

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

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**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)**

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**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**  
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**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.*