



**CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD**

REPORT TO SUBCOUNCIL 20

12

1. ITEM NUMBER : 20SUB54/9/19

2. SUBJECT

RENEWAL OF EXTENSION OF LIQUOR TRADING HOURS APPLICATION: IN RESPECT OF: WCP002922/A:- LIQUOR CITY RETREAT, ERF 146733, 353 MAIN ROAD, RETREAT, 7700 (OFF CONSUMPTION - MONDAYS TO SATURDAYS)

3. PURPOSE

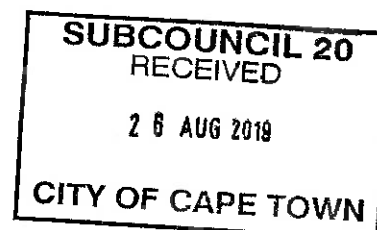
To report to the Subcouncil on comments received for a liquor license application in terms of Section 37 of the Western Cape Liquor Act, 2008, as amended by the Western Cape Liquor Amendment Act, 10 of 2010 and Western Cape Liquor Regulations, 2011 pertaining to the Extension of Trading Days and Hours applicable to Section 6(5)A of the City of Cape Town Liquor Trading Days and Hours By-Law 2013 as amended.

4. FOR DECISION BY

Delegation Part 24-4 (2) To approve, refuse or vary applications for extension of trading days and hours on premises where liquor licenses have been granted

5. EXECUTIVE SUMMARY

The Liquor Trading Days and Hours By-Law, 2010 as amended by the Liquor Trading Days and Hours By-law, 2012 requires that the needs of the community and the liquor license holder are considered by following due administrative processes. The application before Subcouncil 20 is at the stage where public participation was facilitated by the administration of Subcouncil and the comments from the affected stake holders are attached for the Subcouncil to approve, refuse or vary the application for the extension of trading days and hours, Mondays to Saturdays from 18H00 until 20H00 for Consumption OFF premises applicable to the business trading as Liquor City Retreat, Erf 146733, 353 Main Road, Retreat, 7700.



6. DISCUSSION

6.1 Section 37 of the Western Cape Liquor Act, 2008, as amended by the Western Cape Liquor Amendment Act, 10 of addresses the Notice of Application process. Section 37(4), (5) and (6) of the Act reads as follows:

"(4) The designated liquor officer in whose area of jurisdiction the proposed licensed premises are located must, within the prescribed period from the date of lodgement of an application, serve a copy of the application in the prescribed manner on the municipality concerned in order for it to—

(a) where section 36(1)(c) applies—

- (i) allow the public to have access to, inspect or, upon payment of the prescribed fee, obtain a copy of the application;*
- (ii) obtain the comment of the ward councillor;*
- (iii) comment on the application; and*
- (iv) allow for the consideration of the planning application in relation to the application for a liquor licence; or*

(b) where section 36(1)(c) does not apply—

(i) allow the public to have access to, inspect or, upon payment of the prescribed fee, obtain a copy of the application;

(ii) obtain comment of the ward councillor; and

(iii) comment on the application.

*(5) The designated liquor officer in whose area of jurisdiction the proposed licensed premises are located must or the municipality **may**, within the prescribed time, give notice of the application to—*

(a) neighbouring residents or such persons who in his, her or its judgement may be affected by, or have an interest in, the granting or refusal of the application; and

(b) the community policing forum, if any, of the area in which the premises are located.

(6) Notwithstanding subsection (1), where an applicant has to comply with section 36(1)(c), the notification done in terms of the applicable planning legislation is deemed to be in compliance with the notification requirements in terms of this section: Provided that the Liquor Licensing Tribunal may require such additional notification as it may deem appropriate."

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6.2 The following application for the extension of liquor trading days and hours was received by the Subcouncil from the City's Environmental Health Office:

6.2.1 Details of applicant:

- **WCP002922/A**
- **Manuel George Calaca**
- **Liquor City Retreat**
- **Erf 146733**
- **353 Main Road, Retreat, 7700**

6.2.2 Subcouncil Manager confirmation: Advertising extent (Community participation) - Notices served on and received the following Comments -

- **CHAIRPERSON SUBCOUNCIL 20: Ian Iversen**
No Objection – Annexure B

WARD 71 COUNCILLOR: Penny East

No comment was received during the public participation stage

- **Community Based Organizations: As per CBO Database:**
No comment was received during the public participation stage
- **CPF:**
No comment was received during the public participation stage
- **Internal departments:**
 - ❖ **Town Planning:**
Not applicable for extended liquor trading hours
 - ❖ **Health:**
No comment was received during the public participation stage
 - ❖ **Law Enforcement:**
Supported – Annexure C

