



HILLINGDON

LONDON

Mr Mark Rose
Licensing Officer
The Licensing Service
London Borough of Hillingdon
Civic Centre
High Street
Uxbridge
UB8 1UW

Date: 24th December 2024

Dear Mr Rose,

LICENSING ACT 2003

MANDALA RESTAURANT, CARTER HOUSE, COLHAM MILL ROAD, WEST DRAYTON UB7 7AE

I am writing to you as the Officer duly authorised to make representations on behalf of the Licensing Authority, in relation to the application for a new premises licence submitted by Mandala Restaurant and Lounge Ltd.

The application proposes for the sale of alcohol from 11:00 to 23:00 hours Monday to Thursday and 11:00 to 01:00 hours Friday to Sunday. In addition, the applicant has applied for late night refreshment until 01:00 hours Friday to Sunday.

I have assessed the application and I visited the premises on 18th December 2024 at 15:30 hours where I met the Manager and the proposed Designated Premises Supervisor Ms. Andzelika Szylle. The Licensing Authority wishes to make a representation against this application based on the following licensing objectives:

**The Prevention of Crime and Disorder
The Prevention of Public Nuisance**

Firstly, in Section 5 of their application, the applicant describes the premises as, "primarily food led, and focuses on food and dining with the intention of selling alcohol to customers mostly during dining hours". The Licensing Authority would like more clarity about how it intends to operate. We note from their operating schedule at Section 18 that there is an absence of any food related conditions. I discussed this issue with Ms. Szylle during my visit and she showed me the upstairs which was set up for dining and the ground floor which had a bar and lounge area. Therefore, it seems likely that there will be an element of vertical drinking. However, our concern is to what extent. As it stands, the application proposes the sale of alcohol without the requirement to be seated at a table to have a meal. In addition, there is no mention in the operating schedule of any 'substantial' food being made available at the premises.

The Prevention of Crime and Disorder

In Section 18(b), of their application, the applicant states that "SIA shall be employed on a risk assessed basis". If the premises were to operate more as a lounge/bar establishment at certain times, we feel it would be beneficial to have some certainty about when and how SIA staff will operate at the premises. For

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example, the applicant may consider the use of SIA door staff at the premises particularly when they are proposing to trade until 01:00 hours. The number of door staff and their times should be specified. Indeed, Ms Szylle seemed open to this issue during my discussions with her.

Ms Szylle confirmed that the lounge on the ground floor of the premises would be used for customers to smoke shisha. Although, shisha smoking is not a licensable activity under the Licensing Act 2003, I had to advise Ms Szylle of the Health Act 2006. She demonstrated how the side window panels could slide up and down by remote control and she explained that the lounge had a retractable roof. However, I advised that the lounge currently did not comply with the Health Act and the 50% rule because it was not at least 50% permanently open. I advised that the lounge was considered substantially enclosed and if any smoking was allowed to take place in the lounge, then this would be an offence under the Health Act 2006. I will be writing to the applicant separately on this matter.

The Prevention of Public Nuisance

Although the applicant has not applied for any regulated entertainment, we feel that their operating schedule at 18(d) does not go far enough to promote this licensing objective. We have concerns that residents living close by will likely be disturbed in the following ways:

1. Dispersal - The applicant has not detailed their plans and processes when customers leave their premises. This will be particularly important when the premises proposes to operate until 01:00 hours. A Dispersal Policy should be drafted and staff should be fully briefed on their roles.
2. Outside area - From my visit to the premises, I noted that there was a small outside area on the left-hand side of the premises to the rear. It is not clear from the application whether the applicant intends for customers to use this area. A number of customers using this area late at night is likely to cause some disturbance to nearby residents.
3. Parking – There is only 3 parking bays at the premises. Customers are likely to park on Colham Mill Road in the evenings. Therefore, there is potential for customers to cause disturbance to nearby residents when they are leaving the premises and returning to their vehicles. In addition, groups of customers leaving the premises late at night will potentially cause noise disturbance whilst waiting for their taxi or Uber on Colham Mill Road.
4. Noise from lounge/shisha area – As mentioned, above, for shisha to legally take place in the lounge, it will have to be at least 50% permanently open. If the lounge was made compliant with the Health Act, there is likely to be noise created from customers using the lounge conversing and consuming alcohol.

The applicant may wish to discuss my representation and so there may be some movement forward where issues may be resolved. I will keep you fully updated as matters progress.

I am happy to attend a hearing, if required, to verbally deliver my representation and also to answer any queries from the Licensing Sub-Committee.

If you have any queries regarding this matter, then please feel free to contact me.

