

# 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- not have been withdrawn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>

<b>Section 1 - Application Details</b>	
Applicants Name	098060
Premises Name	Kobe Ruger
Premises Address	The Greaves Building, Lees OL4 5EE
Type of Application	Licence application

<b>Section 2 – Details of Person making Representation</b> <i>(if you are a representative for an objector please use the next section)</i>	
Title <i>(Mr/Mrs/Miss/Ms/Other)</i>	Ms
Full Name	Shelley Cadman
Telephone	XXXXXXXXXXXXXXXXXXXXXX
Email Address <i>(we will use this to correspond with you unless you notify us otherwise)</i>	XXXXXXXXXXXXXXXXXXXXXX
Full Address <i>(Including postcode)</i>	8 Burton Street Lees OL4 5AY

**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.**

<b>Section 3 – Details of Representative</b>	
Title <i>(Mr/Mrs/Miss/Ms/Other)</i>	Ms
Full Name	Shelley Cadman
Telephone	XXXXXXXXXXXXXXXXXXXXXX
Organisation	
Email Address <i>(we will use this to correspond with you unless you notify us otherwise)</i>	XXXXXXXXXXXXXXXXXXXXXX
Full Address <i>(Including postcode)</i>	8 Burton Street Lees OL4 5AY
<b>Please state nature of position:</b> <i>(residents association / ward councillor / MP / trade association)</i>	

## Section 4 – Representation Details

- 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 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 1<sup>st</sup> 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*

#### Public Safety

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

#### The Prevention of Public Nuisance

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

**The property is very close to residencies and it's position means that all noise will carry across the wider area and I have no doubt will be heard many streets away. Although the applicant is saying they will direct customers to certain exits, this will not prevent noise and they won't be able to control the noise. The music will also be a disturbance to nearby residencies and it will travel to several streets away. There are plenty of more suitable properties on the High Street and it is unfair to those living near this business to have to hear music, loud voices and people leaving the premises or standing outside smoking.**

#### Protection of Children from Harm

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

## 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)*

<b>Section 6 – Signature</b>
<b>Sign: Shelley Cadman</b> <b>Date: 26<sup>th</sup> August 2024</b>

**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](mailto: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](mailto:representations@oldham.gov.uk)