



REPORT TO SUBCOUNCIL 10

1. ITEM NUMBER:

2. SUBJECT

APPLICATIONS FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF
WARD 94 – TRYPHINA'S PLACE HOUSE NO 6, DILO STREET, ERF 18968,
EKUPHUMLENI, KHAYELITSHA

AANSOEK OM VERLENGING VAN DRANKHANDELSURE TEN OPSIGTE VAN WYK 94
– TRYPHINA'S PLACE HOUSE NO 6, DILO STREET, ERF 18968, EKUPHUMLENI,
KHAYELITSHA

ISICELO SOKWANDISWA KWEUYURE ZOKUTHENGISWA KOTYWALA
NGOKUJOLISWE KWIWADI-WARD 94 – TRYPHINA'S PLACE HOUSE NO 6, DILO
STREET, ERF 18968, EKUPHUMLENI, KHAYELITSHA

3. PURPOSE

To decide on an application for extension of liquor trading hours in terms of Section 6(2) A 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 4(2)

To approve, refuse or amend applications for extension of trading days and hrs. on premises where liquor licence have been granted in terms of Section 6(2) of the By-Law: Control of undertakings that sell liquor to the public; 2013.

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 and coming 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.

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 licence 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 nuisance on the surrounding community;
 - ii. Mitigation measures to assist the control of risks and nuisance; 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: **Annexure A**

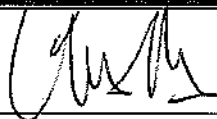
- Ms Teyphina Adonis
- Liquor Licence Number: WCP 037322
- Tryphinas Place
- Erf 18968, House no 5, Dilo Street, Ekuphumleni

7. RECOMMENDATION

- The application submitted by Tryphina Adonis of House no 5, Dilo Street, Ekuphumleni, Khayelitsha for the extension of liquor trading hours **Monday to Saturday (18:00 20:00) and Sunday (11:00 18:00)** in terms of Subcouncil Delegation 5(2) and Section 6(5) A of the City of Cape Town Liquor Trading days and hours By-Law 2013as amended, **BE SUPPORTED.**

FOR FURTHER DETAILS CONTACT:

NAME	MANDLENKOSI SITONGA
CONTACT NUMBERS	021 444 3715
E-MAIL ADDRESS	Mandlenkosi.Sitonga@capetown.gov.za
DIRECTORATE	Corporate Services & Compliance



Comment:

MANDLENKOSI SITONGA
MANAGER: SUBCOUNCIL 10

DATE

13/08/2019

CLLR PATRIC MNGXUNYENI
CHAIRPERSON: SUBCOUNCIL 10

DATE



CITY HEALTH

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 SUNDAY TRADING FOR OFF-CONSUMPTION PREMISES FROM 11:00 TO 18:00

All fields must be filled in

DETAILS OF LICENCEE

1. Liquor license number WCP/037322

2. Full name of licensee TRYPHINA ADONIS

3. 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)

/s/ A

4. Name and address of the licensed premises

TRYPHINA'S PLACE
6 DILO STREET
EKUPHUMLENI
KHAJELITSHA

5. 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. ERF 18968 KHAJELITSHA IN THE CITY OF
CAPE TOWN, CAPE DIVISION, PROVINCE OF
THE WESTERN CAPE
6 DILO STREET
EKUPHUMLENI, KHAJELITSHA 7784

6. Contact number

082 676 - 5655

7. State reason(s) why licensee is applying for trading on Sundays (use an annexure if required)

SEE ANNEXURE

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

Signature A Date 260519

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

Name (printed) AUBREY Z. XHASHIMBA Application prepared by A.Z. XHASHIMBA

Postal address P.O. BOX 53011 Physical address 6A ROWAN LANE
KENILWORTH KENILWORTH
7745 7708

