



SUBCOUNCIL 5

1. **ITEM NUMBER:** 05SUB120920

2. **SUBJECT**

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FROM 11:00 TO 18:00, FOR SUNDAY TRADING FOR OFF-CONSUMPTION PREMISES IN RESPECT OF: WOOLWORTHS (PTY) LTD, SHOP 25, CENTRAL BUILDING, CAPE TOWN INTERNATIONAL AIRPORT

ONDERWERP

AANSOEK OM VERLENGING VAN DRANKHANDELSURE VAN 11:00 TOT 18:00 VIR SONDAGHANDEL VIR BUITEVERBRUIKPERSEEL TEN OPSIGTE VAN: WOOLWORTHS (EDMS.) BPK., WINKEL 25, SENTRALE GEBOU, KAAPSTADSE INTERNASIONALE LUGHAW

ISIHLOKO

ISICELO SOKWANDISWA KWEYURE ZOKUTHENGISWA KOTYWALA UKUSUSELA NGEYE-11:00 UKUYA KWEYE-18:00, NGECAWE KWIZAKHIWO EKUNGASELELWA KUZO NGOKUJOLISWE: KWABAKWA-WOOLWORTHS (PTY) LTD, SHOP 25, CENTRAL BUILDING, AIRPORT, 7530, CAPE TOWN INTERNATIONAL AIRPORT

M0825

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 5 in terms of Delegation 24.4.2 -

Approve, refuse or amend applications for extension of trading days and hours on premises where liquor licences 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 2014 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. The fully signed application, including all required comments was submitted to Subcouncil on 14 August 2017, and was then circulated to abutting neighbours, all organisations included on the Ward 24 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 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 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.

(10) 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 (PTY) LTD**
- Liquor Licence Number: WCP / 036903
- Off-Consumption
- Shop 25, Central Building, Cape Town International Airport
- Current trading hours: Mondays to Saturdays from 09h00 to 20h00, and Sundays from 11:00 to 18:00
- Business Licence – In order

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

- Ward Councillor:

Notice of the application was e-mailed to the Ward Councillor on Tuesday, 2020-08-18 3:13 PM and comments will be submitted at the Subcouncil meeting when the report is tabled.

- Proportional Representative (PR) Councillor:

Notice of the application was e-mailed to the PR Councillor Tuesday, 2020-08-18 3:13 PM and comments will be submitted at the Subcouncil meeting when the report is tabled.

- Abutting neighbours: Tuesday, 2020-08-18 3:13 PM

Notice of the application was e-mailed to the Airport Company of South Africa (ACSA) on Tuesday, 2020-08-18 3:13 PM and the following comment was received. **Annexure E**

- Community Organizations

No comments received. Notice of the application was e-mailed to the Community Organizations of Ward 24 on Wednesday, August 19, 2020 9:28AM.

- Ward Committee of Ward 24

No comments received. Notice of the application was e-mailed to the Ward Committee Members of Ward 24 on Wednesday, August 19, 2020 9:28AM.

- **Internal departments:**

- ❖ Town Planning

Comments received on Wed 2020-08-19 11:46 AM from T Kotze

See Annexure D

- ❖ Health Department:

No comments received. Notice of the application was e-mailed to the Department of City Health on Tuesday, 2020-08-18 3:13 PM.

- ❖ Law Enforcement Squad

No comments received. Notice of the application was e-mailed to the Department of Law Enforcement on Tuesday, 2020-08-18 3:13 PM

- ❖ Fire and Rescue Services

No comments received. Notice of the application was e-mailed to the Department of Fire Services on Tuesday, 2020-08-18 3:13 PM.

7. RECOMMENDATION

That Subcouncil 5 considers the application for the extension of liquor trading hours submitted by Woolworths (Pty) Ltd, Shop 25, Central Building, Cape Town International Airport, as well as the various comments received, and resolve to approve, refuse or vary the application for extension of trading hours from 11:00 to 18:00, Sunday for Off-Consumption Premises.

AANBEVELING

Dat subraad 5 die aansoek om verlenging van drankhandelsure ingedien deur Woolworths (Edms.) Bpk., winkel 25, sentrale gebou, Kaapstadse Internasionale Lughawe, asook die verskillende kommentaar wat ontvang is, oorweeg en besluit om die aansoek om verlenging van drankhandelsure van 11:00 tot 18:00 Sondag vir buiteverbruikperseel goed te keur, af te keur of te wysig.

ISINDULULO

Ukuba iBhungana 5 malithathele ingqalelo isicelo sokwandiswa kweeyure zokuthengiswa kotywala esingeniswe ngabakwa-Woolworths (Pty) Ltd, Shop 25, Central Building, Cape Town International Airport, kwakunye nezimvo ezahlukeneyo ezifunyenweyo, lize lithathe isigqibo sokuphumeza, sokukhaba okanye siguqule isicelo sokwandiswa kweeyure zokuthengiswa kotywala ukususela ngeye-11:00 ukuya kweye-18:00, ngeCawe kwizakhiwo ekungaselelwa kuzo.

ANNEXURES:

- ANNEXURE A:** Application for extension of liquor trading hours from 18:00 to 20:00, Monday to Saturday for off-consumption premises in respect of Woolworths (PTY) Ltd, Shop 25, Central Building, Cape Town International Airport
- ANNEXURE B:** Notice of the application e-mailed to the Chairperson, Councillors, Officials;
- ANNEXURE C:** Comments from Town Planning;
- ANNEXURE D:** Comment from ACSA

FOR FURTHER DETAILS CONTACT:

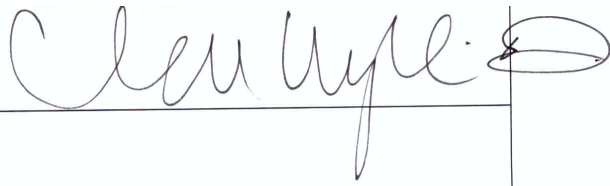
NAME	Nomfundo Mdingi
CONTACT NUMBERS	021 444 2962
E-MAIL ADDRESS	Nomfundo Mdingi @capetown.gov.za
DIRECTORATE	Urban Management

Comment:



NOMFUNDO MDINGI
MANAGER: SUBCOUNCIL 5

DATE 10 September 2020



CLLR COURTNEY VAN WYK
CHAIRPERSON: SUBCOUNCIL 5

Date 10/09/2020

Comment: _____

