

From: Licensing <licensing@herefordshire.gov.uk>

Sent: Monday, June 26, 2023 5:13 PM

To: [REDACTED]

Subject: Talbot, Ledbury - Variation

Good afternoon

As you are aware, the consultation period ended on 22.06.2023 for the above application. We are yet to receive the newspaper advert and day 1 and day 28 of the blue notices with supporting statement to confirm these were in situ for the full 28day consultation period

In accordance with section 17 of the Licensing Act 2003 you are required to advertise your application in a publication that circulates locally to your premises. This is to ensure that local people, businesses and other interested parties are made aware your application, namely the licensable activities to be undertaken on the premises and the opening hours during which those activities are to take place.

If you have advertised your application then I shall be grateful if you could forward a copy of the page from the newspaper that the notice was displayed on within the next 5 working days along with the photos of the blue notices as per our acknowledgement letters (copy attached).

Furthermore, we have received x2 representations in relation to the application (copies attached), therefore the matter is being listed for licensing sub-committee. This will be via Zoom or Microsoft Teams with a provisional date set for 13.07.2023 from 14:30hrs. We will confirm shortly the confirmed date and time

Regards

Licensing Team

Herefordshire.gov.uk

Licensing Team

Economy and Environment Directorate

Tel: 01432 261761

Plough Lane, Hereford. HR4 0LE

From: Wadworth

Sent: 27 June 2023 10:35

To: Licensing <licensing@herefordshire.gov.uk>

Cc: XXXXXXXXXXX, XXXXXXXXXXXXXXXXXXX, XXXXXXXXXXXXXXX

Subject: RE: Talbot, Ledbury - Variation

Good Morning

Thank you for the update.

Please see copy of the newspaper advert as requested. I confirm that the blue notices were in situ for the full 28 day consultation period.

Kind Regards

Managed & Tenanted Coordinator

From: Licensing

Sent: 27 June 2023 13:37

To: [REDACTED] >

Cc: [REDACTED]
[REDACTED] >

Subject: RE: Talbot, Ledbury - Variation

Good afternoon

Thank you for your email.

We are awaiting day 1 and day 28 blue notices photos as per our acknowledgement email of 25.05.2023 (copy attached) which haven't been supplied.

Section 35 of the LA 2003 states that when determining an application the relevant Licensing Authority is to be satisfied that the applicant has complied with any requirement imposed on him under s34(5)/s17(5). S34(5)/s17(5) makes reference to the regulations, regulation 25 requires that they display the pale blue notice at the premises for a period of no less than 28 consecutive days.

It was set out clearly in the acceptance email what was required in order for the Licensing Authority to be satisfied you have complied and therefore we will require that evidence in order to meet the requirement in s35 LA 2003.

The Act is silent on how the Licensing Authority should satisfy themselves.

Without the evidence the applications cannot be considered

If we receive proof of the blue notices being displayed and are satisfied the regulations have been complied with, a date has been sent for licensing sub-committee due to non-agreement of Trading Standards representations – the date is 13.07.2023 at 14:30hrs via video conferencing.

Regards

Licensing Team

Copy of acknowledgement email and letters

From: Licensing

Sent: 25 May 2023 15:07

To: [REDACTED] >

Cc: [REDACTED]
Subject: Talbot Hotel, Ledbury Acceptance

Good afternoon

I am pleased to inform you that the licensing department has accepted your application. I have attached all the relevant documentation that is needed for the next part of the process.

You are required to advertise in a newspaper that is local to the premise and that is distributed door to door OR that is readily available at local shops/premises

This needs to be done within 10 working days of 26 May 2023 (day 1 being the 26th)

Also you will need to advertise on pale blue paper on the premises for the full 28day consultation period.

These notices should be placed where the public have access to, whether they are coming to the premise or passing.

The notices need to be placed every 50m around the perimeter.

These notices on pale blue paper need to be in place as soon as the consultation starts

Due to COVID, unfortunately the authority finds itself in a position where are not able to check the premises blue notices, therefore you as the applicant are required to send us evidence that these have been placed.

Evidence must demonstrate that the notices have been in place for the required time and in the correct locations.

Photographic evidence will only be accepted if it correctly dated within the required period. Evidence should be provided to cover the first and last day of the consultation as well as a signed written statement to confirm the notices have been in situ for the full 28day consultation.

In addition clear location map/plans should show the locations of notices, particularly for those premises which require additional notices due to the size of the premises being applied for. This evidence will not be checked until the 28 day consultation period has concluded as the authority must be satisfied that the requirement includes the full period.

A copy of the newspaper advert needs to be sent to us also once printed in a local newspaper.

This needs to be the whole page from the newspaper and needs to show the name of publication, date of publication and a copy of the notice

Regards

Licensing Team

Herefordshire.gov.uk

Licensing Team

Economy and Environment Directorate

Tel: 01432 261761

Plough Lane

Hereford

HR4 0LE

Economy & Environment Directorate

Helen Lawrence
Wadworth & Company Limited
Northgate Brewery
Devizes
Wiltshire
SN10 1JW

Your Ref:
Our Ref: PR00363
Please ask for: Licensing
Direct Line / Extension: 01432 261761
Fax: 01432 261982
E-mail: licensing@herefordshire.gov.uk

25 May 2023

Dear Sir/Madam

**LICENSING ACT 2003
PREMISES LICENCE APPLICATION
PREMISES NAME: TALBOT HOTEL, LEDBURY**

Your 28 day consultation period starts on 26 MAY 2023 and ends 22 JUNE 2023

This is the date that must be shown in the advertisements

In reference to your recent Premises Licence Application, the Licensing Section would like to acknowledge receipt of your full application. **If there have been amendments to your initial application, please ensure that you forward the amended application to the other responsible authorities immediately.**

