

NOTICE IS HEREBY GIVEN that a hearing of the **LICENSING SUB-COMMITTEE** will be held in **CIVIC SUITE 0.1B, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON PE29 3TN** on **THURSDAY, 10 JANUARY 2019** at **10:00 AM** and you are requested to attend for the transaction of the following business:-

## A G E N D A

### ITEM LED BY

### APOLOGIES

<b>1. ELECTION OF CHAIRMAN</b>	
<b>2. MEMBERS' INTERESTS</b>  To receive from Members declarations as to disclosable pecuniary and other interests in relation to any Agenda item. Please see Notes below.	
<b>3. INTRODUCTION</b>	<b>Chairman.</b>
<b>4. LICENSING SUB-COMMITTEE PROCEDURE</b> (Pages 5 - 10)	<b>Chairman.</b>
<b>5. BOLLYWOOD TIGER, YAXLEY</b> (Pages 11 - 50)  To consider an application for a review of a premises licence made under Section 51 of the Licensing Act 2003 made by the following:-  Applicant:     The Chief of Police  Premises:     Bollywood Tiger 124 Main Street Yaxley PE7 3LP	<b>Mrs S Mardon 387063</b>
<b>6. EXCLUSION OF PRESS AND PUBLIC</b>  To resolve:-  to exclude the press and public from the hearing during the determination of the application.	
<b>7. DETERMINATION</b>  To determine the application referred to in agenda item 5.	<b>Chairman.</b>

Dated this 19th day of December 2018



Head of Paid Service

## Notes

### 1. Disclosable Pecuniary Interests

(1) Members are required to declare any disclosable pecuniary interests and unless you have obtained dispensation, cannot discuss or vote on the matter at the meeting and must also leave the room whilst the matter is being debated or voted on.

(2) A Member has a disclosable pecuniary interest if it -

(a) relates to you, or  
(b) is an interest of -

- (i) your spouse or civil partner; or
- (ii) a person with whom you are living as husband and wife; or
- (iii) a person with whom you are living as if you were civil partners

and you are aware that the other person has the interest.

(3) Disclosable pecuniary interests includes -

- (a) any employment or profession carried out for profit or gain;
- (b) any financial benefit received by the Member in respect of expenses incurred carrying out his or her duties as a Member (except from the Council);
- (c) any current contracts with the Council;
- (d) any beneficial interest in land/property within the Council's area;
- (e) any licence for a month or longer to occupy land in the Council's area;
- (f) any tenancy where the Council is landlord and the Member (or person in (2)(b) above) has a beneficial interest; or
- (g) a beneficial interest (above the specified level) in the shares of any body which has a place of business or land in the Council's area.

### Other Interests

(4) If a Member has a non-disclosable pecuniary interest or a non-pecuniary interest then you are required to declare that interest, but may remain to discuss and vote.

(5) A Member has a non-disclosable pecuniary interest or a non-pecuniary interest where -

- (a) a decision in relation to the business being considered might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the council tax payers, rate payers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or
- (b) it relates to or is likely to affect any of the descriptions referred to above, but in respect of a member of your family (other than specified in (2)(b) above) or a person with whom you have a close association

and that interest is not a disclosable pecuniary interest.

### 2. Filming, Photography and Recording at Council Meetings

*The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening at meetings. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and available via the following link - [filming, photography and recording at council meetings.pdf](#) or on request from the Democratic Services Team. The Council understands that some members of the public attending its meetings may not wish to be filmed. The Chairman of the meeting will facilitate this preference by ensuring that any such request not to be recorded is respected.*

**Please contact Mrs C Bulman, Democratic Services Officer on Tel No. 01480 388169/email: Democratic.Services@huntingdonshire.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee/Panel.**

**Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.**

**Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.**

Agenda and enclosures can be viewed on the District Council's website –  
[www.huntingdonshire.gov.uk](http://www.huntingdonshire.gov.uk) (under Councils and Democracy).

**If you would like a translation of Agenda/Minutes/Reports or would like a large text version or an audio version please contact the Elections & Democratic Services Manager and we will try to accommodate your needs.**

***Emergency Procedure***

*In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.*

This page is intentionally left blank

## HUNTINGDONSHIRE DISTRICT COUNCIL

### LICENSING SUB-COMMITTEE PROCEDURE

#### 1. Introduction

- 1.1 The following proceedings apply to the licensing sub-committees established by the Licensing Committee of the Huntingdonshire District Council acting as the Licensing Authority.

#### 2. Membership

- 2.1 Each licensing sub-committee shall comprise three Members appointed by the Licensing Committee from amongst its membership. A sub-committee shall elect a Chairman from amongst its members at each meeting, for the purpose of that hearing or meeting.
- 2.2 The quorum for hearings and meetings of a sub-committee shall be three members.
- 2.3 Members shall endeavour to be present throughout an individual hearing by a sub-committee. If a member of a sub-committee is required to leave a hearing temporarily, the Chairman shall adjourn the hearing for the duration of the period whilst that member is unavailable. Any member who is absent from a hearing for any reason whilst that hearing is taking place shall be precluded from commencing or continuing to take part in the matter under debate upon his arrival/return and from voting upon the matter at the conclusion of that item of business.
- 2.4 Where the Sub-Committee undertakes a site visit prior to a hearing, a member shall be precluded from taking part in the hearing if he has not attended that site visit.
- 2.5 A member will not take part in a hearing or meeting at which a matter is being discussed which relates to a premises licence, club premises certificate, temporary events notice or personal licence where either the premises or the person is resident in the ward which he represents.

#### 3. Notice of Hearings

- 3.1 Upon the date of a hearing of a sub-committee being arranged, notice shall be given to the parties to the hearing in accordance with the requirements of the Hearings Regulations. For the purposes of this procedure, a party is defined as an applicant for a licence or certificate, a person who has given a temporary events notice, a responsible authority or a person or business that has submitted relevant representations in respect of an application or applied for a review of a licence or certificate and, in certain additional instances, the Chief Officer of Police.
- 3.2 The notice of the hearing shall be accompanied by a copy of this procedure which sets out
  - the right of attendance at a hearing by a party and the right to submit representations etc.

- the consequences if a party does not attend or is not represented at a hearing
  - the procedure to be followed at the hearing
- 3.3 The notice of the hearing will also be accompanied by copies of the documents required by the Hearings Regulations and any particular points upon which the Sub-Committee considers that it will want clarification from a party at the hearing.
- 3.4 Where a hearing is to be held on more than one day, the hearing will be arranged so that it takes place on consecutive working days.