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Liquor License WCP002922/A:- Liquor City Retreat, Erf 146733, 353 Main Road, Retreat, 7700 (Off Consumption – Mondays to Saturdays)

7. RECOMMENDATION

Subcouncil 20 recommends that the application for a liquor licence received from Liquor City Retreat, Erf 146733, 353 Main Road, Retreat, 7700, Reference No WCP002922/A:- for the extension of trading days and hours Mondays to Saturdays, 18H00 until 20H00 for Consumption OFF Premises, be APPROVED, REFUSED or VARIED.

If Not Supported, Note the following grounds for disqualification.

Criteria for granting licences

- 31.(1) *The Liquor Licensing Tribunal or Presiding Officer, as the case may be, **may not grant a licence**, unless it or he or she is satisfied on the balance of probabilities that -*
- (a) the granting thereof is in the public interest;*
 - (b) the applicant is of good character, and not disqualified from holding a licence in terms of section 35;*
 - (c) the premises on which the sale or consumption of liquor will take place are or will upon completion be suitable for use by the applicant for the purposes of the licence;*
 - (d) the applicant has the right to occupy the proposed licensed premises; and*
 - (e) the granting of the application does not prejudice -*
 - (i) the residents of a residential area;*
 - (ii) the residents of an institution for the aged or frail;*
 - (iii) the learners of an educational institution who are under the age of eighteen (18) years;*
 - (iv) the patients of an institution for drug or alcohol related dependencies; or*
 - (iv) the congregants of a religious institution located in the vicinity of the proposed licensed premises."*


Reasons for Non Support:

The granting of the application prejudices-

- (i) the residents of a residential area;*
- (ii) the residents of an institution for the aged or frail;*
- (iii) the learners of an educational institution who are under the age of eighteen (18) years;*
- (iv) the patients of an institution for drug or alcohol related dependencies; or*
- (i) the congregants of a religious institution located in the vicinity of the proposed licensed premises."*

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NAME	Richard White
CONTACT NUMBERS	021 444 8112
E-MAIL ADDRESS	Richard.White@capetown.gov.za
DIRECTORATE	Urban Management



Richard White
MANAGER: SUBCOUNCIL 20

Comment:

DATE

26 August 2019

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Liquor License WCP002922/A:- Liquor City Retreat, Erf 146733, 353 Main Road, Retreat, 7700 (Off Consumption – Mondays to Saturdays)



CITY OF CAPE TOWN | ISIXENKO SASEKAPA | STAD KAAPSTAD

ANNEXURE A

4043

MONDAY TO SATURDAY EXTENDED OFF-CONSUMPTION TRADING HOURS

Form 2

CITY HEALTH

THIS CITY WORKS FOR YOU

APPLICATION IN TERMS OF SECTION 6 OF THE CITY OF CAPE TOWN: CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC BY-LAW, 2013, FOR EXTENSION OF LIQUOR TRADING HOURS FROM 18:00 TO 20:00, MONDAY TO SATURDAY FOR OFF-CONSUMPTION PREMISES

All fields must be filled in

DETAILS OF LICENCEE

- Liquor license number WCP/002922
- Full name of licensee LIQUOR CITY 13 (PTY) LTD
- If the licensee is not a natural person, state the name, identity number and address of each shareholder, member or partner. (use an annexure if required)

MANUEL COSTA DE ATOUQUIA ID: 04405035035184
21 SCRIBANTE ST
LIBRADENE
ROKSBURG 1459

- Name and address of the licensed premises

LIQUOR CITY 13 (PTY) LTD
353 MAIN ROAD
RETREAT
7945

- Provide details of the premises where the licensed business is conducted with reference to the number of the erf, street(s), apartment, shop(s) or farm, as the case may be

ERF No. 146733
353 MAIN ROAD
RETREAT
7945

- Contact number

082 318 7892

- State reason(s) why licensee is applying for extension of trading hours (use an annexure if required)

I declare that the information furnished in this application and in any documents attached to it, is true.

