

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- not have been withdrawn;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	Taylor
First name(s)	Ian
Telephone:	XXXXXXXXXX
Address (including post-code): 23 Knoll Close, Greenfield, Oldham, OL3 7FJ <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 about the times requested for the licence and the riverside entrance.</p> <p>Opening late, initial request was for 11pm and 1am Friday and Saturday, would mean that potentially drinkers from other Saddleworth establishments could arrive to continue drinking late, inevitably some would leave inebriated and drunken people can lead to crime and disorder.</p> <p>There are over 20 people that live on Knoll Close which is directly behind the building and connects to the path where they propose a Riverside entrance.</p> <p>Perhaps a gate up the steps to Knoll Close, with residents having a code access, so people coming from the station in Greenfield can use the path from the other side would be a fantastic compromise.</p> <p>With regards to Licensing hours, we're not against the hours, just about the length of them. If the establishment is to be used by family orientated local drinkers in a quiet setting as they describe why they need to open so late. Perhaps a more reasonable 7pm close would be a great compromise.</p>
<p>Public safety</p>	<p>The back-entrance path is close to a river and a dark lit path that is used by lots of locals.</p> <p>If lit better and secure to stop people entering the river this could be closed off as covered and acceptable.</p> <p>If this was to become a stop on the famous Ale Trail though, which is inevitable, if the premises had a back entrance it would inevitably be used by groups of people, often drunk, with an impact on locals safety.</p> <p>Plus if no gate added to stop people walking onto Knoll Close then high potential for drunken adults walking down Knoll Close where the 20 kids live, most aged under 13. This would totally disrupt the way of life on the close unless resolved as part of licensing conditions.</p>
<p>To prevent public nuisance</p>	<p>We have huge concerns about noise from what's in essence a tin box.</p> <p>We're not against music in the venue, just against being able to hear it in our gardens and in our house when windows open due to warm weather. We live in a currently very quiet residential area and don't want our quality of living effected.</p> <p>Already we have the smell of the brewing to deal with. My daughter aged 9 often comments 'oh no it stinks they're brewing again' would you like that in your garden when you didn't have it as you bought the house?</p> <p>So we're really worried about noise. We're not against the license, just against the noise it might bring.</p> <p>Ideally noise restriction levels built in to the licences conditions set at a level where we can't here it and reduced hours than they applied for and then we turn the against the license into we back it.</p>

The protection of children from harm	<i>Reasons as above – drunken people, leaving an establishment, walking down and causing nuisance Knoll Close where many people children live.</i>
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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.

Gate stopping public access to Knoll Close.

Reduced operating hours so close each night at 7pm.

Set acceptable noise levels that don't affect local people in gardens on adjacent housing and Knoll Close and that if not adhered to license is revoked. Plus contact number for instant solution if noise made.

CCTV on access and exit points

No outside drinking area added

Smoking area to be on Tesco side not housing side

More noise buffering outside between the back of the premises and Knoll Close

Signed...*Ian Taylor*....Date 13/8/21

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.