

CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Making progress possible. Together.

SUBCOUNCIL 16

1. **ITEM NUMBER : 16 SUB 17/01/2021**

2. **SUBJECT**

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF: BLUE BAR, 195-197 LONG STREET, CAPE TOWN ON CONSUMPTION: 02:00-04:00

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 4(2)
To approve, refuse or vary applications for extension of trading hours on premises where liquor licences 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 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 the SubCouncil 16 Manager, and was then circulated to abutting neighbours, all organisations included on the Ward 115 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):

- **Blue Bar**
- Liquor Licence No: WCP/041655
- ON Consumption
- 195-197 Long Street, Cape Town
- Extension of trading hours: 02:00 until 04:00.

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

- Ward Councillor: 2020/11/24:
 - ❖ Ward Councillor position vacant at this time.
- Abutting Neighbours: 2020/11/25: (See attached Annexure B)
 - ❖ Nom Nom: No objection.
- Community Organizations 2020/11/24:
 - ❖ No comment received.
- **Internal departments:**
 - ❖ Town Planning:
Compliant – see attached Annexure A.
 - ❖ Health Department:
Compliant – see attached Annexure A
 - ❖ Law Enforcement Squad
Compliant - see attached Annexure A

RECOMMENDATION

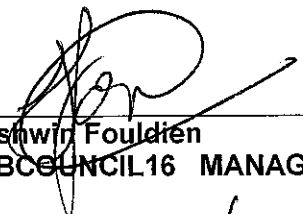
That Subcouncil 16 considers the application for the extension of liquor trading hours submitted by **BLUE BAR**, as well as the various comments received, and resolve to approve, refuse or vary the application for extension of trading hours until 04:00.

ANNEXURES:

- A. Application submitted by **Blue Bar**, including comments by Health, Planning and Safety and Security
- B. Email from Community Organisation and Abutting Neighbours in support of the application.

FOR FURTHER DETAILS CONTACT:

NAME	<i>Girshwin Fouldien</i>
CONTACT NUMBERS	<i>021 487 2055</i>
E-MAIL ADDRESS	<i>Girshwin.Fouldien@capetown.gov.za</i>
DIRECTORATE	URBAN MANAGEMENT AREA 1 - NORTH


Gershwin Fouldien
SUBCOUNCIL 16 MANAGER

DATE

13/01/2021

Comment:

Comment:


SUBCOUNCIL 16
CHAIRPERSON
Cllr Matthew Kempthorne

Date

13/01/2021

ANNEXURE A



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

CITY HEALTH

Sarah Domingo

T: 0214006513

F:

E: sarah.domingo@capetown.gov.za

23/11/2020

Confirmation of receipt of application in terms of Section 6(5)A of the City of Cape Town Liquor Trading Days and Hours By-law 2013 as amended.

Liquor Licence Reference Number: 186049
Liquor Licence Number: WCP/041655 Renewal.
Licensee Name: BRANIMIR KRIVOKAPIC
Premises Name: BLUE BAR
Premises Address: 195-197 LONG STREET
CAPE TOWN
Cape Town CBD
8001

Date of Application Submission:

Date Application captured: 2020/11/23

Disclaimer

1. Submission of this application does not grant the right to extend liquor trading hours. Approval to be first obtained from the relevant Sub-Council.
2. The application fee is non-refundable.

CITY HEALTH

CITY OF CAPE TOWN | ISIXENK SASAKAPA | STAD KAAPSTAD

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 FOR ON-CONSUMPTION PREMISES

All fields must be filled in

DETAILS OF LICENCEE

1. Liquor license number WCP/041655
2. Full name of licensee BRANIMIR KAIYOKAPIC
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)

4. Name and address of the licensed premises

BLUE BAR 195-197 LONG STREET CAPE TOWN

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 3462

6. Daytime contact number

0833250919

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

BUSINESS DEMAND / RENEWAL

8. What is the licensee's current permitted hours of trading

11 - 04 AM

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

Signature [Signature] Date 21/10/2020

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

Name (printed) BRANIMIR KAIYOKAPICPostal address 15 DANIEL RDMILNERTON7441Work tel: 0833250919

Fax

Signature [Signature] Date 21/10/2020

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

Name (printed) BRANIMIR KAIYOKAPICApplication prepared by BRANIMIR KAIYOKAPICPhysical address 15 DANIEL RDMILNERTON 7441Cell: 0833250919E-mail: BRANIMIR.KAIYOKAPIC@CY360SMALI.CO.ZA

