

Licensing Act 2003 Sub-Committee on 4th JULY 2006

Report title: Application for a Premises Licence THE MAGIC FLUTE, 31 HIGH STREET, LONDON, N8 7QB

Report of: The Lead Officer Licensing

Ward(s) affected HORNSEY

1. Purpose

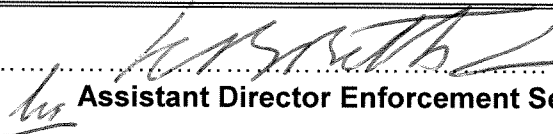
To consider an application by SOPGHIA HADJI-MICHAEL. THE MAGIC FLUTE. to provide a licensable activity in the form of the sale of Alcohol, Late Night Refreshment and Regulated Entertainment

2. Recommendations

- 2.1 (a) Grant the application as asked
(b) Modify the conditions of the licence, by altering or omitting or adding to them
(c) Reject the whole or part of the application

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application unless it is necessary to promote the licensing objectives.

Report authorised by: Robin Payne.....


Assistant Director Enforcement Services

Contact Officer: Ms Daliah Barrett

Telephone: 020 8489 5103

3. Executive summary

For consideration by Sub Committee under Licensing Act 2003 for a Premises Licence.

4. Access to information:

Local Government (Access to Information) Act 1985

Background Papers

The following Background Papers are used in the preparation of this Report:

File: THE MAGIC FLUTE

The Background Papers are located at Enforcement Service, Civic Centre, High Road Wood Green N22

5. REPORT

Background

5.1 Application by **SOPHIA HADJI-MICHAEL** for a Premises Licence in respect of **THE MAGIC FLUTE, 31 HIGH STREET, HORNSEY, LONDON, N8 6QB** under the Licensing Act 2003.

5.2 Details for a new Premises Licence -APP 1

Opening Hours for Public

Sunday to Saturday 11.00 - 03.00

Sale of Alcohol for Consumption on the Premises

Sunday to Saturday 11.00 – 02.30

Provision of Regulated Entertainment

Live Music

Sunday to Saturday 11.00 – 02.30

Provision of Facilities for Making Music

Sunday to Saturday 11.00 – 02.30

Provision of Recorded Music

Sunday to Saturday 11.00 – 02.30

Performances of Dance

Sunday to Saturday 11.00 - 02.30

Provision of Facilities for Making Music

Sunday to Saturday 11.00 – 02.30

Provision of Facilities for Dancing

Sunday to Saturday 11.00 – 02.30

Late Night Refreshment

Sunday to Saturday 23.00 – 02.30

Designated Premises Supervisor:

SOPHIA HADJ-MICHAEL

5.3 Crime and Disorder

Entry will only be permitted to persons attending bona fide pre-booked functions.

Food will be available at all times

Alcohol will only be sold to customers seated at tables by waiter/waitress service.

5.4 Public Safety

Fire safety equipment will be checked regularly and any requirements made by the Fire Safety Officer will be complied with.

5.5 Public Nuisance

Signs will be displayed at the exit reminding customers to leave quietly and respect the neighbours.

Staff will call Taxis/Mini cabs to the premises for the use of customers leaving the premises when requested to do so.

5.6 Child Protection

All staff will be trained that alcohol will only be sold to persons who can produce photographic identification where there is any doubt that they are over the age of 18.

6. RELEVANT REPRESENTATIONS (CONSULTATION)

Responsible Authorities:

6.1 Comments of Metropolitan Police

The Police have no adverse comments to make regarding this application.

6.2 Comments of Enforcement Services:

Noise Team

Have no objections to this application.

Food Team

Have no objections to this application

Health and Safety

Have no objections to this application

Trading Standards

Have no objections to this application

6.3 Fire Officer - APP 2

There are items of concern to this authority as follows:-

LICENSING OBJECTIVE NOT ADEQUATELY ADDRESSED	LOCATION AND DETAIL OF MATTERS WHICH ARE CONSIDERED TO PUT PEOPLE AT RISK IN THE EVENT OF A FIRE EMERGENCY	STEPS CONSIDERED NECESSARY TO PROMOTE THE PUBLIC SAFETY LICENSING OBJECTIVE
Public Safety	Throughout premises	<ol style="list-style-type: none"> 1. Fire alarm to BS5839 Pt6 (Lights and Buzzers) 2. Emergency Lighting to BS5266 3. Appropriate fire extinguishers suitable for the risk 4. All signs to comply with BS5499
Public Safety	Throughout premises	<ol style="list-style-type: none"> 1. Written Fire Risk Assessment required 2. Evacuation plan required

6.5 Planning Officer –APP 3

Has made the following objection:

Reason for objection is based on the following condition of consent (HGY/1992/1362) granted on the 06.04.1992 for the retention of Ground Floor Front Room as hot food takeaway (A3).