#### **4. Action Following Receipt of Notice of Hearing**

- 4.1 Upon receipt of a notice of a hearing, a party is required to give notice to the licensing authority whether
- he intends to attend or be represented at the hearing,
  - he wishes to request permission for any other person to appear at the hearing, accompanied by the name of the person and a brief description of the point(s) to be made by the person, and
  - he considers the hearing to be necessary.
- 4.2 A party should notify the licensing authority within the following timescales-
- 1 working day of the hearing in the case of a cancellation of an interim authority notice following police objections or a counter notice following police objection to a temporary events notice;
  - 2 working days of the hearing in the case of a review of a premises licence following a closure order or the conversion of an existing licence or club premises certificate or an application by the holder of a justices' licence for a personal licence; or
  - 5 working days of the hearing in all other cases.
- 4.3 Notice may be given to licensing authority by electronic means to the address [democratic.services@huntingdonshire.gov.uk](mailto:democratic.services@huntingdonshire.gov.uk) but upon sending the notice by this means, a party must also give the notice to the licensing authority in writing.
- 4.4 A sub-committee may dispense with the holding of a hearing if all of the parties have given notice that they consider a hearing to be unnecessary. Where the parties have agreed that a hearing is unnecessary in such circumstances, the Council shall give notice to the parties that the hearing has been dispensed with.
- 4.5 Where a hearing has been dispensed with, the matter which was to have been the subject of the hearing shall be determined at a meeting of the Sub-Committee.

#### **5. Withdrawal of Representations**

- 5.1 A party may give notice to the licensing authority no later than 24 hours before the commencement of the hearing that he wishes to withdraw his representations or he may do so orally at the hearing.

## **6. Extension of Time**

- 6.1 The Sub-Committee may extend any of the time limits specified in this procedure where it considers it necessary to do so in the public interest and shall give notice of the extension of time and the reason for it to the parties to the hearing.
- 6.2 The Sub-Committee may adjourn the hearing or arrange for it to be held on specified additional days, where it considers this to be necessary to consider any representations made by a party. The parties to the hearing will be notified of the adjournment or rearrangement.
- 6.3 In considering any extension of time or adjournment, the Sub-Committee will not exercise its powers so that an application is deemed as granted or rejected in accordance with the transitional arrangements specified in the Act.

## **7. The Hearing**

- 7.1 The Sub-Committee may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing or that part of the hearing taking place in public. The Sub-Committee will normally resolve to exclude the public from that part of the hearing during which the Sub-Committee determines the matter which is the subject of the hearing.
- 7.2 Subject to the above, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified
- 7.3 At the commencement of the hearing, the Chairman shall introduce the members of the Sub-Committee and any officers in attendance to support the Sub-Committee and shall ask the parties and any persons accompanying them to state their names and addresses or who they represent. The Chairman shall explain to the parties present that the hearing is subject to this procedure, copies of which will have been distributed to the parties with the notice of the hearing, and shall enquire of the persons present whether there are any questions of clarity or explanation about its contents.
- 7.4 The Sub-Committee shall consider any request from another person to appear at the hearing of which notice has been given but such permission shall not be unreasonably withheld.

### **Procedure in all cases other than an application for a review of a premises licence or a club premises certificate or convictions coming to light after the grant or renewal of a personal licence**

- 7.5 The Licensing Officer will present the application. The Chairman will then invite the applicant or his representative to address the Sub-Committee on his application, to respond to any point(s) upon which notice has been given that clarification is required by the licensing authority and to call any person(s) to whom permission has been granted to appear in support of his application.

The applicant will be allowed a maximum period of time of twenty minutes in which to address the Sub-Committee and call persons on his behalf.

- 7.6 The applicant or his representative or any person called on his behalf may then be asked any questions upon their presentation by any member of the Sub-Committee or by any of the other parties present at the hearing or their representatives.
- 7.7 The Chairman will then invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person(s) to whom permission has been granted to appear. Each party will be allowed a maximum period of time of twenty minutes in which to address the Sub-Committee and call persons on his behalf. The sequence in which each of the parties will be invited to address the Sub-Committee will be at the discretion of the Chairman but will normally be in the order of the Chief Officer of Police, the Fire Authority, the health and safety at work enforcing authority, the local planning authority, the local environmental health authority, the local weights and measures authority, the authority responsible for the protection of children from harm, a navigation or other authority responsible for waterways and any other party that has submitted representations in respect of the application, certificate, notice or other matter appearing before the Sub-Committee.
- 7.8 The party or his representative or any of his witnesses may be asked any questions upon their presentation by any member of the Sub-Committee or by the applicant or his representative or any of the other parties present at the hearing or their representatives.
- 7.9 Where relevant written representations have been received and the party submitting those representations has given notice of his intention not to attend the hearing, the parties present will be invited by the Chairman to indicate whether they wish to comment on the representations submitted. The Sub-Committee may take into account documentary or other evidence submitted by a party either in support of their application, notice or representations either before the hearing or, with the consent of all of the other parties present, at the hearing.
- 7.10 Where appropriate, the Chairman shall remind the parties that their representations should be relevant to the licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. The Sub-Committee shall disregard any information given by a party or person permitted to appear which is not relevant to their application, notice or representations or to the licensing objectives. If, in his opinion, the Chairman feels that the representations being made are not relevant, he may, after first reminding the party of the need for relevance, advise the party that he will no longer be heard. Where in the opinion of the chairman, a party is being repetitious, vexatious or slanderous in his remarks, the Chairman may first warn the party and may then advise the party that he will no longer be heard. The ruling of the Chairman shall be final in such circumstances.
- 7.11 The Chairman may require any person who in his opinion is behaving in a disruptive manner at a hearing to leave the hearing and may refuse to permit that person to return or to return only upon complying with such conditions as the Chairman may specify. However any such person may submit any



evidence in writing that they proposed to give orally, provided that they do so before the end of the hearing.

- 7.12 After each party has addressed the Sub-Committee and after comments have been invited on written representations, the applicant or his representative will be invited by the Chairman to sum up his application for a time not exceeding two minutes but without introducing any new evidence to the proceedings.

**Procedure in cases relating to an application for a review of a premises licence or a club premises certificate or convictions coming to light after the grant or renewal of a personal licence**

- 7.13 In the case of such hearings, the above procedure shall be followed with the exception that the applicant for a review of a premises licence or a club premises certificate or the chief officer of police in the case of an objection notice where convictions have come light after the grant or renewal of a personal licence will be invited to address the Sub-Committee first and to call any person(s) to whom permission has been granted to appear.
- 7.14 After any questions have been dealt with the holder of the licence or certificate will be invited to address the Sub-Committee and to call any person(s) to whom permission has been granted to appear.
- 7.15 There shall be no right of reply for the applicant for a review of the licence or certificate or for the Chief Officer of Police.

