

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

As well as Responsible Authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to application for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographical proximity to the premises. Any representations made by these persons must be 'relevant'. For a representation to be relevant it must:

- relate to the likely effect of the grant of the licence on the promotion of the licensing objectives
- 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- not have been withdrawn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

In the case of variation applications, the representation must be confined to the subject matter of the variation.

What are the Licensing Objectives?

- **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, however, guidance issued under Section 182 of the Act states that beyond the immediate area surrounding the premises are matters for the personal responsibility of individuals under the law)

- **Public safety**

(Examples of representations relevant to this objective are lack of adequate lighting, unauthorised alterations to property and so on)

- **The prevention of public nuisance**

(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)

The Section 182 Guidance is a valuable source of information that interested parties may wish to consult when considering making a representation and can be found online on this link: <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

Section 1 - Application Details

Applicants Name	Taj Ahmed
Premises Name	
Premises Address	162 Chadderton way
Type of Application	Alcohol Licenses

Section 2 – Details of Person making Representation

(if you are a representative for an objector please use the next section)

Title <i>(Mr/Mrs/Miss/Ms/Other)</i>	Mr
Full Name	Arfan Elahi
Telephone	
Email Address <i>(we will use this to correspond with you unless you notify us otherwise)</i>	
Full Address <i>(Including postcode)</i>	156 chadderton way Oldham OL1 2EW

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.

Section 3 – Details of Representative

Title <i>(Mr/Mrs/Miss/Ms/Other)</i>	Mr
Full Name	Arfan Elahi
Telephone	
Organisation	Oldham watch group & Local residents
Email Address <i>(we will use this to correspond with you unless you notify us otherwise)</i>	
Full Address <i>(Including postcode)</i>	156 Chadderton Way OL1 2EW

Please state nature of representation:

(residents association / ward councillor / MP / trade association)

Oldham Watch Group including local residents

Section 4 – Representation Details

- ☐ object I object to the application being granted at all
- ☐ object I object to the application being granted in its current form*

*if you choose this option remember to tell us in Section 5 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 Panel may not understand why you have objected.

Try to be as specific as possible and give examples such as “on 1st February 2021 I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises is allowed to open until 2am this will cause further public nuisance to me and other residents on the street”

Licensing Objectives

The Prevention of Crime & Disorder

Please state the reasons you believe granting the application will undermine this objective

Currently with the unlit dark rear alleyways surrounding this property there are often youth lurking causing noise and potential danger to pedestrians. I feel that such alcohol licence will exacerbate the current problem of youth anti-social behaviour in the neighbourhood and in the park surrounding this location including Martha street park. The shop is in a heavily residential area and impact of an alcohol licensed shop will promote further disorder with the neighbourhood. This is a great concern of the local residents as we spoke to them during collating the petition.

Public Safety

Please state the reasons you believe granting the application will undermine this objective

We the public of this neighbourhood does believe that the far reaching effects of this alcohol selling licence in regards to public safety and drunken behaviour and attracting late night activity.

The Prevention of Public Nuisance

Please state the reasons you believe granting the application will undermine this objective

As residents living above and within very close proximity to this location I feel alongside the local residents that this shop will have a lot of youth lurking at/ around the shop which will promote anti-social behaviour and fights, inc drunkard behaviour.

Protection of Children from Harm

Please state the reasons you believe granting the application will undermine this objective

The local residents understand that route is taken by many children within the neighbourhood that being children walking to school in the morning or walking to mosque at 6pm.

Section 5 – Suggestions

(please provide any suggested conditions that could be added to the licence if granted which would remedy the cause of your representation, or other suggestions you would like the licensing panel to consider)

I have attached a petition which represents the objection to this local licensed premise. The petition covers local residents as well as those who have connection within this locality in regards to they have relatives close to this location and their children play within this locality. I would appreciate that the voices of the local residents are heard at this hearing in person so that they can share their concerns in person therefore a clear and sensible decision can be reached. I live opposite to this address and have lived there for over 30 years and have seen

the effects and impact that each change makes within the area and I feel that it would be nothing less than a catastrophe for the local residents and the children within the neighbourhood and the full impact of their concerns can only be felt if there is a first person narrative is heard at the hearing. I would appreciate if the licensing committee open the hearing to hear the concerns of the local residents in person as well as take notice that over 200 people have signed a petition objecting to this licence to be granted. The petition pages are attached to this email.

Section 6 – Signature

Sign:Arfan Mir

Date:27/10/21

Guidance Notes:

Please provide all relevant information you feel is pertinent to the consideration of the application. The Licensing Authority will review all representations as they are received, and any information contained within representations that is not considered relevant for the purposes of determining the application will be highlighted.

Members of the Panel who preside over any subsequent hearing to determine the application will be alerted to the highlighted sections of representations and informed those sections cannot be considered in their decision-making process.

If you do make a representation you will be invited to attend the Licensing Panel hearing and any subsequent appeal hearings. Where you choose to attend the Panel, you may only address the panel around the relevant sections of your representation and will not be permitted to discuss the highlighted irrelevant information.

Please return the completed representation form, and any additional evidence, to the Licensing Service, Sir Robert Peacock House, Vulcan Street, Oldham, OL1 4LA or email to representations@oldham.gov.uk

TIME LIMITS

All representations must be returned within the statutory period, generally 28 days from the date 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 a representation for a particular application, please check with the Licensing Service by emailing representations@oldham.gov.uk