



CITY OF CAPE TOWN
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REPORT TO SUBCOUNCIL 19

1. **ITEM NUMBER:** 19SUB28/08/19

2. **SUBJECT**

EXTENSION OF LIQUOR TRADING HOURS APPLICATION: IN RESPECT OF: WCP/033361 WOOLWORTHS LAKESIDE FOR MONDAY TO SUNDAY EXTENDED OFF-CONSUMPTION TRADING HOURS

3. **PURPOSE**

To decide on an application for extension of liquor trading hours in terms of Section 6(1) of the City of Cape Town: Control of undertakings that sell liquor to the Public By-Law, 2013.

4. **FOR DECISION BY**

Subcouncil in terms of Delegation 24.4(2)

To approve, refuse or vary applications for extension of trading hours on premises where liquor licenses have been granted.

5. **EXECUTIVE SUMMARY**

The City of Cape Town: Control of Undertakings that Sell Liquor to the Public By-Law, 2013, was promulgated on 17 January 2014 and came into effect on 01 February 2014.

An application for Extension of Liquor Trading Hours in terms of Section 6 (1) of the By-Law was submitted to the Health Directorate and circulated to the relevant Departments for comment. The fully signed application was submitted to the Manager: Subcouncil 19 and then circulated to, relevant line departments, all organisations included on the Ward 64 database and Ward Committee members for comment.

Clause 9 of the By-law requires that the City must, before approving an application for the extension of trading days and hours, reasonably and fairly consider further factors which must include, inter alia-

- a) The validity of the liquor licence;
- b) Where applicable, the validity of a business license issued in terms of the Businesses Act of 1991 (Act No. 71 of 1991);
- c) Location category as per the Schedule;
- d) Previous suspension, amendment or revocation of extended trading days and hours including previous records of complaints investigated and confirmed in respect of the last twelve months preceding a current application for extension;
- e) The proximity of the licensed premises to surrounding residential zoned area, cultural, religious and educational facilities;
- f) Outcome of community consultation and the recommendation of the relevant ward;
- g) The potential impact on the surrounding environment;
- h) Whether it is in the public interest to approve and grant an extension of trading days or hours; or
- i) A motivation from the applicant dealing with the impact of –
 - (i) The risks to and nuisances on the surrounding community;
 - (ii) Mitigation measures to assist the control of risks and nuisances; and;
 - (iii) Possible benefits of extended liquor trading hours and days on the surrounding community.
- j) The basis and rationale behind all decision-making must be recorded.

6. DISCUSSION

6.1 Section 6 (1) of the By-Law reads as follows:

6(1) Subject to subsection (5), (6) and (7) a licensee may upon payment of the required fee, submit a written application to the City to extend the liquor trading days and hours of licensed premises.

6.2 The following application for extension of liquor trading hours in terms of Section 6 (1) of the By-law has been received by the Subcouncil:

6.2.1 Details of application (see attached Annexure A):

- Woolworths lakeside
- Atwells Village Centre
- Cnr Main & Lincoln Road
- Lakeside

6.2.2 Subcouncil Manager confirmation: Advertising extent (Community participation) - Notices were sent via email and received the following Comments:

- **Ward Councillor**

Response / email attached

- **Community Based Organizations (As per CBO Database):**

No comment received during the public participation period

- **Ward Committee**

No comment received during the public participation period

- **CPF:**

No comment received during the public participation period

- **Other interested and affected parties**

No comments received during the public participation period

- **Internal departments:**

- ❖ **Traffic:**

Response / email attached

- ❖ **Law Enforcement**

No comment received during the public participation period

7. RECOMMENDATION

Subcouncil 19 recommends that the application for extension of liquor licence trading hours received from reference no WCP/033361 for the extension of liquor trading hours be **APPROVED/REFUSED** for:

1. Monday to Saturday from 18:00 to 20:00, and
2. Sunday from 11:00 to 18:00 for off-consumption purposes.

If not supported, note the following grounds for disqualification.

Reasons for amended trading hours:

The granting of the application prejudices-

- (i) *The premises situated in a residential area;*
- (ii) *The problems associated with drunkenness and social ills (anti-social behaviour).*

ANNEXURES:

- A. Application for Monday to Saturday extended off-consumption trading hours
- B. Application for Sunday off-consumption trading hours
- C. Comments from relevant stakeholders

FOR FURTHER DETAILS CONTACT:

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Desiree Mentor
MANAGER: SUBCOUNCIL 19

DATE 02 AUGUST 2019

Comment:



Cllr Patricia Francke
CHAIRPERSON: SUBCOUNCIL 19

DATE 02 AUGUST 2019

Comment: