

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

BREACH OF CONDITION NOTICE

SERVED BY: The Borough Council of Gateshead (“the Council”)

TO: Jashim Uddin
Bensham Tandoori
94-96 Saltwell Road
Gateshead

1. **THIS NOTICE** is served by the Council, under section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council consider that you should be required to comply with the condition specified in this notice. The Annex at the end of this notice contains important additional information.

2. **THE LAND TO WHICH THE NOTICE RELATES**

Land at 94-96 Saltwell Road, Gateshead shown edged red on the attached plan.

3. **THE RELEVANT PLANNING PERMISSION**

The relevant planning permission(s) to which this notice relates was granted on 15 March 2005 by the Council application number DC/05/00169/FUL for the variation of condition 4 to allow the premises to open on Sundays until 11.00 pm.

4. **THE BREACH OF CONDITION**

The following condition has not been complied with:

Condition No 4

The opening hours of the premises shall be restricted to between 9.00 am and 11.00 pm Mondays to Sundays only or as may be otherwise approved on writing by the Local Planning Authority.

5. WHAT YOU ARE REQUIRED TO DO

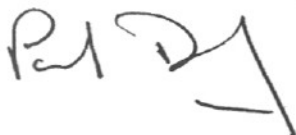
As the person responsible for the breach of condition specified in paragraph 4 of this notice, you are required to comply with the stated condition by taking the following steps: -

- (1) Close the premises at 11pm every day.

Period for compliance: -

- (1) 28 days beginning with the day on which this notice is served on you.

Dated: 15th May 2006



Signed: Paul Dowling
Head of Regulatory Services
For and on behalf of the Borough Council of Gateshead.

ANNEX

WARNING

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 this 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 Eunice Hollins, Enforcement Officer, Gateshead Civic Centre, Telephone Number 0191 4333480.

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.