The reason hereby permitted shall not be operated before 08.00 or after 18.00 on Mondays to Fridays and not at all on Saturdays, Sundays, or Bank Holidays.

Reason: this permission is given to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished.

6.6. Comments of Child Protection Agency or Nominee

Have no objections to this application.

7.0 Interested Parties

No objections have been received against this application.

8.0 Financial Comments

The fee which would be applicable for this application was **£190.00**

APP 1

APPLICATION FORM

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We SOPHIA HADJI-MICHAEL

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description THE MAGIC FLUTE 31 HIGH STREET HORNSEY			
Post town	LONDON	Post code	N8 7QB

Telephone number at premises (if any)	0208 341 7120
Non-domestic rateable value of premises	£32500

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	9	06 2006

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Amplified or unamplified music		
Mon	11.00	02.30			
Tue	11.00	02.30	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed	11.00	02.30			
Thur	11.00	02.30	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	11.00	02.30			
Sat	11.00	02.30			
Sun	11.00	02.30			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	02.30	<u>Please give further details here</u> (please read guidance note 3) Occasional Cultural Dancing	Both	<input type="checkbox"/>
Tue	11.00	02.30			
Wed	11.00	02.30	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur	11.00	02.30			
Fri	11.00	02.30	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	11.00	02.30			
Sun	11.00	02.30			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u> Amplified or unamplified music	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Amplified or unamplified music Disco	
Mon	11.00	02.30		
Tue	11.00	02.30		
Wed	11.00	02.30		
Thur	11.00	02.30		
Fri	11.00	02.30		
Sat	11.00	02.30		
Sun	11.00	02.30	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	11.00	02.30			
Tue	11.00	02.30			
Wed	11.00	02.30			
Thur	11.00	02.30			
Fri	11.00	02.30			
Sat	11.00	02.30			
Sun	11.00	02.30			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name SOPHIA HADJI-MICHAEL	
Address 109 SHIREHALL PARK HENDON LONDON	
Postcode	NW4 2QU
Personal Licence number (if known)	
Issuing licensing authority (if known) BARNET COUNCIL	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

See below

b) The prevention of crime and disorder

Entry will only be permitted to persons attending bona fide pre-booked functions.

Food will be available at all times.

Alcohol will only be sold to customers seated at tables by waiter / waitress service.

c) Public safety

Fire safety equipment will be checked regularly and any requirements made by the Fire Safety Officer will be complied with.

d) The prevention of public nuisance

Staff will call Taxis / Mini cabs for the use of customers leaving the premises when requested to do so.

Signs will be displayed at the exit reminding customers to leave quietly and respect the neighbours

e) The protection of children from harm

All staff will be trained that alcohol will only be sold to persons who can produce photographic identification where there is any doubt that they are over the age of 18.

Consent of individual to being specified as premises supervisor

I SOPHIA HADJI-MICHAEL
[full name of prospective premises supervisor]

of 109 SHIREHALL PARK
HENDON
LONDON
NW4 2QU

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE
[type of application]

by

SOPHIA HADJI-MICHAEL
[name of applicant]

relating to a premises licence

1
[number of existing licence, if any]

for THE MAGIC FLUTE
31 HIGH STREET
HORNSEY
LONDON
N8 7QB

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

SOPHIA HADJI-MICHAEL

[name of applicant]

concerning the supply of alcohol at

THE MAGIC FLUTE
31 HIGH STREET
HORNSEY
LONDON
N8 7QB

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

[insert personal licence number, if any]

Personal licence issuing authority

BARNET COUNCIL, BUILDING 4 NORTH LONDON BUSINESS PARK,
[insert name and address and telephone number of personal licence issuing authority, if any]
OAKLEIGH ROAD SOUTH, N11 1NP 02083597471

Signed

X 

Name (please print)

SOPHIA HADJI-MICHAEL

Date

18.5.06

APP 2

REPRESENTATION FROM FIRE OFFICER

FIRE AND COMMUNITY SAFETY DIRECTORATE
Roy Bishop Deputy Commissioner

Date
23 May 2006

Our Ref.
FS/31/011982/LH

Your Ref.

