



## **BIRMINGHAM CITY COUNCIL**

### **LICENSING SUB COMMITTEE B**

**TUESDAY 25 AUGUST 2020**

#### **Pepe's Piri Piri, 439 Birmingham Road, Sutton Coldfield, B72 1AX**

That the application by My Shop 7 Limited for a premises licence in respect of Pepe's Piri Piri, 439 Birmingham Road, Sutton Coldfield, B72 1AX be granted as follows:

- The door to close to customers at 00.30 hours daily, with no public access granted to the restaurant after 00.30
- From 00.30 hours daily the premises to offer a home delivery service only (not restaurant service)
- The operating end time to be 01.00 hours daily

The licence will also be subject to the following conditions, as agreed with the responsible authorities in advance of the meeting:

- CCTV will retain images/recordings for a minimum of 28 days. CCTV will display the correct time and date stamp. CCTV will be downloadable and made immediately available to any of the responsible authorities on request
- There will be no open containers of alcohol allowed within the premises, and there will be no consumption of alcohol allowed on the premises
- The premises will not allow delivery drivers to sit in or on their vehicles with the engine running while waiting for a delivery. The premises will not allow delivery drivers to play music while in/on their vehicles that is audible to members of the public that would be at a level to constitute a noise nuisance. The premises will not allow drivers to over-rev their engines. The premises will have written documented training for all delivery drivers that will be signed as understood by the drivers. All drivers will receive this documented training prior to the commencement of their first delivery
- Noise from the kitchen extraction system shall be inaudible at the façade of any noise sensitive premises

Those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will also form part of the licence issued.

The Sub Committee deliberated the operating schedule put forward by the applicant and the likely impact of the application, including the agreed conditions, and concluded that by granting this application, the four licensing objectives contained in the Act will be properly promoted. The responsible authorities, namely West Midlands Police and Environmental Health, had considered the application suitable with the addition of some sensible conditions.

Members carefully considered the representations made by other persons but were not convinced that there was evidence of a risk to the upholding of the licensing objectives. The risks had been covered by the agreed conditions.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Licensing Policy, the Guidance issued under Section 182 of the Licensing Act 2003 by the Secretary of State, the application for a premises licence, the written representations received, and the submissions made at the hearing by the applicant and by those making representations.

All parties are reminded that under the provisions contained within Schedule 5 to the Licensing Act 2003, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.