As you have applied for a Variation of a premises licence you must comply with the 'The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005'. The most common breaches are in respect of the requirement to advertisement and serve the application on the responsible authorities. For this reason the regulations, which apply to these, are reproduced below: -

Advertisement of applications

25. In the case of an application for a premises licence under section 17, for a provisional statement under section 29, to vary a premises licence under section 34, for a club premises certificate under section 71 or to vary a club premises certificate under section 84, the person making the application shall advertise the application, in both cases containing the appropriate information set out in regulation 26 -

- (a) **for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority**, by displaying a notice,
- (i) which is -
- (aa) of a size equal or larger than A4,
 - (bb) of a pale blue colour,
 - (cc) printed legibly in black ink or typed in black in a font of a size equal to or larger than 16;

(ii) in all cases, **prominently at or on the premises** to which the application relates where it can be conveniently **read from the exterior** of the premises and in the case of a premises covering an area of more than 50 metres square, a further notice in the same form and subject to the same requirements every fifty metres along the external perimeter of the premises abutting any highway; and

(b) by publishing a notice -

(i) in a **local newspaper** or, if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises;

(ii) on at least one occasion **during the period of 10 working days starting on the day after the day on which the application was given to the relevant licensing authority.**

26. - (1) In the case of an application for a premises licence or a club premises certificate, the **notices** referred to in regulation 25 shall contain a **statement of the relevant licensable activities** or relevant qualifying club activities as the case may require which it is proposed will be carried on on or from the premises.

(2) In the case of an application for a provisional statement, the notices referred to in regulation 25 -

(a) shall state that representations are restricted after the issue of a provisional statement; and

(b) where known, may state the relevant licensable activities which it is proposed will be carried on on or from the premises.

(3) In the case of an application to vary a premises licence or a club premises certificate, the notices referred to in regulation 25 shall briefly describe the proposed variation.

(4) In all cases, the notices referred to in regulation 25 shall state -

(a) the name of the applicant or club;

(b) the postal address of the premises or club premises, if any, or if there is no postal address for the premises a description of those premises sufficient to enable the location and extent of the premises or club premises to be identified;

(c) the postal address and, where applicable, the worldwide web address where the register of the relevant licensing authority is kept and where and when the record of the application may be inspected;

(d) the date by which an interested party or responsible authority may make representations to the relevant licensing authority;

(e) that representations shall be made in writing; and

(f) that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence.

Notice to responsible authority

27. In the case of an application for a premises licence under section 17, a provisional statement under section 29, a variation of a premises licence under section 34, a review under section 51, a club premises certificate under section 71, a review under section 87 or a variation of a club premises certificate under section 84, the person making the application shall give notice of his application to each responsible authority by giving to each authority a copy of the application together with its accompanying documents, if any, **on the same day as the day on which the application is given to the relevant licensing authority.**

IF YOU DO NOT COMPLY WITH THE REGULATIONS WE HAVE NO POWER TO DETERMINE YOUR APPLICATION AT THE END OF THE CONSULTATION PERIOD. In effect your licence will not be granted. Your premises will be visited to ensure compliance with the regulations.

In order for your licence to be processed without delay, you must submit confirmation of the advert (a copy of the advert with proof of the name of the paper/circular and date of publication) to the licensing section, within the next 14 days.

During the 28 day representation period responsible authorities and interested parties (including local residents) can make relevant representations to the Licensing Section regarding your application. Provided that you have complied with the regulations and the 28 day representation period has lapsed, the licensing section will write to inform you of the outcome and advise you accordingly.

Should you have any queries or require any additional information, please contact the Licensing Helpline on 01432 261761.

Yours faithfully,


**LICENSING TECHNICAL OFFICER
ENVIRONMENTAL HEALTH & TRADING STANDARDS**

Economy & Environment Directorate

Helen Lawrence
Wadworth & Company Limited
Northgate Brewery
Devizes
Wiltshire
SN10 1JW

Your Ref:
Our Ref: PR00363
Please ask for: Licensing
Direct Line / Extension: 01432 261761
Fax: 01432 261982
E-mail: licensing@herefordshire.gov.uk

25 May 2023

Dear Sir/Madam

**LICENSING ACT 2003
APPLICATION TO VARY A PREMISES LICENCE**

Please find attached acknowledgement that the application for Talbot Hotel, Ledbury has been accepted.

The start date for consultation is 26 May 2023 and consultation ends 22 June 2023

I have attached the templates for the blue notice for the premise and the newspaper advert. The start date needs to be on these notices.

The blue notices need to be placed where the public have access. The blue notices need to be put on the premise straight away and the newspaper notices needs to appear in a local newspaper to the premise within 10 working days of **26 May 2023**

Unfortunately the authority finds itself in a position where are not able to check the premises blue notices, therefore you as the applicant are required to send us evidence that these have been placed.

Evidence must demonstrate that the notices have been in place for the required time and in the correct locations. Photographic evidence will only be accepted if it correctly dated within the required period. Evidence should be provided to cover the first and last day of the consultation as well as a signed statement to confirm the notices have been displayed for the full 28day consultation period. In addition clear location map/plans should show the locations of notices, particularly for those premises which require additional notices due to the size of the premises being applied for. This evidence will not be checked until the 28 day consultation period has concluded as the authority must be satisfied that the requirement includes the full period.

Yours faithfully


**LICENSING TECHNICAL OFFICER
ENVIRONMENTAL HEALTH & TRADING STANDARDS**