

# 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- not have been withdrawn;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><b>I object to the following Application:</b>  Applicant's name (if known):</p> <p><b>Donkeystone Brewing Company</b></p> <p>Premises name and address:</p> <p><b>Donkestones Brewery, Units A-D Wellington Industrial Park, Wellington Road, Greenfield. Oldham. OL3 7AQ.</b></p>	
<p>Type of Application: <b>New Premise</b></p>	
<p>Application Number (if known):</p>	

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>	
<p>Objector's Title</p>	<p>Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____</p>
<p>Surname</p>	<p>Thornton</p>
<p>First name(s)</p>	<p>Chris</p>
<p>Telephone:</p>	<p>██████████</p>
<p>Address (including post-code):  <i>Please complete this information or your objection may not be considered.</i></p> <p>12 Knoll Close, Greenfield, Oldham, OL3 7FJ.</p>	

**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):  
*Please complete this information or your objection may not be considered.*

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 *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.*

<p>To prevent crime and disorder</p>	<p>As a resident of Knoll Close (the street next to Donkeystones Brewery), I have concerns about an increase of crime and disorder if the proposed rear access gate is added to the property. Intoxicated people will leave Donkeystones onto a dark, ill-lit path. Given the seclusion of the path this will lead to urinating, broken bottles/glasses, gathering of youths/people, ASB, damage of property and vehicles and an increase in litter (including into the river behind Donkeystones).</p> <p>The plans suggest people will leave via the rear exit/entrance towards Tesco onto Chew Valley Road. Customers are just as likely to leave towards Uppermill via Knoll Close.</p> <p>Given the licence hours proposed, customers of Donkeystones will be leaving throughout the day via Knoll Close. Knoll Close is home to 18 children under the age of 10, many of which play on the street.</p> <p>The front entrance at Donkeystones will be adequate to leave the property directly onto Wellington Road.</p>
<p>Public safety</p>	<p>As per the aforementioned information regarding the proposed rear entrance/exit to Donkeystones, intoxicated patrons will be leaving the premises via an ill-lit path, directly next to a river with sub-standard rails; Increasing the risk of injuries, trips, falls into the river (~5m) and at worst drowning.</p> <p>In addition, in 2011 an application to turn the building into a play centre were rejected based on heavy commercial vehicles servicing adjacent industrial units.</p> <p><a href="https://planningpa.oldham.gov.uk/online-applications/files/563895A5BDA5389A3D488A401F37E838/pdf/PA_331578_11-Decision_Notice-1435697.pdf">https://planningpa.oldham.gov.uk/online-applications/files/563895A5BDA5389A3D488A401F37E838/pdf/PA_331578_11-Decision_Notice-1435697.pdf</a></p>
<p>To prevent public nuisance</p>	<p>The building in which Donkeystones resides was not designed to host music events or play music. The material of the building will not contain the noise.</p> <p>Donkeystones had noise pollution issues at their previous site. Information from Freedom of Information highlighted many complaints relating to noise nuisance and ASB. I fear the problem is just being moved from one area in Greenfield to another, where it will be now located closer to the residential properties than it was at their previous location.</p> <p>In addition to music, there will also be an increase in noise from people in the smoking areas and waiting for taxis.</p> <p>Proposed licencing hours include Mon-Sat 08:00-22:00 and Sun 09:00-23:00. These are long hours and will result in music, people noise and footfall throughout the night disrupting sleeping children and families.</p>
<p>The protection of children from harm</p>	<p>As previously mentioned, 18 children under the age of 10 play on Knoll Close. This number increases if you consider Heron's Reach which has now been complete, and residents have moved into the newly built houses. I do have fears that people leaving via the rear of Donkeystones using the newly proposed exit could potentially be a nuisance and cause harm to the child.</p> <p>In addition to direct harm (physical or verbal), harm could be caused indirectly i.e. visually such as caught urinating or damaging property (cars, walls, breaking of bottles/glasses etc.)</p> <p>As a parent I would have serious concerns about letting my children play out if this</p>

rear exit/entrance is approved.

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 consider.

I have bought beer from Donkeystones in the past and will continue to do so in the future. I would fully support them if they provided the following alterations to their application:

1. No rear entrance/exit and no access onto the river path. The entry and exit point should remain on Wellington Road only
2. CCTV should be installed both on entry and exit points to monitor customer behaviour, with staff monitoring customers leaving/entering the property
3. Improvements to be made to the existing fence located between Donkeystones and Knoll Close. In addition, the planting of tall trees to stop all noise/ music travelling to local residents
4. No drinking outside of Donkeystones at all
5. A limited number of live music events/events per year
6. A resident WhatsApp group administrated by Donkeystones where discussions can take place to discuss complaints/concerns and resolutions can be dealt with quicker. Most residents (including myself) wish for Donkeystones to succeed. Creating a community would both appease residents and improve Donkeystones connections with the community
7. Door staff during drinking hours and live events
8. Proposed fire escape to be situated facing Knoll Close to be only used in the event of a fire or major emergency
9. Current proposals for licence hours include the sale of alcohol and provision of films Mon-Sat 08:00-23:00, Sun 09:00-23:00. Live Music Mon-Sat 08:00-22:00, Sun 09:00-22:00. Recorded Music Mon-Sat 08:00-23:30, Sun 09:00-23:30. This effectively allows for live events, music and drunk individuals leaving Donkeystones almost ALL week. Closing times should be reconsidered with a reduction in operating hours e.g. Mon-Thurs 21:00, Fri-Sat 22:00, Sun 18:00. Donkeystones say they are a family business; please work with us families on the neighbouring streets to offer a balance. We do wish you well.

Signed *C Thornton* Date 12/08/2021

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](mailto: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](mailto:licensing@oldham.gov.uk).