

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- not have been withdrawn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	Kobe Ruger
Premises Name	Ruger
Premises Address	Unit 2, the Greaves Building, Hartshead Street, OL4 5EE
Type of Application	Grant of a premises licence

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>	Miss
Full Name	Abigail Frame
Telephone	xxxxxxxxxxxxxxxx
Email Address <i>(we will use this to correspond with you unless you notify us otherwise)</i>	xxxxxxxxxxxxxxxx
Full Address <i>(Including postcode)</i>	27 Woodend Street, Springhead, OL4 5TL

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>	
Full Name	
Telephone	
Organisation	
Email Address <i>(we will use this to correspond with you unless you notify us otherwise)</i>	
Full Address <i>(Including postcode)</i>	

Please state nature of representation:*(residents association / ward councillor / MP / trade association)*

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 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
Ruger is currently operating as a Barbers/hairdressers and cafe. Since it started to trade from its current premises, I have found ever increasing amounts of discarded drug baggies (cocaine bags) dropped by their patrons. I appreciate Ruger cannot be held accountable for their patrons’ bad choices, however, if there are already users attending the premises this will only get worse with the inclusion of the sale of alcohol and I am concerned my neighbours and myself will see an increase of drug usage and the buying and selling of drugs on the street where our families live.

Public Safety

Please state the reasons you believe granting the application will undermine this objective
My Property is very close to The Greaves building, less than 100 metres away and I am the closet neighbour to them on Woodend Street. I am concerned: should the licence be granted and the sale of alcohol allowed, my property is at risk of damage from drunk patrons leaving the premises, The Greaves building is in a residential area. It is not only my property which would be at risk.

The Prevention of Public Nuisance

Please state the reasons you believe granting the application will undermine this objective
PARKING : the Greaves building has an entrance which sits directly on Woodend Street, where car parking for residents on Woodend Street and John Booth street is already limited. Since Ruger started to trade from its current position car parking has become a problem and at times there is not enough available spaces for residents. The street is regularly blocked with cars. I am lucky enough to have off road parking, however, my driveway is frequently blocked, as recently as last week we had to go to Ruger to ask one of their patrons to move their car as it was blocking my drive and we could not park. (picture supplied).
Ruger’s patrons constantly park their cars on double yellow lines on Woodend Street and at the join of Hartshead Street and Woodend Street. This junction is tricky anyway and when the cars park on the double yellow lines right up to the junction it becomes dangerous to cars and pedestrians as there isn’t enough room for both, pedestrians have to stand in the ‘foyer’ of Ruger to get out of the way of the cars. Ruger do not dissuade their patrons from parking in this way. (picture supplied of a double yellow parking taken last Thursday 22 August).

The street is congested during the hours Ruger are open and the situation does ease at 6pm when the business is closing. Should Ruger remain open to 10:45pm it will make the parking situation unbearable for residents with no reprieve.

I would like to point out Ruger choose to move to the Greaves building, it was obvious parking was an issue for the business then, allowing Kobe Ruger to expand the business into evening entertainment will put even more of a burden on neighbouring residents which is completely unfair.

NUISANCE: When Ruger opened, it was noticed by myself and another neighbour that the patrons were urinating into the bushes on Woodend Street, the council cleared and cutback the bushes to help tackle the problem, another neighbour has kindly gardened the space improving it with various plants and flowers. I am concerned behaviours such as public urination will get worse with the grant of the licence. Myself nor my children wish to see or smell, grown men urinating in the street right next to my house and garden.

Litter is a problem, existing patrons litter the street, I frequently collect litter off the street as do local litter picking groups. Ruger do not clear any litter from the street despite there being some directly in front of the doors which open onto Woodend Street. I am concerned the litter will attract pests such as rats.

NOISE: I am concerned with the grant of the licence myself and neighbours will be subjected to unwanted noise preventing us from the quiet enjoyment of our properties.

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)

I do not want a licence for alcohol to be granted to Kobe Ruger for reasons already given.

There are suitable empty properties available on Lees high street which could be used.

Section 6 – Signature

Sign: Abigail Frame

Date: 26 August 2024

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 licensing@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 licensing@oldham.gov.uk