Work tel: 021 797 - 1236 Cell: 082 693 5843

Fax: 021 797 - 1264 E-mail: commercial@waccallums.co.za

Signature A Date 260519

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

Name (printed) TRYPHINA ADONIS

Liquor licence number WCP/037322

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, TRYPHINA'S PLACE, SITUATED AT, 6 DILO STREET, EKUPHUMLENI,

KHAYELITSHA. 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

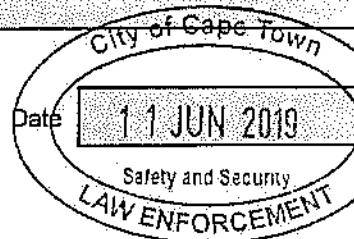
Marilyn Holding
10001005

Signature



Date

11 JUN 2019



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 R8 070.18 (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

ANNEXURE TO PARAGRAPH 7**REASONS FOR APPLYING FOR SUNDAY TRADING HOURS****1. INTRODUCTION**

- 1.1 This is an application in terms of Section 6 of the City of Cape Town : Control of Undertaking that Sell Liquor to the Public by-law of 2013 for Sunday trading hours from 11:00 to 18H00 for the licensed off-consumption premises trading under name and style known as Tryphina's Place, WCP / 037322 situate on Erf 18968 6 Dilo Street, Ekuphumleni, Khayelitsha in City of Cape Town, Khaya / Mitch district and in the magisterial district of Khayelitsha.
- 1.2 The applicant is applying for Sunday trading hours in that her present Sunday hours will lapse in or around June 2019.

2. THE APPLICANT

- 2.1 The applicant is Tryphina Adonis, identity number 680330 0082 089, unmarried with children who depend on her for support and maintenance.
- 2.2 She resides on the residential portion of the property with her family and the premises have been licensed for some time. The dominant use of the property is residential.
- 2.3 She is well known in the area as a conscientious businesswoman and is involved in community based organizations and other civic structures.
- 2.4 Miss Adonis is directly involved in the day to day management of her business and this is her way of ensuring that the business does not constitute a nuisance and/or disturbance in the area.
- 2.5 The applicant is a responsible licensee and employs people who live in the immediate vicinity of the premises.
- 2.6 The business has been in existence for a number of years and it has never been the subject of any complaints from the immediate abutting neighbours and community based organizations.
- 2.7 It has been carried on in a manner that respects the local community and the licensee complies with the conditions of the liquor licence.



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

URBAN MANAGEMENT: AREA EAST
COUNCILLOR SUPPORT & SUB COUNCILS

Mandlenkosi Sitonga
Manager

T: 021-444 3712
E: Mandlenkosi.Sitonga@capetown.gov.za

20 June 2019

TO WHOM IT MAY CONCERN

Tryphina's Place house no 6 Dilo Street, Ekuphumleni, Erf 18968, Khayelitsha has made an 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 Monday to Saturday trading for off-consumption premises from 18:00 to 20:00.**

Please indicate whether you support or have any objections to this application by selecting the appropriate tick-box hereunder. If you do not support the application please state your reasons.

Closing date for comment is end of business 8th July 2019. Please return the completed form to Subcouncil 10 office at the Khayelitsha Training Centre, Cnr of Lwandle and Phendula Crescent, Khayelitsha Or email it to Sharon.Makhuleni@capetown.gov.za

Name of Ward Councillor: Patrick Mngkumyeni

Ward Number: 94

Contact Telephone Number/email address:

I support the applications: ☒

I do not support the application: ☐

Comments:
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.....
.....

Signature

KHAYELITSHA TRAINING CENTRE
C/O LWANDLE AND PHENDULA CRESCENT, KHAYELITSHA 7784
www.capetown.gov.za



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
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URBAN MANAGEMENT: AREA EAST
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Mandlenkosi Sitonga
Manager

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Name of Ward Councillor: Patrick Mhaxumyeni

Ward Number: 964

Contact Telephone Number/email address:

I support the applications:



I do not support the application:



Comments:

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Signature

KHAYELITSHA TRAINING CENTRE
C/O LWANDLE AND PHENDULA CRESCENT, KHAYELITSHA 7784
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Making progress possible. Together.