Ward councillor MP Trade association	

Section 4 – Representation (Objection) Details	
<input type="checkbox"/>	I object to the application being granted at all
<input checked="" type="checkbox"/>	I object to the application being granted in its current form*
*If you choose this option remember to tell us in the next section what changes you would like to see.	
You need to complete the boxes below as fully as possible. If you do not, then the Licensing Sub-Committee may not understand why you have objected.	
Please attach supporting documents/further pages as necessary. Please number all extra pages and add the applicant’s name and your name to each page.	
Try to be as specific as possible and give examples <i>e.g. on 1 February I could hear loud music from the premises between 10pm and 1 am. I am concerned that if the premises open until 2 am this will cause a public nuisance to me and other residents of the street.</i>	

<p>To prevent crime and disorder</p>	<p>I have serious concerns of an increase in crime and disorder directly linked to installing an access point onto the River side path. My Concerns include intoxicated people now being directed onto Knoll Close, urinating on the path and access steps, breaking bottles on the poorly lit path were children play and people walk their dogs. This will surely increase, gathering of youths, ASB, Crime, damage to property vehicles and a dramatic increase in litter and potential pollution of the river.</p>
<p>Public safety</p>	<p>The idea of a back gate, which will take intoxicated patrons on to a Riverside path, will increase the risk injuries due to trips and falls but also human life due to drowning. At the proposed exit point onto the River path there is no lighting, as this stops after the Tesco Building, so late at night or earier in winter this area is pitched black. There is also poor balustrading with a 3-4m drop into the River. Many local residents use this pathway for walking their dogs if this is granted new access route will attract not only large groups of inebriated Ale Trail groups that have consumed alcohol prior to visiting the taproom but also large groups of youths, which could make this area a no go zone for local residents.</p>
<p>To prevent public nuisance</p>	<p>The building itself surely was not meant for the live music proposed even with the noise reduction measures and who will monitor this? I understand that the previous site used had noise pollution issues, and information from Freedom of Information highlighted a large amount of complaints relating to noise nuisance and ASB. Is the problem just being moved from one area in Greenfield to another, were it will be located closer to the residential properties than it was at their previous location.</p> <p>The proposals are also suggesting 'Events' which generally means live music and PA systems and outside tables. This has previously been an issue at the Railway with the noise travelling throughout the valley which is hundreds of meter away. It will attract drinkers after other drinking facilities have closed in Uppermill and Greenfield causing noise from both the users and their vehicles. There will also be an increase in noise from people in the smoking areas, people waiting for taxis and the extraction units proposed.</p> <p>We already have a massive litter problem in the local area caused by Tesco shoppers and this no doubt will add to it.</p>
<p>The protection of children from harm</p>	<p><i>Please state your reasons:</i></p>

Please give any suggested conditions that could be added to the licence to remedy the cause of your representations, or other suggestions you would like the Licensing Sub-Committee to take into account.

1. No access onto canal path, the entry and exit point should remain on Wellington Road.
2. CCTV on Entry and Exit points
3. All noise / music not audible to residential properties
4. Smoking area to be located on opposite side facing Tesco
5. No drinking outside or limitations on when this can happen.
6. A limited number of events per year, with resident consultation
7. Maybe at Whatsapp group for owners and residents were complaints and problems could be dealt with quicker.
8. Door staff on all events.
9. Staff monitoring outside activities of patrons
10. Planting of trees and bushes in buffer zone between building and fencing on Knoll Close.
11. The Fire escape proposed facing Knoll Close only to be used in emergency

Signed...G Brophy.....Date 11/.8/21.

N.B if you do make a representation you will be invited to attend the Licensing Sub-Committee hearing and any subsequent appeal proceedings.

Please return this form along with any additional sheets to: Licensing Service, Sir Robert Peacock House, Vulcan Street, Oldham, OL1 4LA **or email to licensing@oldham.gov.uk**

TIME LIMITS

This form must be returned within the Statutory Period. Generally, **28 days** from the day the notice was displayed on the premises or the date specified in the Public Notice in the newspaper.

If you are unsure of the time limit to lodge this application for a representation (objection), please check with the Licensing Section at licensing@oldham.gov.uk.