

Date: 14 January, 2011
Our ref: EC/09/0332

Hand Delivered

Mr Elias Ali
668/670 Oldham Road
Failsworth
Manchester
M35 9DU

Economy Place and Skills Directorate
Place Making and Management
Transportation and Planning
Level 12 Civic Centre, West Street
Oldham

Tel: 0161 770 4131
Fax: 0161 770 3104

Dear Mr Mohammed Iqbal

Location: 668 - 670 Oldham Road - Bay of Bengal

IMPORTANT THIS COMMUNICATION EFFECTS YOUR PROPERTY

This Notice Takes effect immediately it is served on you in person or on the day you received it by post. There is no right of appeal to the Secretary Of State for the Environment against this Notice.

It is an offence to contravene the requirements stated in paragraph 5 of the Notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Lindsey Zecevic Enforcement Officer Tel: 0161 770 4131.

If you do need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.

Yours faithfully,

Lindsey Zecevic
Enforcement Officer
Direct line: 0161 770 4131
Email: planning@oldham.gov.uk

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)



BREACH OF CONDITION NOTICE

Issued by: OLDHAM BOROUGH COUNCIL ("The Council")

To: Mr Elias Ali

1. **This is a formal notice** which is issued by the Council, under Section 187A of the above Act, because they consider that condition 4 imposed on a grant of planning permission, relating to the land described below, has not been complied with. They consider that you should be required to comply with the condition specified in this notice.

2. **The land affected by the notice**

The Bay of Bengal at 668 -670 Oldham Road, Failsworth, M35 9FD. Shown edged in red on the attached plan.

3. **The relevant planning permission**

The relevant planning permission to which this notice relates is the permission granted by the Council on 21/04/2010 for the variation of condition no 4 of PA/56239/09 to permit hours of opening between 16:00 to 21:00 Monday to Sunday inclusive (Ref.PA/057887/10).

4. **The breach of condition**

The following condition has not been complied with -

The use hereby permitted shall not be open to customers, and no deliveries shall take place from the premises outside the following times:

16:00 to 21:00 Monday to Sunday each day.

Reason - To protect the amenities of occupiers of nearby properties.

5. **What you are required to do**

As the person responsible for the breach of condition specified in paragraph 4 of this notice, you are required to secure compliance with the stated condition by taking the following steps:-

- Close the premises and cease serving customers at 21:00 each day until 16:00 the following day
- Make no deliveries after 21:00 each day until 16:00 the following day.

Time for compliance: - 28 days beginning with the day on which this notice is served on you.

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www.oldham.gov.uk

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Oldham
Council

6. **When this notice takes effect**

This notice takes effect *immediately* it is served on you or you receive it by postal delivery.

Dated: 14/1/11

Signed: 

On behalf of: **OLDHAM BOROUGH COUNCIL**
For Paul Entwistle
Borough Solicitor
Council's authorised Officer

WARNING

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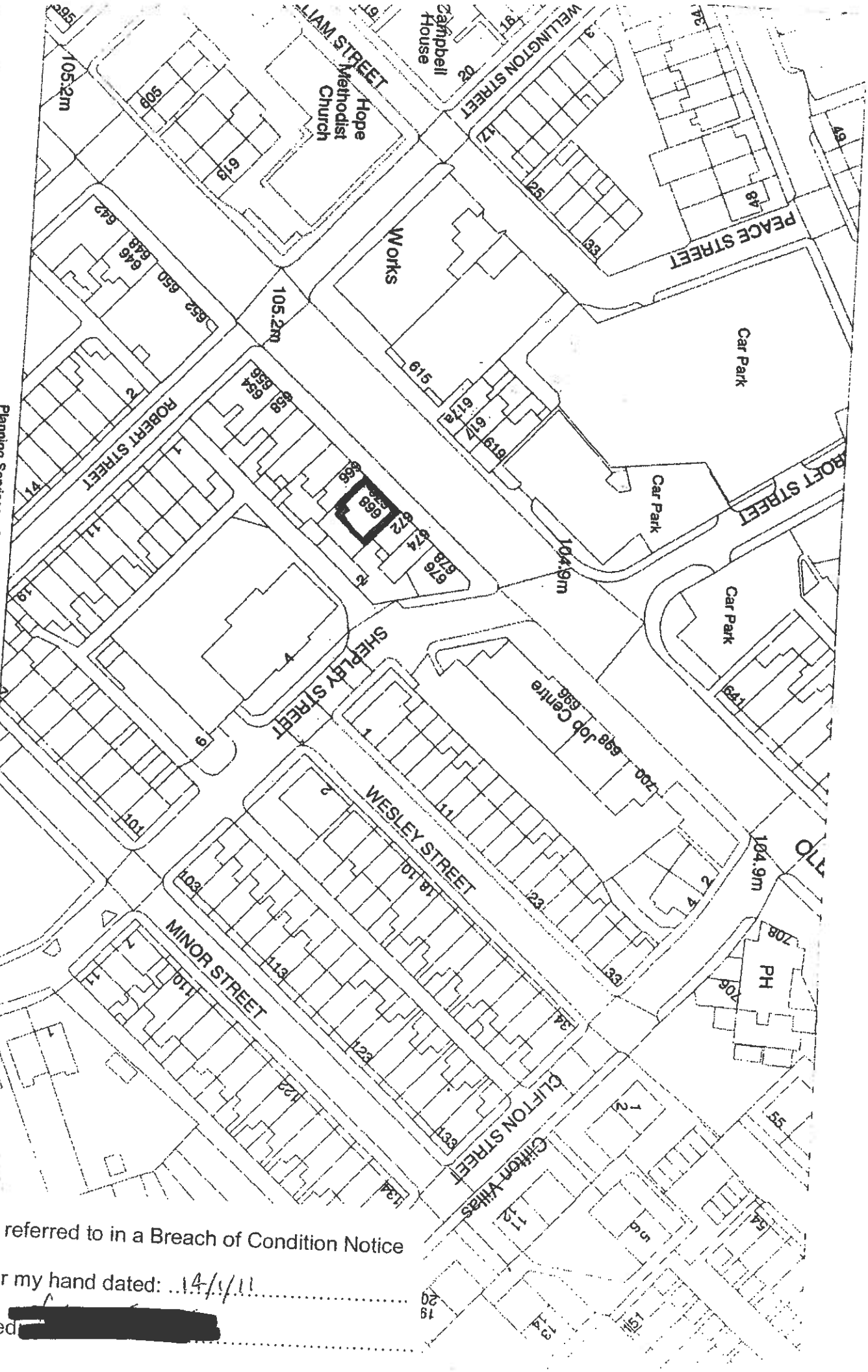
If you need independent advice about this notice, you are advised to urgently contact a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

Do not leave your response to the last minute.

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 Oldham MBC
 PO Box 30
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 OL1 1UQ

Contact Us -
 Phone: 0161 911 4105
 Fax: 0161 911 3104
 Email: planning@oldham.gov.uk
 Web: www.oldham.gov.uk



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Plan referred to in a Breach of Condition Notice

under my hand dated: 14/1/11

Signed: [Redacted Signature]





Oldham
Council

Date: 14 January, 2011
Our ref: EC/09/0332

Hand Delivered

Mr Elias Ali
10 Osbourne Road
Oldham
OL8 1 SJ

Economy Place and Skills Directorate
Place Making and Management
Transportation and Planning
Level 12 Civic Centre, West Street
Oldham

Tel: 0161 770 4131
Fax: 0161 770 3104

Dear Mr Mohammed Iqbal

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Enforcement Officer
Direct line: 0161 770 4131
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Oldham
Council

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Dated: 14/1/11

Signed:

A blacked-out signature, likely of Paul Entwistle, the Borough Solicitor.