Liquor licence number

WCP 1041655

FOR OFFICIAL USE ONLY
LAND USE

To certify valid category

Category 3 yes ☒ no ☐Category 4 yes ☐ no ☐Category 5 yes ☐ no ☐

Name of official CR Bester

Signature CR BESTER

Date 22/10/2020

(If the premises does not fall into one of these three categories, the application will not be considered any further)

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

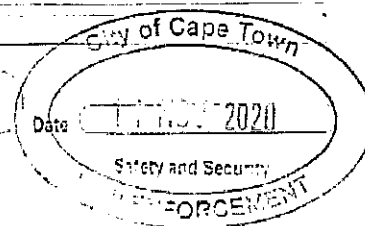
PERTAINING TO THE MENTIONED PREMISES NAMELY, BLUE BAR, SITUATED AT, NO. 195-197 LONG STREET, CAPE TOWN. IT WAS ASCERTAINED THAT THE APPLICANT DID RENEW HIS LIQUOR LICENSE FOR 2020. NO COMPLAINTS WERE RECEIVED BY THE LIQUOR UNIT WITH REGARDS TO THIS ESTABLISHMENT. THIS APPLICATION WAS SUBMITTED TO THE PROVINCIAL OFFICE OF SAPS' LIQUOR CONTROL FOR COMMENTS, HOWEVER, NO FEEDBACK HAS BEEN RECEIVED.

Marilyn Holding

Name of official Assistant Chief

Signature

M. Holding

LAW ENFORCEMENT
10001005

(The applicant must now pay the non refundable application fee of R6 036 30 (Vat inclusive) and hand the application and receipt in at the designated Environmental Health Office. The fee is payable at any cash office into Profit Centre 18070172)

Application fee R8855.00

Receipt number SEE ATTACHED

Payment date 18/11/2020

CAPE TOWN (21)

OFFICE #6001

DUPLICATE

SERVED BY - N.Nkohla

GENERAL LEDGER

VOTE NUMBER : 810400P18070172

TICKET CODE : 00

COMMENTS B.KRIVOKAPIC BLUE BAR WCP/041655

0001 AMOUNT 8855.00 CD

TOTAL 8855.00

CREDIT CARD 8855.00

#05904 18 NOV 2020 13.19 604 USR0195

Thank you for this

Payment.

Have a nice day

Thank you



**WESTERN CAPE
LIQUOR AUTHORITY**

Western Cape Liquor Authority

Mr Branimir Krivokapic
15 Daniel Road
Tygerhof Estate
MILNERTON
7435

FORM 21A

ANNUAL LICENCE RENEWAL NOTICE:

FEES PAYABLE IN RESPECT OF A LIQUOR LICENCE FOR:

THE YEAR 2020

(REG. 30(1))

LIQUOR AUTHORITY REFERENCE NUMBER: WCP/041655

Name of licensee: Mr Branimir Krivokapic

Address of the licensed premises: Shop 1, Ground Floor, 195-197 Long Street, CAPE TOWN, 8001

(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 On

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

Annual: R 4,585, payable on or before 31 December 2019

Please Note:

1. Payment must be made by direct deposit into the following bank account of the Authority:

Bank: Nedbank

Account holder: Western Cape Liquor Authority

Account number: 145 206 9883

Branch code: 198 765

Please use your licence number (WCP/041655) as the reference on the deposit slip.

Kindly email proof of payment to Finance@wcla.gov.za

2. A licence lapses on 1 January of the year in respect of which the applicable renewal fee is not paid on or before 31 December of the preceding year. See section 62(2)(b).

3. A licence that has lapsed in this way becomes valid again only if the applicable renewal fee is paid along with a penalty of 50% of the fee on or before 31 January, or with a penalty of 100% of the fee on or before the last day of February of the year in respect of which the renewal fees had to be paid. See section 62(3)(a)(i) and (ii).

4. A licensee who has failed to pay the prescribed renewal fee on or before the last day of February of the year in respect of which the renewal fee had to be paid may, on or before 31 March of that year, apply in writing (on Form 23) to the Chief Executive Officer for condonation of such failure, and the Chief Executive Officer may condone the failure and allow the late payment of the prescribed fee by a date to be determined by the Authority, subject to the payment of the renewal fee plus a penalty of 150% of the fee. See section 63(4).



