

# 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- not have been withdrawn;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): Donkeystone Brewery</p> <p>Premises name and address:             Wellington Road            Greenfield            Oldham            OL3 7AQ</p>	
Type of Application: Licensing	
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 checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other _____
Surname	Roberts
First name(s)	Mark
Telephone:	<span style="background-color: black; color: black;">XXXXXXXXXX</span>
<p>Address (including post-code):  <i>Please complete this information or your objection may not be considered.</i></p> <p>25 Knoll Close            Greenfield            Oldham            OL3 7FJ</p>	

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**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	
<b>Representative’s Details:</b>	
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	
x	I object to the application being granted at all
	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><i>Please state your reasons:</i></p> <p>The Donkeystone 'Taproom' was originally sited on the Boarshurst Business Park (Greenfield). Whilst operating an entertainments venue the 'brewery' racked up an incredible number of anti-social complaints (as recorded on a Freedom of Information request). Complaints included drunken behaviour, lewd behaviour including urinating in public areas, excessive noise (particularly at closing time), large groups of children who were left outside and unsupervised and general late-night boisterous behaviour include damage to cars and property.</p> <p>I find the situation incredulous that a business with such a poor reputation at its previous location (set at the centre of domestic dwellings) may find itself trying to repeat its poorly laid out plan in another unsuitable location. Knoll Close and Heron's Reach (houses opposite and adjacent to Donkeystone) have a significant number of 'family' homes with many young (pre-school/Primary aged) children.</p> <p>A licenced premises at this location is completely inappropriate and unacceptable.</p>
<p>Public safety</p>	<p><i>Please state your reasons:</i></p> <p>I have significant reservations re the plan for a 'back gate' via the riverside path. This path is narrow and poorly lit. In addition, it is only a short fall into the neighbouring river. I fear this will become a potential area of risk, both to potential patrons (those who intoxicated) and area of conflict with local residents who utilise this area for dog walking etc.</p> <p>I suspect the proposed entry point and access area will act as a magnet to larger groups of 'youths' as the try to gain access even though the are below the legal drink age.</p> <p>In addition, I strongly suspect that any potential patron accessing the 'taproom' via this direction will use Knoll Close on both arrival and exit. Again, I fear this would have significant repercussions with local residents where public safety is paramount.</p>

<p>To prevent public nuisance</p>	<p><i>Please state your reasons:</i></p> <p>As stated the previous site reported significant noise pollutions issues. This documented and supported by a Freedom of Information.</p> <p>As far as I read/ascertain the plans/proposals for the new site offer nothing different and as such it will achieve the same results i.e. discontent residents and numerous nuisance complaints to the relevant authorities/bodies.</p> <p>'Events' will mean live music which will increase general noise, PA systems, increased footfall from other late-night venues and other associated nuisance such as increased late-night traffic i.e. taxis.</p> <p>All of the above will increase already historic issues such as littering (due to Tesco) in a domestic location.</p>
<p>The protection of children from harm</p>	<p><i>Please state your reasons:</i></p> <p>Apologies for the repetition but Donkeystone sits adjacent and opposite to two 'family' heavy residential areas in Knoll Close and Heron's Reach.</p> <p>Many homes have young (under 11's) children who currently are safe to explore and enjoy a quite residential area. However, the potential for these children to leave their homes on a Sunday morning and be exposed the usual 'morning after the night before' scenes of intoxication and other late-night adult behaviours is significant. Who knows what they may pick up, step in or hurt themselves on following a Saturday night 'event' and early morning aftermath.</p> <p>Again, these are realistic and genuine scenarios that are heightened in a quiet domestic setting, unsuitable to a licensed premises.</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 late-night opening or in line with current local opening times (closing in practise not by license)
2. All noise /event music not audible to residential properties
3. No 'back path'. All access via Wellington Road (the original access point)
4. Increased buffer zones i.e. established tress and other natural foliage between Donkeystone and domestic dwellings
5. Door staff at all events
6. Following morning, after event litter collection
7. Staff to monitor outside activities (a significant complaint from the previous venue)

Signed- **M Roberts**  
Date 12/08/21

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](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).