**8. Determination of Applications**

- 8.1 At the conclusion of the hearing, the Sub-Committee will determine the application in accordance with the timescales specified in the Hearings Regulations but, in any event, will endeavour to do so as soon as practicable after the hearing has concluded.
- 8.2 Where a hearing has been dispensed with in accordance with paragraph 4.2 above, the application will be determined by the Sub-Committee within 10 working days of notice having been given to the parties that the hearing has been dispensed with.
- 8.3 The Licensing Authority will notify the applicant and parties of its decision forthwith upon the making of the decision.
- 8.4 A record shall be taken of the hearing by the licensing authority which shall be retained for six years after the date of the determination of the hearing or the disposal of an appeal against the determination.

**9. Meetings of the Sub-Committee**

- 9.1 Any meetings of the Sub-Committee, other than hearings described above, shall be subject to the proceedings adopted by the Licensing Committee for the conduct of its own business except where otherwise stated above.

This page is intentionally left blank

LICENSING SUB- COMMITTEE

10 JANUARY 2019

**LICENSING ACT 2003  
REVIEW OF PREMISES LICENCE  
BOLLYWOOD TIGER, 124-126 Main Street, Yaxley, PE7 3LP  
(Report by the Head of Community)**

**1. INTRODUCTION**

- 1.1 Huntingdonshire District Council has received an application to review a premises Licence, from Cambridgeshire Constabulary; Bollywood Tiger, Licence number HDC/PRE00627 under the Licensing Act 2003 ('the Act').
- 1.2 As required under the Licensing Act 2003, notice of the application was advertised on the Council's website, and Blue notices were displayed at or near the premises from 16<sup>th</sup> November 2018. The 28 day consultation period ended on 13<sup>th</sup> December 2018.
- 1.3 A copy of the application for review is attached as Appendix A, supporting documentation at Appendix B, and the current premises licence at Appendix C.
- 1.4 Redacted versions of the documents have been made available to the public, to protect the identity of persons not connected to the Licence or Review process.

**2. BACKGROUND**

- 2.1 Premises Licence HDC/PRE00627 was granted in June 2013, following a hearing of the licensing sub-committee. There have been no changes made to the Licence since then.  
The Premises Licence Holder is Mr Thahir Uddin. The Designated Premises Supervisor is Paramveer Singh.

**3. APPLICATION FOR REVIEW OF LICENCE**

- 3.1 On the 15 November 2018, PC1572 Grahame Robinson, acting on behalf of the Chief Officer of Police for Cambridgeshire Constabulary, a responsible authority, submitted to the licensing authority an application to review the premises licence for Bollywood Tiger.
- 3.2 The grounds for the review are: Crime & Disorder – for knowingly employing persons who are unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter /remain in the UK.
- 3.3 Cambridgeshire Constabulary are requesting revocation of the licence quoting Section 11.27 of the latest Government Guidance.

**4. REPRESENTATIONS**

- 4.1 During the period for the receipt of representations, seven representations were received from other persons. The representations are attached in their

entirety at Appendix D. Not all matters raised in the representations may be relevant matters and it will be for members to attach appropriate weight.

- 4.2 During the period for representations, additional information regarding this premises, has been received from two Responsible Authorities, the Local Planning Authority and the Local Environmental Health Authority. These comments are at Appendix E

## **5 GENERAL DUTY**

- 5.1 The Sub-Committee is reminded that the licensing authority must carry out its functions under the Act with a view to promoting the licensing objectives which are –
- (a) the prevention of crime and disorder,
  - (b) public safety,
  - (c) the prevention of public nuisance, and
  - (d) the protection of children from harm.
- 5.2 The licensing authority must also have regard to –
- (a) its licensing policy statement, and
  - (b) any statutory guidance issued by the Home Office under Section 182 of the Act.

- 5.3 The Licensing Authority is bound by the Human Rights Act 1988. The Council must also fulfil its obligations under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in its district.

## **6. CONCLUSION**

- 6.1 Having considered the review application and representations contained and attached to this report and any other information presented at the hearing, the Licensing Sub-Committee may take any of the following steps as it considers appropriate for the promotion of the licensing objectives –
- (a) to modify the conditions of the licence,
  - (b) to exclude a licensable activity from the scope of the licence,
  - (c) to remove the designated premises supervisor,
  - (d) to suspend the licence for a period not exceeding three months,
  - (e) to revoke the licence.
- And for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

- 6.2 Government Guidance, paragraphs 11.16 – 11.23 cover the range of powers of the licensing authority on determining a review, where considered appropriate for the promotion of the licensing objectives.
- Paragraph 11.20 states that in deciding which powers to invoke, it is expected that the licensing authority should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response.
  - Paragraph 11.21 states licensing authorities should be alive to the possibility that the removal and replacement of the DPS may be sufficient to remedy a problem where the cause for concern directly relates to poor management decisions made by that individual.

- Paragraph 11.22 states that if poor management is a direct reflection of poor company practice, the mere removal of the DPS may be an inadequate response to the problems presented.
  - Paragraph 11.23 points out that modifications of conditions and exclusions of licensable activities may be imposed permanently or for a temporary period of up to three months. It is important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. Where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.
- 6.3 Government Guidance paragraphs 11.24 – 11.28 cover reviews arising in connection with crime.
- Paragraph 11.26 states that where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purpose, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.
  - Paragraph 11.27 lists matters that should be treated particularly seriously. One listed matter is 'for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter.'
  - Paragraph 11.28 envisages that the responsible authorities will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authorities determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance- should be seriously considered.
- 6.4 Any decision by the Sub-Committee may be appealed to the Magistrates' Court. An appeal may be made by the applicant for the review, the holder of the premises licence and any other person who has submitted a representation.

## **7. RECOMMENDATION**

To determine what action to take in respect of the premises licence after hearing the evidence from the applicant, Cambridgeshire Constabulary, those other persons who have made representation and any submissions on behalf of the licence holder.

## **BACKGROUND INFORMATION**

Licensing Act 2003.

Licensing Act 2003 (Hearings) Regulations 2005.

Guidance issued under section 182 of the Licensing Act 2003.

Huntingdonshire District Council Statement of Licensing Policy.