WESTERN CAPE
LIQUOR AUTHORITY

Licence number: WCP/041655

LMaTS number: 2017/1038

Representative: Adv Jantie van Niekerk
021 422 1808

ANNEXURE

PLEASE CORRECT IN THE PROVIDED BOX ON THE RIGHT HAND SIDE, AND RETURN THIS FORM BY
EMAIL: LIQUOR.ENQUIRIES@WCLA.GOV.ZA

PLEASE COMPLETE IN BLOCK LETTERS

Licence holder		
	On record	New details
Full Name:	Mr Branimir Krivokapic	
Mobile No:	083 3250919	
Email Address:	branimir@cybersmart.co.za	
Postal Address:	15 Daniel Road Tygerhof Estate MILNERTON 7435	
Identity Number:	6808015496086	
Registration Number:		

Licence details		
	On record	New details
Licence Type:	Consumption On	
Trading As:	Blue Bar	
Licensed Premises:	Shop 1 Ground Floor 195-197 Long Street CAPE TOWN 8001	

Licence representative		
	On record	New details
Full Name:	Adv Jantie van Niekerk	
Mobile No:		
Email Address:	jantie@capebar.co.za	
Postal Address:	3 Becher Street LADISMITH 6655	
Identity Number:		
Registration Number:	0214221808	

Please Note:

A licensee who intends to subscribe to a biennial renewal cycle, must lodge with the Authority a notice in the form of Form 21B by no later than 30 November 2019.

Signature of Licence Holder / Representative
Date:



2017/1038



Western Cape Liquor Authority

WESTERN CAPE LIQUOR ACT (ACT 4 OF 2004)

FORM 11

LIQUOR LICENCE FOR THE SALE OF LIQUOR FOR CONSUMPTION ON THE PREMISES

(Reg. 18(4))

Authority Reference Number WCP/041655

(Hereafter referred to as the licensee) Mr Branimir Krivokapic

Is hereby licensed to sell All kinds of liquor

and to conduct business under the name of Blue Bar

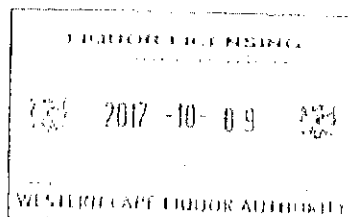
Upon the licensed premises (the plan of which has been submitted with the application or any other plan thereof which has been subsequently approved, and a copy of which is attached hereto as Annexure "A"), situated at Shop 1, Ground Floor, 195-197 Long Street, CAPE TOWN, 8001 in the municipality of City Of Cape Town - Metro Municipality in accordance with the provisions of the Act and the conditions, determinations, consents, approvals or authorities issued with this licence.

LICENCE CONDITIONS, DETERMINATIONS, CONSENTS, APPROVALS OR AUTHORITIES

SEE ANNEXURE "B"

Presiding Officer of the Liquor Licensing Tribunal for person
acting under power delegated by the Presiding Officer
Signatory # 1

Signatory # 2





NOTIFICATION OF PAYMENT

To Whom It May Concern:

First National Bank hereby confirms that the following payment instruction has been received:

Date Actioned	: 19 Nov 2019
Time Actioned	: 09:39:03
Trace ID	: VODSJ2J8C35F

Payer Details

Payment From	: Dwdp
Cur/Amount	: ZAR4,585.00

Payee Details

Recipient/Account No	: ... 069883
Name	: Western Cape Liquor
Bank	: Nedbank Limited
Branch Code	: 198765
Reference	: Wcp/041655

END OF NOTIFICATION

To authenticate this Payment Notification, please visit the First National Bank website at fnb.co.za, select Contact Us+Tools and then select "Verify Payment" and follow the on-screen instructions.

Our customer (the payer) has requested FirstRand Bank Limited to send this notification of payment to you. Should you have any queries regarding the contents of this notice, please contact the payer. FirstRand Bank Limited does not guarantee or warrant the accuracy and integrity of the information and data transmitted electronically and we accept no liability whatsoever for any loss, expense, claim or damage, whether direct, indirect or consequential, arising from the transmission of the information and data.

ANNEXURE B

Shireen Maggott

From: Nom Nom <nomnomonlong@gmail.com>
Sent: 25 November 2020 01:20 PM
To: Shireen Maggott
Subject: Re: BLUE BAR: Extended Trading Hours: (ON CON): NEIGHBOUR

No objections