



The Mongolian Grill 29 North Street London SW4 0HJ Prem343

As a responsible authority under section 13(4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the following Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder and
- Public Safety
- Protection of Children from Harm

The premises are operated as a Bar/Restaurant

The licensable activities and hours currently permitted are:

Recorded Music -	Monday - Sunday 12:00 - 02:00
Late Night Refreshment	Monday - Sunday 10:00 - 01:00
Sale by Retail of Alcohol	Monday - Sunday 10:00 - 02:00

The variation application is seeking:

- To extend the licensable area to include the basement floor to provide licensable activities currently permitted on the ground floor.

The applicant has indicated the sale of alcohol only to be provided within the application for the basement floor, however subsequently clarified stating that they had intended to apply for all licensable activities for the basement floor. This clarified on page 2 of the application form.

Cumulative Impact Area (Saturation Zone)

The premises is not within the cumulative impact area zone as identified within the current Council's statement of licensing policy on pages 26 and 58.

Classification of Area within the policy

According to the current Licensing Policy, Appendix 5 page 46, the premises is located within a residential area.

Classification of Premises within the policy

The premises is classified as a Bar and the hours recommended in the Policy is 11:00 - 23:00 on Monday to Sunday

According to Appendix 6, page 48 of the policy the potential impact from the premises of this kind includes:

- Disturbance from departure and dispersal of patrons
- Issues associated with the use of outside space Including beer gardens

- Limited drunkenness
- Limited violence
- Limited drunkenness

Operational Schedule

The applicant has stated that the proposed variation is to allow the basement to be used as additional area for eating or drinking, private dining or for private hire.

The completion of a full and detailed operating schedule will give greater confidence that the applicant seeks to make a positive contribution and is demonstrating a commitment to both those living in the vicinity and the licensing objectives. Applicants are expected to:

- demonstrate knowledge of the local area when describing the steps they propose to take to promote the licensing objectives;
- to undertake enquiries about the area in which the premises are situated to inform the content of the application;
- to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:
- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
- any risk posed to the local area by the applicants' proposed licensable activities;
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

Applicants are expected to include positive proposals in their application as to how they will manage any potential risks. They should be able to demonstrate an understanding of any measures they will take to mitigate the impact and why their application should be considered as an exception to the policy.

Noise nuisance is particularly intrusive at night when ambient noise levels are lower and residents are trying to sleep and so it is important that applicants can demonstrate how they will effectively manage such issues as:

- the exit and dispersal of their patrons;
- noise from patrons in queues or outside smoking areas;
- patrons returning to cars parked in surrounding streets;
- general noise of people arriving and leaving

Applicants for licences to run after midnight and for variations to extend hours should consider preparing a detailed dispersal policy and submit this with their application.

Summary

The applicant has offered insufficient information in their operating schedule on the effect of the proposed variation on the promotion of the licensing objectives. The premises already benefits from hours beyond those stated within our policy for the ground floor and to permit these hours for an additional floor with the increased number of patrons within a residential area, may have an adverse effect of residents in the area and the licensing objectives. It is therefore recommended the application be refused.

However, should the Committee be minded to grant the application, I recommend the following to be considered to uphold the licensable objectives:

- a) Licensable activities for the basement floor are in accordance to policy hours which is Monday to Sunday 11:00 to 23:00
- b) The following conditions are also sought to be added to the licence in replacement of those proposed within the application's operating schedule
 1. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area at the front of the premises. The maximum number of patrons permitted within this area shall not exceed 10.
 2. A minimum of **1** SIA licensed door supervisors shall be on duty at the premises from 21:00 until the premises closes and until 30 minutes after the premises closes
 3. All SIA licensed door supervisors shall wear high visibility jackets or vests.
 4. All SIA staff must sign a register detailing the information stated below. This register must be kept on the premises and made available immediately upon the request of Police or authorised officer of Lambeth Council.
 - (a) Start and end of shift times
 - (b) SIA badge registered number
 - (c) Full names
 5. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
 6. Patrons temporarily permitted to leave and re-enter the premises e.g. to smoke, shall not be permitted to take drinks with them.
 7. All children under the age of 18 shall be accompanied by a responsible adult at all times whilst on the premises after 19:00
 8. A direct telephone number for the Licence Holder/DPS/manager of the premises shall be publicly available at all times that the premises is open. The number is to be made available to residents and businesses in the vicinity. Any complaints shall be remedied within 48 hours and details to be recorded in the incident book including the action taken by the Licence Holder/DPS/manager.
 9. A register of persons attending a pre booked function or event in the basement shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the Council.
 10. There shall be no third party promoted events involving licensable activities at the premises.
 11. All windows and external doors shall be kept closed after 22:00 hours, except for the immediate access and egress of persons.
 12. The maximum numbers of persons accommodated at the premises (excluding staff) shall not exceed the following:
 - a) Ground floor – 40
 - b) Basement floor - 30

Should the committee be minded to grant hours beyond Policy or to mirror the hours permitted on the current licence for the ground floor to apply to the basement floor for licensable activities that is:

Recorded Music - Monday - Sunday 12:00 - 02:00
Late Night Refreshment Monday - Sunday 10:00 - 01:00
Sale by Retail of Alcohol Monday - Sunday 10:00 - 02:00

I would seek the following condition to be added to the licence:

- In respect of the basement floor, the supply of alcohol on the premises shall only be to persons seated taking a table meal there and for consumption by such persons as ancillary to their meal

Bina Patel
Licensing Manager
30th September 2019

From: [Cllr Linda Bray](#)
To: [Licensing](#)
Cc: [Mercy Okorosobo](#); [Ola Owojori](#)
Subject: Prem343 -The Mongolian Grill, 29 North Street, London SW4 0H
Date: 03 October 2019 16:49:54

I wish to make a representation against the granting of this variation application under the licensing objectives concerning Prevention of Public Nuisance, Public Safety and Prevention of Crime and Disorder.

The premises is situated in a residential area. There are dwellings on each side of, opposite and behind the premises.

I believe that greatly enlarging the number of patrons in the premises is likely to lead to an increase in public nuisance. There is a likelihood that patrons leaving the premises, and cars coming to pick them up, will create noise which will result in residents having their sleep disturbed. Moreover, residents in the vicinity may be subjected to antisocial behaviour caused by patrons leaving the premises such as shouting, rowdiness, littering, street urination and vomiting especially if the premises is open until 3am.

I am particularly concerned about the prospect of private parties being held in the basement until 3am. I have in the past received many complaints from residents about nuisance caused by patrons leaving private parties from other premises in Old Town in the small hours after drinking all evening. I would like to avoid this happening to residents living near the subject premises.

The night time economy in Clapham unfortunately creates high intoxication levels. This has led to alcohol-related crime taking place ranging from sexual assaults, violence against the person, thefts, robberies, etc. I am aware from attending Neighbourhood Police forums that this is of great concern to the Police. According to police statistics, the proportions of violent incidents that are alcohol-related increase as the afternoon and evening progresses, with 83% of violent incidents occurring between 10pm and midnight. A similarly large proportion (84%) of incidents occurring between midnight and 6am are alcohol-related. More intoxicated patrons in the area of the subject premises will place an even greater burden on the police.

Bearing in mind that the premises are in a residential area, the closing time should be 11pm every day of the week in line with Lambeth's Statement of Licensing Policy 2019-2024 (see Appendix 5 thereof). Should the licensing sub-committee decide to grant the application, the terminal hour of 11pm should be imposed.

Yours faithfully,
Cllr Linda Bray
Labour councillor for Clapham Town ward