**Contact Officer: Sarah Mardon, Licensing Officer**  
**☎ 01480 388010**



# APPENDIX A

This page is intentionally left blank



# LC1

## Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I, **PC1572 Grahame Robinson, Police Licensing Officer for Cambridgeshire Constabulary** apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in **Part 1** below:

#### Part 1 – Premises or club premises details

<b>Postal address of premises or club premises, or if none, ordnance survey map reference or description</b>  'Bollywood Tiger' 124-126 Main Street Yaxley	
<b>Post town</b> Peterborough	<b>Post code (if known)</b> PE7 3LP

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Thahir Uddin
---

<b>Number of premises licence or club premises certificate (if known)</b> HDC/PRE00627
---

**Part 2 - Applicant details**

Please tick ✓ yes

I am

- 1. an interested party (please complete (A) or (B) below)
- 2. a person living in the vicinity of the premises
- 3. a body representing persons living in the vicinity of the premises
- 4. a person involved in business in the vicinity of the premises
- 5. a body representing persons involved in business in the vicinity of the premises
- 6. a responsible authority (please complete (C) below)
- 7. a member of the club to which this application relates (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)**

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

**Surname**

**First names**

I am 18 years old or over

Please tick ✓ yes

**Current address**

**Post Town**  **Postcode**

**Daytime contact telephone number**

**E-mail address (optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)
E-mail (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address  CAMBRIDGESHIRE CONSTABULARY Police Licensing (Northern) Partnership & Operational Support Unit Thorpewood Police Station Peterborough PE3 6SD
Telephone number (if any) 01733 424438
E-mail (optional) licensingnorth@cambs.pnn.police.uk

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

- |   |                                     |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input type="checkbox"/>            |
| 4) the protection of children from harm | <input type="checkbox"/>            |

<p><b>Please state the ground(s) for review</b> (please read guidance note1)</p> <p>This application to review the premises license for Bollywood Tiger is based on evidence which shows a breaches to the licensing objective of:</p> <ul style="list-style-type: none"> <li>• Crime &amp; Disorder – for knowingly employing persons who are unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person’s leave to enter /remain in the UK.</li> </ul>
---

**Please provide as much information as possible to support the application** (please read guidance note 2).

Bollywood Tiger is described as a Cocktail Bar and Indian Restaurant and operates under a full premises license reference HDC/PRE00627 issued by Huntingdon District Council in June 2013. The premises is located on Main Street, Yaxley and the license allows for the sale of alcohol daily from 11:00hrs to 23:00hrs. The premises License holder is Thahir Uddin. The current designated premises supervisor (DPS) is Paramveer Singh who holds

an alcohol personal license reference 066769 issued by Peterborough City Council.

Police Licensing was informed by PS1573 Basford of his concerns involving Bollywood Tiger in relation to anti-social behaviour and crime and the impact it was having on the local community.

Notably, Sgt1573 Basford conducted a visit to Bollywood Tiger on 21 August 2018. He liaised with Mr Uddin to discuss current issues involving the premises. He carried out an inspection of the ladies and gents toilets using 'Narc II' Cocaine ID wipes. These wipes are designed to presumptively identify trace amounts of cocaine Hydrochloride (powder) or Cocaine Base (crack or freebase). Both toilets provided a positive indications. See Annex A for images of cocaine wipes used at Bollywood Tiger on 21<sup>st</sup> August 2018 and his supporting statement.

A further identified issue involved a video posted on a social media site in May 2018 allegedly portraying a person identified as 'Tahir Jaks' snorting an unknown substance off the back of a mobile phone on top of a toilet cistern in the restaurant toilet. Police Licensing have a copy of this video and can produce it to the Licensing Sub-Committee if required. Incidents and crimes were collated from Police systems and a full compliance visit was deemed necessary.

On Friday 14<sup>th</sup> September 2018 at 17:35hrs Cambridgeshire Constabulary Licensing Officers PC1572 Robinson and PC0446 Metcalfe, in the company of Immigration Officers 8082 Wright-Lakin and 6810 Whyman attended Bollywood Tiger. The visit was conducted in accordance with S.179 of the Licensing Act 2003. A full Licensing compliance inspection and immigration check was carried out.

The premises license holder, Uddin, was formally identified at the restaurant and the reason for the visit explained by PC Robinson. The DPS was not present. PC Metcalfe and Immigration Officers observed other males in the premises and immediately intervened to identify them.

It was established that 4 Bangladeshi males were present working within the premises namely [REDACTED] & [REDACTED] who are illegal over stayers with no permission to work; [REDACTED] an illegal over stayer and failed asylum seeker with no permission to work; and [REDACTED] a failed asylum seeker with no permission to work. At 1819hrs IO 8082 arrested nominal [REDACTED] and [REDACTED] under Schedule 2, Para 17(1) of the Immigration Act 1971 as amended, as persons liable to be detained. [REDACTED] and [REDACTED] were asked to stop working and leave the premises. See Annex B - Evidential Statement of IO8082 Wright-Lakin for further details. See Annex C - Evidential Statement of PC0446 Metcalfe is a supporting statement.

Immigration Enforcement have notified Cambridgeshire Police Licensing Officers that this is the second incident involving this premises whereby illegal immigrants have been found working under Uddin's management. A visit was

conducted in March 2014 where 3 immigration offenders were identified at the scene. A substantial civil penalty was issued and settled following appeal. UKBA document TS30CZU1021 refers.

PC Robinson carried out a full compliance inspection with Mr Uddin, whilst customers were arriving for a large birthday party. It was established that CCTV at the premises, a condition within the operating schedule -

*“Annex 2 – Conditions Consistent with the operating schedule*

- 1. CCTV installed at the premises shall be maintained and operational at all times the premises is open to the public”.*

- was switched off and not working. When it was switched on it was found to be of poor quality, with a number of cameras not working and it could not be established if the system could download historic images. I formed the impression the CCTV had not been used in a while and was not suitable.

It is the contention of Cambridgeshire Constabulary that no right to work checks are being or have been carried out at this premises, a lack of management control has been demonstrated, and evidence of drug abuse is apparent. The Prevention of Crime objective detailed within Licensing Act 2003 and S.182 Guidance to the Licensing Act 2003 has been ignored.

This review is respectfully submitted as relevant to the Licensing objective namely the prevention of crime and disorder.

The Licensing Act 2003 is clearly intended to prevent crime and disorder from occurring in relation to licensed premises but also to deter and prevent criminals from operating a premises under the auspices of a Premise License granted by the local authority.

Home Office guidance issued under S.182 to the Licensing Act 2003 (Apr 2018) Part 11.27 states –

*“There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously” –*

Such activity includes -

*“. . . knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person’s leave to enter”.*

Para 11.28 –

*“Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the license – even in the first instance is seriously considered”.*

Following a recent review on priorities, Cambridgeshire Constabulary Force priorities now include Modern Slavery.

*Detective Superintendent Matt Newman - "Common Strands seen in the county include **labour exploitation...**" – Assistant Chief Constable Dan Vajzovic – "This review has enabled us to maintain our focus on the areas where we need to attack criminality most and **protect vulnerable people**".*

The employment of illegal workers in the UK contravenes this priority in that unscrupulous persons may bring illegal workers, who have no employment rights and are often paid below minimum wage rates, into the UK to profiteer.

Illegal working has harmful social and economic effects within the UK. It undercuts British businesses and their workers that stay within the law and exploits migrant workers. As long as there are opportunities for illegal working, the UK will remain an attractive place for illegal immigrants. Partners are working very hard to impact and disrupt employers breaking the law by taking tough action against those who do so.