Signature [Signature] Date 09/07/2019

(written authorisation to sign on behalf of licensee to be attached)

Name (printed) MANUEL GORGE CALACA Application prepared by M. G. CALACA

Postal address 69 CAPE BAY Physical address 69 CAPE BAY

ATHOL ST ATHOL ST

SOMERSET WEST SOMERSET WEST

Work tel: 021-701-2250 Cell: 082 318 7892

Fax: [Blank] E-mail: george@liquorcitiy.co.za

Signature [Signature] Date 09/07/2019

(written authorisation to sign on behalf of licensee to be attached)

Name (printed) MANUEL GORGE CALACA

Liquor licence number **WCP/002922****OFFICE USE ONLY****SAFETY AND SECURITY**

Comment or state history of nuisance(s) and/or any complaints received or action taken in respect of the premises or licensee

PERTAINING TO THE MENTIONED PREMISES, NAMELY, LIQUOR CITY, SITUATED AT, 353 MAIN ROAD, RETREAT. IT WAS

ASCERTAINED THAT THE APPLICANT DID RENEW HIS LIQUOR LICENSE FOR 2019. NO COMPLAINTS WERE RECEIVED BY THE

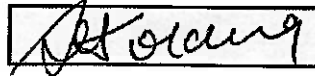
LIQUOR UNIT WITH REGARDS TO THIS ESTABLISHMENT. THIS APPLICATION WAS SUBMITTED TO THE PROVINCIAL OFFICE OF

SAPS' LIQUOR CONTROL FOR COMMENTS, HOWEVER, NO FEEDBACK HAS BEEN RECEIVED.

Name of Official

Marilyn Holding
10001005

Signature



Date

01 AUG 2019

Safety and Security

LAW ENFORCEMENT

This applicant must now hand the application form in at the designated Environment Health Office. Please note: As from 01 July 2018 a non-refundable Application fee of R4 035.09 (Vat inclusive) is payable into Profit centre 18070172 G/L 810400. Payment can be made at any cash office of the City. Proof of payment must from 1 July 2018 accompany the application when handing it in at the designated Environmental Health Office.

Application Fee

Receipt number

payment date



**WESTERN CAPE
LIQUOR AUTHORITY**

Western Cape Liquor Authority

Liquor City 13 (Pty)Ltd
P.O. Box 721
STRAND
7139



OFFICE USE

FORM 21A

ANNUAL LICENCE RENEWAL NOTICE:

FEES PAYABLE IN RESPECT OF A LIQUOR LICENCE FOR:

THE YEAR 2019

(REG. 30(1))

LIQUOR AUTHORITY REFERENCE NUMBER: WCP/002922

Name of licensee: Liquor City 13 (Pty)Ltd

Address of the licensed premises: Corner Shop, 353 Main Road, RETREAT, 7945

(If the residential or postal address has changed, please also supply the new address to the following e-mail address:
liquor.enquiries@wcla.gov.za.)

Category of licence: Consumption Off

You are hereby notified that the total renewal fees payable to the Western Cape Liquor Authority are:

Annual: R 4,360, payable on or before 31 December 2018

Please Note:

Nedbank Internet Banking

<https://netbank.nedsecure.co.za/Browser/Brands/Nedbank/>



NEDBANK

Once-off payment notification

Date: 23/10/2018 Time: 12:43 PM

From account details:	SAVINGS AC
My statement description:	LiquorCityRetreat 002922 F21A
Beneficiary statement description:	WCP/002922 F21A LiqCityRetreat
To account number:	1452069883
Branch:	145209
Amount:	R 4,360.00
Payment capture date:	23/10/2018
Reference number:	20181023/NEDBANK/001945063858

Please note: Payments to other banks, including Nedbank branches outside South Africa, may take up to three business days.



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Plessey Building
3 Victoria Road
Plumstead 7800
Private Bag X 5, Plumstead 7801
Ask for: Mr ME Cupido
Tel: 021-710 8092
Cell: 084 2200145
Fax: 021-710 9307

Plessey Building
3 Victoria Road
Plumstead 7800
Mombolo Yebhosi X 5, Plumstead 7801
Cell: Mr ME Cupido
Umsieba: 021-710 8092
Cell: 084 2200145
Fax: 021-710 9307

Plessey Gebou
Victoriaveg 3
Plumstead 7800
Private Bag X 5, Plumstead 7801
Via vir: Mnr ME Cupido
Tel: 021-710 8092
Sel: 084 2200145
Faks: 021-710 9307

CITY HEALTH - ENVIRONMENTAL HEALTH - SOUTHERN SUB DISTRICT

For detailed information contact:

Kurt.Rustin@capetown.gov.za

0214002790

Wynberg EH Office, Wynberg Town Hall, Lower Maynard Rd, Wynberg

ID 920 APPROVAL LETTER

TYPE OF LIQUOR CONSUMPTION:

OFF CONSUMPTION

REF NO: 33/55/7/8/00 - WCP/002922/A

PERSONAL SERVICE

MANUEL CALACA
353 MAIN ROAD
RETREAT
7945

DATE: 15/05/2018

Dear Sir

RE: APPLICATION FOR EXTENDED LIQUOR TRADING HOURS:

LIQUOR CITY RETREAT

ERF 146733 353 MAIN ROAD RETREAT

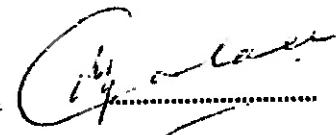
I refer to your application received **02/03/2018** regarding the abovementioned matter and wish to advise that your application to extend your liquor trading hours has been considered by Sub Council 19 and it was resolved:

1. Subcouncil 20 approves the application for a liquor licence received from Liquor City Retreat, Erf 146733, 353 Main Road, Retreat, 7700 Reference No WCP002922/A: - for the extension of trading days and hours Mondays to Saturdays, 18:00 until 20:00 for Consumption OFF Premises, subject to the following Conditions: 1.1 That full-time security operates on the premises (inside and outside) be given a mandate to discourage patrons from drinking in their cars/in public and when misbehaving, to move on. 1.2 The operator to deep cleanse and disinfect the wall and walkway in Chard Road. 1.3 The operator to deep cleanse and disinfect the wall in front of the shop. 1.4 That the external walls of the shop be painted. 1.5 Notices to be displayed informing patrons that drinking in public is illegal and a notice to be displayed at the entrance of the shop with the contact details of Law Enforcement and the Liquor Authority and the 107 Emergency Number. 1.6 The operator to train staff not to serve inebriated patrons. FURTHER RESOLVED 1.7 The Ward Councillor to distribute a flyer containing the services rendered by Law Enforcement and the contact numbers of the agency should there be any contraventions of the law.

This approval will expire on **17/04/2019** where after a new application for extended liquor trading hours for the year will need to be submitted to the City of Cape Town for consideration in terms of section 2 of the City of Cape Town Control of Undertakings that sell Liquor to the Public By-Law 2013.

Yours faithfully


Head Environmental Health
Area 4 Southern
For: Director: City Health

RECEIVED BY: M.E. Calaca DATE RECEIVED: 28 MAY 2018 SIGNATURE: 

RETREAT HOUSING

OFFICE #1017

SERVED BY - A.Damons

GENERAL LEDGER

VOTE NUMBER : 810400P18070172

TICKET CODE : 00

COMMENTS WCP/002922

0001 AMOUNT

4035.10 CA

CASH

4035.10

#99903 05 AUG 2019 11:19 841 USR0899

Thank you for this
payment.

Have a nice day

From: Ian Iversen <ian.iversen@capetown.gov.za>
Sent: Wednesday, 14 August 2019 21:05
To: Celes René Allies <CelesRene.Allies@capetown.gov.za>
Subject: RE: LIQUOR CITY RETREAT: WCP/: EXTENDED LIQUOR APPLICATION FOR MONDAY TO SATURDAY TRADING

No objection

Regards

Ian Iversen

Cllr. I R Iversen

Office 021 444 8117
Cell 083 629 7051
E-mail ian.iversen@capetown.gov.za

PA Ms Esmeralda Abrahams
Important Please copy Ms Abrahams in on all e-mails: Esmeralda.Abrahams@capetown.gov.za



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COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS

FORM

Please complete the information below and return to

Subcouncil 20 Main Road Constantia 7806

Applicant Details	WCP/002922/A LIQUOR CITY RETREAT			
APPLICATION	SUPPORTED	✓	NOT SUPPORTED	
Please indicate whether the business is LOCATED near	Aged or Frail Care Centre	no		
	Rehab, Drugs / Alcohol Centre	no		
	School(s)	no		
	Other			
PARKING				
REASONS FOR NOT SUPPORTING				
ORGANISATION/OBJECTOR DETAILS				
NAME	Wayne Petersen Acting S/Inspector Station Commander Wynberg Law Enforcement (West) Tel: 021 761 8187			
DATE	08/08/2019			

For ease of reference community organisations/residents may submit comments to this office, to aid the Subcouncil in its decision-making. Written comment in respect of this notice(s) of application(s) must reach this office before or on **20 AUGUST 2019** (date 14 calendar days for public participation) at close of business (16:00)