On behalf of:

OLDHAM BOROUGH COUNCIL
For Paul Entwistle
Borough Solicitor
Council's authorised Officer

WARNING

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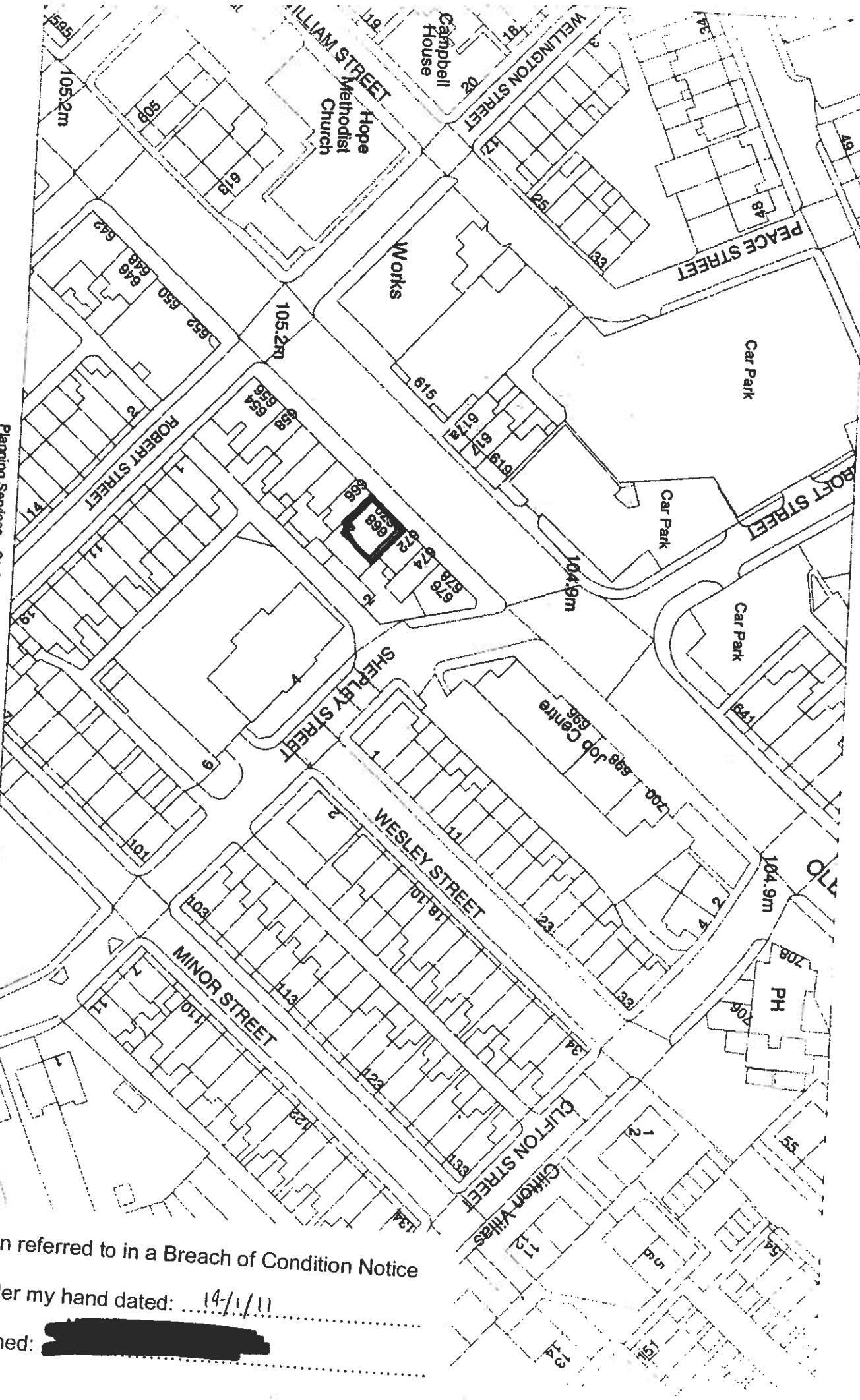
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OL1 1UQ

Contact Us -
Phone: 0161 911 4105
Fax: 0161 911 3104
Email: planning@oldham.gov.uk
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Ordnance Survey

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Plan referred to in a Breach of Condition Notice
under my hand dated: 14/1/11
Signed:

Date: 05:01:11