There is evidence that illegal workers are exploited by organized crime groups (OCG), paid less than the minimum wage, do not pay tax, and may be doing work that breaches health and safety regulations. Employers who use illegal workers may do so to exploit a vulnerable person, may be connected with human trafficking and avoid providing national minimum standards such as the minimum wage or paid holiday. This is extremely harmful to the exploited workers and enable dishonest employers to gain an unfair advantage over competitors who operate within the law of the United Kingdom.

There can be no doubt that the premises licence granted by the authority, offers the provision of licensable activities to be conducted at this venue and that employing illegal workers to facilitate this activity is to the employers financial benefit and to the detriment of law abiding competitors.

It is also obvious that illegal workers are prone to exploitation by their employers. Illegal workers are unable to declare themselves to the authorities to claim any sort of financial support or benefits. This would render them liable to detention, and consequently they are more than likely poorly paid for the hours they are required to work, and are not subject to the benefit of a minimum wage or restricted hours as prescribed in law.

In most cases they are not provided with anything other than the most basic of living accommodation nor are they afforded the benefit of the protections offered by UK employment legislation.

Illegal workers are by nature transient and do not tend to remain in any location for any length of time in order to reduce their chances of detection. They do not put their name to any official documents and do not rent, lease or purchase property. They have no recourse to public funds and live beneath the radar to avoid detection by the Agencies.

In order to do this, there has to be a support network in place or they would all be encountered living in the streets and detected in that manner. The support network is provided in the main but not exclusively by Organised Crime Groups.

Cambridgeshire Police commonly see illegal workers harboured and sheltered either in rudimentary accommodation on site or in property nearby, owned or operated by the Licence Holder or their associates.

Employment at licensed premises can represent the terminal point of organised human trafficking in some instances and in the exploitation of these workers. In other cases, it is the means of resort for persons whose legitimate right to remain in the UK has expired.

At the very least, the employers should demonstrate responsibility and due diligence in determining that persons they employ are entitled to work under the auspices of a licence granted by the Licensing Authority.

Allowing this premise to continue to operate with the benefits of a premises licence will merely serve to perpetuate the criminal activity and human exploitation already apparent from the findings of this Immigration and Police visit, thereby undermining the licensing objective for the prevention of crime and disorder.

---

**Suggested Recommendation:**

Cambridgeshire Constabulary are seeking the revocation of the premises licence HDC/PRE00627 for 'Bollywood Tiger', 124-126 Main Street, Yaxley, PE7 3LP.

**Please tick ✓ yes**

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**Please tick yes**

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day      Month      Year

--	--	--	--	--	--	--	--


**If you have made representations before relating to this premises please state what they were and when you made them**

N/A

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature: .....

Date: 14<sup>th</sup> October 2018.....

Capacity: Police Licensing Officer, Northern District, Cambridgeshire Constabulary.

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 5)	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>	

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.



# APPENDIX C

This page is intentionally left blank

# Schedule 12

## Part A

### Premises Licence

**Premises Licence Number**

HDC/PRE00627

#### Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

**Bollywood Tiger**  
**124 - 126 Main Street**  
**Yaxley**  
**Peterborough**  
**PE7 3LP**

Telephone number      **01733 229720**

Where the licence is time limited the dates: **Not Applicable**

This licence comes into effect on: **24.06.2013**

The annual fee is due with effect from: **23.06.2018** and each year thereafter.

Licensable activities authorised by the licence

**Regulated Entertainment - Performance of Film, Live Music, Recorded Music, Performance of Dance, and Anything similar.**

**Late Night Refreshment**

**Supply of Alcohol**

Times the licence authorises the carrying out of licensable activities

**Performance of Film, Recorded Music, Performance of Dance, Anything similar -Sundays to Thursdays 11:00 - 23:00, Fridays and Saturdays 11:00 - 23:30**

**Live Music (Indoors), Monday to Sunday (7 days) 11:00 - 23:00**

**Late Night Refreshment (Indoors), Fridays and Saturdays 23:00 - 23:30**

**Supply of Alcohol, Sundays to Thursdays 11:00 - 23:00, Fridays and Saturdays 11:00 - 23:30**

The opening hours of the premises

**Monday to Thursday 11:00 - 23:00**

**Friday & Saturday 11:00 - 23:30**

**Sunday 11:00 - 23:00**

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

**Alcohol is supplied for consumption ON and OFF the premises**

# Schedule 12

## Part A

### Premises Licence

**Premises Licence Number**

HDC/PRE00627

#### Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**Mr Thahir Uddin**  
**124 - 126 Main Street**  
**Yaxley**  
**Peterborough**  
**PE7 3LP**  
**TEL: 01733 229720**

Registered number of holder, for example company number, charity number (where applicable)

**N/A**

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

**Paramveer Singh**

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**Licence Number 0066769**

**Licensing Authority Peterborough City Council**

#### ANNEX 1 – MANDATORY CONDITIONS

1. No supply of alcohol may be made under the premises licence at a time when
  - a. there is no designated premises supervisor in respect of the premises licence, or
  - b. the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
3. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
4. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

# Schedule 12

## Part A

## Premises Licence

### Premises Licence Number

HDC/PRE00627

- a. games or other activities which require or encourage, or are designed to require or encourage, individuals to –
    - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - ii. drink as much alcohol as possible (whether within a time limit or otherwise).
  - b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - d. provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
    - i. the outcome of a race, competition or other event or process, or
    - ii. the likelihood of anything occurring or not occurring.
  - e. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
  6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
  7. The premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
  8. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
  9. The responsible person shall ensure that:
    - a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
      - i. beer or cider: ½ pint;
      - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
      - iii. still wine in a glass: 125 ml; and
    - b. customers are made aware of the availability of these measures.
  10. A responsible person in relation to a licensed premises means the holder of the premises licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club

# Schedule 12 Part A

## Premises Licence

**Premises Licence Number**

HDC/PRE00627

premises certificate, any member of officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

### ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. CCTV installed at the premises shall be maintained and operational at all times the premises is open to the public.
2. Regular checks of external areas will be undertaken by staff.
3. The Premises will operate a Challenge 21 Policy.
4. Notices will be displayed at all exit points asking customers to consider others and leave the premises quietly.
5. Children must be accompanied by a responsible adult.

### ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

N/A

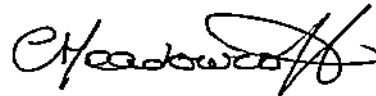
### ANNEX 4 – PLANS

For plan see attached

**Licence valid from: 24.06.2013**

**Date of Issue: 02.08.2013**

**Signed:**



**Head of Legal and Democratic Services**

# APPENDIX D

This page is intentionally left blank



**Mardon, Sarah (Licensing)**

---

**From:** [REDACTED]  
**Sent:** 26 November 2018 15:13  
**To:** Mardon, Sarah (Licensing)  
**Subject:** Re: Bollywood Tiger

Hello Sarah .. my address is [REDACTED] 3LP

Sent from my iPhone

On 26 Nov 2018, at 1:41 pm, Mardon, Sarah (Licensing) <[Sarah.Mardon@huntingdonshire.gov.uk](mailto:Sarah.Mardon@huntingdonshire.gov.uk)> wrote:

Dear [REDACTED]

Thank you for your email.

I can confirm the points you raise are considered as relevant under the terms of the Licensing Act 2003. In order for your representation to be considered by the Licensing committee please could you confirm your full address.

Kind regards

Sarah Mardon  
Licensing Officer

Huntingdonshire District Council  
Pathfinder House  
St. Mary's Street  
Huntingdon  
PE29 3TN  
[www.huntingdonshire.gov.uk/licensing](http://www.huntingdonshire.gov.uk/licensing)

-----  
**From:** [REDACTED]  
**Sent:** 26 November 2018 10:10  
**To:** Mardon, Sarah (Licensing)  
**Subject:** Bollywood Tiger

Sent from m [REDACTED]  
My name is [REDACTED] above mentioned premises .. over the years I have had to go around , or telephone, and speak to Tahir Jaks about the late night noise and music coming from the premises .. when the music is so loud that my ornaments rattle, and I have to turn my tv up !! it interferes with the enjoyment of my home . Let alone my sleep !! He always has an excuse i.e. It's a "private party " etc ..or "he is on his last song now" .. ( when he has a singer on ) he never seems able to close the premises either on time .. and on Saturday Nov 10th I had to call him at 11-45 to turn the music off .. he said he would .. but all he did was turn it down , in the end I called the police at 12-05 .. there has been , in the past , shouting and fighting outside mine , which can be frightening .

When he has closed the gates at the side of the premises , I hear people knocking on the front door / window to be let in .. this is usually after hours too !! .. I think I have been very tolerant and fair .. as I've always tried to reason with him personally face to face .. but he has a habit of going quiet for a time , and then he starts all over again .. He has no respect for the fact that his restaurant is in a residential area , and the noise level / mess / fighting , over the years , just seems to get worse .

### **Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived

## Mardon, Sarah (Licensing)

**From:** [REDACTED]  
**Sent:** 26 November 2018 17:01  
**To:** Mardon, Sarah (Licensing)  
**Cc:** [REDACTED]  
**Subject:** Bollywood Tiger Yaxley

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Sarah

Your name has been passed to me as one of the residents close to the Bollywood Tiger restaurant in Yaxley.

I live at [REDACTED] Bollywood Tiger restaurant in Yaxley. I have been living there for over 14 years, and was part of a group of neighbours who were concerned when the Bollywood was due to change ownership from being a hairdressers when this happened back in 2012.

At that time, our concerns were simply over:

- (i) parking as there is only street parking for what was to be an 80 seater premises (parking was already at a real premium for residents in the evening)
- (ii) the smell of curry particularly for those of who are closest to their premises.

In spite of signing neighbourhood petitions, and going to council meetings to represent our concerns, permission was still granted for the restaurant to go ahead. We were completely baffled at how this decision went ahead at this time and felt ignored by the council, however we had no choice but to accept it, and we sincerely hoped that our concerns would end up being unfounded.

From that day, as a neighbourhood we have collectively struggled with numerous counts of crime and disorder, public nuisance and public safety.

Initially, we would each speak to Jaks individually with our complaints. I personally believe that I have tried everything from being as nice and neighbourly as possible, through to being very angry over the years. He does not accept responsibility, he always has an excuse, he tells barefaced lies, he has a complete lack of respect for the residents close to his premises and nothing ever changes, regardless of your approach with him. As a neighbourhood, we have since then, started to work together to try to find some resolution to the matter. We badly need some action to take place to end our frustration and misery.

There is no order to what is detailed below, although I have grouped my views of the issues (though a number of them would fall into more than just one grouping) to highlight some of my experiences and concerns:

### Public Nuisance

- Random vehicles abandoned on back lane restricting resident parking - included a fish n chip van that was there for several months, and two small mini & Citroen c1 - they were clamped as untaxed without mot and insurance several times. Lots of us neighbours have asked Jaks to get abandoned vehicles moved lots of times!
- People regularly leave the BT out of the side gate, urinate against the back wall and then return to the BT
- Cigarette butts, bottles and glasses are often left on the path and the road from staff and customers who don't worry about the mess that they leave
- The paint has flaked off the walls and the building is very unsightly - yet they are on a road of listed buildings. They promised to make it look nice as part of the permission to be there and have failed to deliver to that promise
- The smell of cooking - I sometimes can't open my lounge windows, or windows in 2 of my 3 bedrooms, as they look out directly onto the street and I don't want the smell of curry in my house

- Through the summer, there is on occasions another distinctive smell of drugs at night - that too comes into my bedroom if I have the windows open on a warm night and people are at BT late
- Live music always goes on past the time it is supposed to have stopped. Jaqs wont comply with times unless you actually go in there and create a fuss. The bands / music is located upstairs in the restaurant and in the summer they open the upstairs restaurant windows – this means that when the music is playing loudly as it always is, it badly disrupts the evening for all residents anywhere near.
- Regularly, new arrivals will suddenly arrive from around 10.30 and even though the side gate is locked, this is purely for appearances as they are let get in at the front. Sometimes these people stay and sometimes they are gone quite quickly – it's almost like they have gone to pick 'something' up late when no one is about.
- Staff will regularly come outside late at night to make phone calls and then always talk in extremely loud voices walking up and down or just hovering right outside my house. Apart from the loud noise of the talking, it's also intimidating as you don't understand what they are saying.
- People can be heard clearly in the back yard late at night where they go to smoke – often the bad language and loud volumes mean you can't sleep when you have work the next morning, or they will be upstairs where they can't be seen. Curtains are kept closed to obscure views as they know that neighbours started filming what was going on.
- Several calls to police due to fights and noise levels. I have phoned 5 or 6 times when its particularly bad and my now [redacted] daughter [redacted] has also phoned 4-5 times. Jaqs is not intimidated by the police and I have heard him making his excuses to the police who have turned up and he chats away with them seeming to be a very reasonable person, and then gets away with it.