Addressee
Ms D Barrett
Lead Licensing Officer
Haringey Council
2nd Floor, Civic Centre
High Road
Wood Green
London
N22 8LE

Please reply to
Tony Cadman
Inspecting Officer

Direct Telephone
020 8803 7530

Direct Fax
020 8807 7196

Direct E-mail
haringeygroup@london-fire.gov.uk

Dear Madam,

LICENSING ACT 2003

Premises: The Magic Flute, 31 High Street, London, N8 7QB

With reference to the application dated 19 May 2006, as shown on plan, number 145,01, the application has been examined and **the Fire Authority want to make a representation** to the Licensing Authority in relation to this application.

The applicant has been informed that the Fire Authority will be making a representation to the Licensing Authority.

The items that are of concern to this authority are detailed on the attached schedule.

Please advise me, at your earliest convenience, of the date and time of the Licensing Committee Hearing.

Should these matters be resolved to the satisfaction of this Authority at least 2 days prior to the Licensing Committee Hearing the representation will be withdrawn.

Any queries regarding this letter should be addressed to the person named at the top of the letter. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,



for Assistant Commissioner

Data Protection Act 1998: The information you have given on this form will be processed by London Fire Emergency Planning Authority for the purpose of **fire and emergency planning and control**. We will keep your details secure and will not disclose them to other organisations or third parties (except contractors or suppliers working on our behalf) without your permission unless we are legally required to do so.

For more information about how we use your personal information, see our notification entry (Z7122455) www.informationcommissioner.gov.uk or visit: www.london-fire.gov.uk

FIRE AND COMMUNITY SAFETY DIRECTORATE
Roy Bishop Deputy Commissioner

The Magic Flute, 31 High Street, London, N8 7QB

Our Ref.
FS/31/011982/LH

Your Ref.

SCHEDULE

Sheet 1 of 1

Schedule referred to in the letter reference FS/31/011982/LH under the Licensing Act 2003, issued by the London Fire and Emergency Planning Authority on 23 May 2006.

Where appropriate, a plan may form part of this Schedule to illustrate the steps which, in the opinion of the fire authority, need to be taken in order to promote the public safety objective.

NOTE : Notwithstanding any consultation undertaken by the fire authority, **before** you make any alterations to the workplace, **you** must apply for local authority building control department approval (and/or the approval of any other bodies having a statutory interest in the premises) if their permission is required for those alterations to be made.

Licensing Objective not adequately addressed	Location and detail of matters which are considered to put people at risk in the event of a fire emergency	Steps considered necessary to promote the public safety licensing objective
Public Safety	Throughout premises	1. Fire alarm to BS5839 Pt6(lights and Buzzers) 2. Emergency Lighting to BS5266 3. Appropriate fire extinguishers suitable for the risk. 4. All signs to comply with BS5499
Public Safety	Throughout Premises	1. Written Fire Risk assessment required 2. Evacuation plan required

Data Protection Act 1998: The information you have given on this form will be processed by London Fire Emergency Planning Authority for the purpose of **fire and emergency planning and control**. We will keep your details secure and will not disclose them to other organisations or third parties (except contractors or suppliers working on our behalf) without your permission unless we are legally required to do so.

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APP 3

REPRESENTATION FROM PLANNING

Customer ID 357

Date Received 19 May 2006

Address 1 THE MAGIC FLUTE

Address 2 31 HIGH STREET

Address 3 LONDON

Post Code N8 7QB

Object

Approve

Conditions OBJECTION

REASON FOR OBJECTION IS BASED ON THE FOLLOWING
CONDITION OF CONSENT (HGY/1992/1362) GRANTED ON THE
06/04/1993 FOR THE RETENTION OF GROUND FLOOR FRONT
ROOM AS HOT FOOD TAKEAWAY (A3):

2. The use hereby permitted shall not be operated before 08:00 or
after 18:00 on Mondays to Fridays and not at all on Saturdays,
Sundays, or Bank Holidays.
Reason: This permission is given to facilitate the beneficial use
of the
premises whilst ensuring that the amenities of adjacent
residential
properties are not diminished.

Type of Licence

Notes It would be prudent for the applicant to make a new application
requesting a Variation of Condition requesting the hours of operations
be extended. This formal application would be assessed by the planning
department.

Email Date Sent 24-May-06