#### Public Safety

- [redacted] boyfriend was threatened and headbutted when he challenged a male Asian customer from BT who had actually reversed his car into mine and dented it.
- Smashed glass outside, often! This has caused several car and cycle tyre issues and is a real danger to the many dogs that are walked along that stretch.
- At one stage there was lots of water regularly coming from the outbuilding next to the gate onto the street – especially dangerous in the ice as I saw dog walkers and pedestrians often on this bit of path. I haven't seen the water lately, so not sure if they have sorted this now.
- A young man had his face glassed earlier this year in a fight that got out of control late
- I saw a loads of youths coming out of the Bollywood either drunk or drugged that wouldn't go away and they were letting off gas canisters and climbing over all of our cars parked along the street. They were intimidating cars by surrounding them as they turned into Chapel St and thumping the cars.
- Staff park all over the pavement close to the gate on Chapel St, so members of the public can barely walk on the path and often have to go onto the road to get by. Staff also often block / part block access into and out of Back Lane with careless parking.
- He has caused rat problems for neighbours and his hygiene rating as a restaurant is poor.

#### Protection of Children from Harm

- [redacted] was a waitress there when it first opened. Jaqs employed a few locals to start with as he had promised to source staff locally to help neighbourhood employment as one of his promises to the council. She was bullied and intimidated on every shift as were her colleagues at the time.
- [redacted] hoovered up what she believes to be Cocaine on one of her shifts. She was badly told off for this.
- [redacted] was threatened, and literally thrown over the bar by one of their staff which Jaqs excused by saying the delivery driver was on drugs and refused to give him even a verbal warning - this is why she left.
- Jaqs has employed several very young girls and has treated several of them very badly. He is known to ask them to work long hours and not pay them well, getting their wages wrong

#### Crime and Disorder

- Video of Jaqs snorting cocaine from top of toilet in Bollywood hit Facebook
- Lots of late night fights, loud swearing, rows. It is all very frightening at the time as it escalates quickly and then gets out of control. You worry that it will spill onto your property, and I worry for my car that is parked on the side of the road all the time (especially given it has already been damaged once by his staff). I am also anxious that by complaining I will bring trouble to my door. I just want it to stop.

- It is reported that the house that they rent on Blenheim Way is a home for drugs, and people who may be in hiding.
- Immigration control have been there a few times. Staff are known to be paid off books and under minimum wage.

In summary, because the restaurant isn't good, the respectable people now stay away. Their custom has reduced, and now tends to be less reputable people. This means trouble seems to be increasing and some people even come looking for trouble just for fun. It has turned what was a quiet, clean and peaceful neighbourhood into an unpleasant place to live. A number of us are now very frustrated residents who do not know what else to do to see things change.

Your help will be much appreciated to this end and I am happy to discuss by phone or face to face if it will help. Thank you Sarah.

[Redacted]

Please consider the environment before printing this email

[Redacted]



**Mardon, Sarah (Licensing)**

---

**From:** [REDACTED]  
**Sent:** 28 November 2018 22:49  
**To:** Mardon, Sarah (Licensing)  
**Subject:** Re: Bollywood Tiger, Yaxley

Hi Sarah

Yes please, I would like it to be included in the Premises Licence Review.

Many thanks

[REDACTED]

On 28 Nov 2018, at 3:34 pm, Mardon, Sarah (Licensing) <[Sarah.Mardon@huntingdonshire.gov.uk](mailto:Sarah.Mardon@huntingdonshire.gov.uk)> wrote:

Dear [REDACTED]

Thank you for your email.

Please may I clarify, are you intending this email to be taken as a representation to be included for the current Premises Licence Review application that is currently under consultation.

Kind regards

Sarah Mardon  
Licensing Officer

Huntingdonshire District Council  
Pathfinder House  
St. Mary's Street  
Huntingdon  
PE29 3TN  
[www.huntingdonshire.gov.uk/licensing](http://www.huntingdonshire.gov.uk/licensing)

-----Original Message-----  
**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** 27 November 2018 06:59  
**To:** Mardon, Sarah (Licensing)  
**Subject:** Bollywood Tiger, Yaxley

Dear Sarah

I would like to put in a complaint to the council regarding the Bollywood Tiger restaurant in Yaxley.

Unfortunately it has got to the stage where the crime and disorder emanating from this restaurant is intolerable. The constant broken glass in the street outside and fighting late at

night in the street is not acceptable to the local residents any longer. Public safety is at risk, the owner has no regard for the protection of children from harm and the whole situation has resulted in the restaurant being a public nuisance.

Myself and many other local residents have had enough of hearing the sirens of our police force being called to keep the place under control late at night and into the early hours of the morning.....what a waste of public resources which could be put to a lot better use rather than attending to drug and alcohol induced disturbances at these premises on a regular basis.

Something needs to be done as the whole situation has now got totally out of hand.

Regards



### **Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived



**Mardon, Sarah (Licensing)**

---

**From:** [REDACTED]  
**Sent:** 28 November 2018 15:53  
**To:** Mardon, Sarah (Licensing)  
**Subject:** Re: BOLLYWOOD TIGER-MAIN STREET, YAXLEY

Hello Sarah  
Yes that is correct, thank you.  
Kind regards [REDACTED]

On Wednesday, 28 November 2018, 15:50:02 GMT, Mardon, Sarah (Licensing)  
<[Sarah.Mardon@huntingdonshire.gov.uk](mailto:Sarah.Mardon@huntingdonshire.gov.uk)> wrote:

Dear [REDACTED]

Thank you for your email.

Please may I clarify, are you intending this email to be taken as a representation to be included in the Premises Licence Review application that is currently under consultation.

Kind regards

Sarah Mardon

Licensing Officer

Huntingdonshire District Council

Pathfinder House

St. Mary's Street

Huntingdon

PE29 3TN

[www.huntingdonshire.gov.uk/licensing](http://www.huntingdonshire.gov.uk/licensing)



**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived

## **Mardon, Sarah (Licensing)**

---

**From:** [REDACTED]  
**Sent:** 09 December 2018 20:52  
**To:** Mardon, Sarah (Licensing)  
**Subject:** BollyWood Tiger Yaxley

Hello Sarah, Please find below my official complaint about the BollyWood Tiger in Yaxley,

I live at [REDACTED] I have lived here for 11 years. Since the BollyWood Tiger opened we have been plagued with issues, disturbances fighting and having to call the police numerous times. Individually as neighbours we have approached the proprietor but he makes no effort to run a respectful business, has no respect for his neighbours, or the law and is a nuisance in a quiet part of the village. In the last few years the situation has got much much worse and has now become a nightmare. You have the detailed logs I have sent to the council however here is a selection of issues for your info.

I want to add that over the years I have tried to have rational conversations with the proprietor about some of these issues, but it's always been swept aside, even at times with an attempted bribe for the neighbours to come and "have a free meal to talk about it". However the issues are now at the point where I haven't been in to the place for 6 months as I wouldn't feel safe going through the door.

The list of issues an individual disturbances are endless but I have highlighted my main concerns below covering areas of public nuisance, public safety, protection of children from harm and crime and disorder, in no particular order.

Cigarette butts and beer bottles in my front garden, on my drive, constantly - The staff smoke here after dark and throw their cigarette ends on the drive - I have even seen them sitting on my drive smoking during darkness. or sitting on the wall inside my property where they can't be seen from the road.

The building is an absolute eyesore, in a conservation area pain and wall surface literally falling apart. Staff and delivery drivers dump their cars everywhere, basically blocking the road junction with Back Lane. We have had 'scrap' vehicles left for weeks on end and frequently clamped or towed away. For months there was a chip van belonging to the owner left outside jacked up on.

The smell of cooking particularly on weekends is awful and spoils the enjoyment of living here. I have talked with the owner and of course he always has some excuse about the filters or the door being left open.....

Cannabis being smoked in the beer garden, obvious from the smell as you walk past, at times, during the summer

Running 'standard opening' hours until 11.30 Pm despite his planning permission being until 11pm. The council are well aware of this but have taken zero action.

Noise of people entering and leaving late at night, well after midnight rattling the gates and shouting 'jacks'.

Music nights - Very, very loud music nights going on until well after permitted opening hours, beyond midnight, frequently. So loud that the house shakes at times.

Food wrappers, glasses and beer bottles in the street outside on Saturday and Sunday mornings - He has until recently made no attempts to clean this up. It's a disgrace and a serious safety hazard -

Frequently we wake to smashed glass everywhere up and down the road. Of course he will argue that this is the pub but taking a few fragments in with his branded glasses leaves him little room to argue, which I have done on occasion.

Last year during the tour of cambridgeshire bike race I found my son sitting on the pavement next to a pile of vomit that had not been cleaned up - nice.

This email has been scanned for viruses and malware, and may have been automatically archived

# APPENDIX E

This page is intentionally left blank

## **Mardon, Sarah (Licensing)**

---

**From:** Ibbett, Tracey (Env. Health)  
**Sent:** 20 November 2018 08:24  
**To:** Mardon, Sarah (Licensing)  
**Subject:** Bollywood Tiger Licensing Review

Good morning Sarah

I have just read through the police report and I am not surprised about anything I have read pertaining to employment of illegal workers. The food operation side of the business changed hands in December 2017 from Mr Thohir Uddin to Mohammed Ali although the day to day running of the business did not appear to change and Mr Uddin was still in control. Food handlers at the premises regularly change and when I inspected the premises in January 2018 there was again a change of food handlers some of which Mr Uddin did not know their names. At that time I unsuccessfully attempted to contact Border Control to inform them of my concerns. A re-visit to the premises on 20 March 2018 revealed another change in food handlers working in the kitchen. Many of the food handlers have no English and I suspect that they are sleeping on the premises in a back shed.

I have also noted on my file that Mr Uddin appears to go under two different names, Mr Thahir Uddin and Mr Tahir Jaks.

**Tracey Ibbett**  
Environmental Health Protection Officer  
Huntingdonshire District Council  
01480 388592





## **Mardon, Sarah (Licensing)**

---

**From:** Swaby, Nigel (Planning)  
**Sent:** 13 December 2018 14:49  
**To:** Mardon, Sarah (Licensing)  
**Cc:** Hampson, Kerry (Planning)  
**Subject:** Planning enforcement ref: - 18/00114/ENBOC - Bollywood Tiger, Yaxley (License Review)  
**Attachments:** Letter to Mr Ali 01.08.2018.doc; Letter to Mr Ali 05.12.2018.doc; Letter to Mr Uddin 05.12.2018.doc; Planning application 1100776FUL.pdf; Planning permission 1100776FUL.pdf

Dear Sarah

I understand that there is a License Review for Bollywood Tiger, 124-126 Main Street, Yaxley. This is to acquaint you with the planning situation.

In response to complaints from members of the public the Council's Planning Enforcement Team is currently investigating alleged breaches of condition 2 of planning permission 1100776FUL.

The planning permission was for development described as "Change of use from A1 (retail) to A3/A5 (Restaurant/hot food takeaway). Replacement of flat roof with pitched roof and conversion of garage to store room with pitched roof over."

Section 20 of the application form submitted by the applicant (Oak House Homecraft Ltd) specified the proposed evening opening times as 5:00pm to 11:00pm on all days of the week.

Condition 2 of the planning permission which was granted on 19 January 2012 states: "The uses hereby permitted shall not be open to customers outside the hours of 11:30 to 14:00 and 17:00 to 23:00 daily." The reason given for this condition was: "In the interests of the amenities of neighbouring occupiers in accordance with policies S14 and E7 of the Huntingdonshire Local Plan 1995 and policy H7 of the Huntingdonshire Development Management DPD Proposed Submission 2010."

Complainants have alleged breaches of the condition on at least 10 occasions between 15 May 2018 and 11 August 2018. The allegations included:

- customers in the restaurant after 23.00 hours
- excessive noise when customers have left the premises
- loud music and customers staying till nearly midnight, often coinciding with advertised themed nights

Following an earlier telephone conversation the Area Enforcement Officer investigating the complaints wrote to Mr M Ali on 1 August 2018 confirming that notwithstanding the hours specified in the licence the planning permission only allowed opening to the public to 23:00. Mr Ali was advised to adhere to the planning condition. He was told that if the planning authority continued to receive complaints a Breach of Condition Notice would be considered. Mr Ali was also advised that he had the option to make an application to the Local Planning Authority to vary the condition. No application has been received.

Further warning letters were sent to Mr Ali and Mr Uddin on 5 December 2018.

A Planning Enforcement Officer monitored the premises from the street on Friday 7 December 2018, the date of an advertised 'Rocker Sal' themed night. The premises were observed to be open to customers to at least 23:30. Consequently the Head of Development has decided under the powers delegated to him to serve a Breach of Condition Notice under section 187A of the Town and Country Planning Act 1990. When the notice comes into effect it will make opening outside the hours specified in the condition an offence.

**Attachments:**

- Planning application 1100776FUL
- Planning permission 1100776FUL
- Letter to Mr Ali 01 August 2018
- Letter to Mr Ali 05 December 2018
- Letter to Mr Uddin 05 December 2018

**Nigel Swaby**  
**Development Management Team Leader (Planning Enforcement)**  
**Development Services**  
**Corporate Delivery**  
**Huntingdonshire District Council**  
Pathfinder House, St Marys Street, Huntingdon PE29 3TN

Direct dial: 01480 388461

Mobile: 07770 933431

Email: [nigel.swaby@huntingdonshire.gov.uk](mailto:nigel.swaby@huntingdonshire.gov.uk)

**Please visit the Planning Pages of our new website at <http://www.huntingdonshire.gov.uk/planning> for all planning related enquiries, including full details of the pre-application services we are providing.**

*Any comments represent the informal opinion of an officer of Huntingdonshire District Council. These comments are made without prejudice to any eventual determination through the planning process.*