



1. **ITEM NUMBER: 03SUB21012021**

2. **SUBJECT**

DECISION TAKEN UNDER SUBDELEGATED AUTHORITY BY THE CHAIRPERSON, WARD COUNCILLOR AND SUBCOUNCIL MANAGER IN RESPECT OF: - APPLICATION FOR THE RENEWAL OF EXTENDED LIQUOR TRADING HOURS: MONDAY TO SATURDAY- AND SUNDAY TRADING FOR OFF CONSUMPTION PREMISES IN RESPECT OF WARD 113: PICK 'N PAY PARKLANDS - WCP/039194

ISIHLOKO

TRANSLATION NOT AVAILABLE AT TIME OF PRINTING

ONDERWERP

TRANSLATION NOT AVAILABLE AT TIME OF PRINTING

3. **PURPOSE**

For the Subcouncil to approve the recommendation for an application for the 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 days and hours on premises where liquor licences have been granted in terms of Section 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.

The fully signed application, including all required comments was submitted to the Subcouncil 3 Manager, and was then circulated to abutting neighbours, all organisations included on the **Ward 113** 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.
- (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):

- **PICK N PAY PARKLANDS**

- Liquor Licence No: WCP/039194
- Off Consumption
- Corner of Parklands Main Road, Raats Drive and St John's Wood Road, Parklands
- Current trading hours: Monday – Saturday 09:00 – 20:00 and Sundays 11:00-18:00 with extension granted.
- Proposed trading hours: Monday – Saturday: 18:00 – 20:00 and Sundays 11:00 - 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: Councillor Joy Solomon**
Supported.
- **Community Organisations of Ward 113:**
No comments received.
- **Ward Committee of Ward 113:**
No comments received.
- **Other Subcouncil 3 Councillors:**

No comments received.

- **INTERNAL DEPARTMENT:**

- ❖ **Safety & Security (Liquor Control):**

- Pertaining to the mentioned premises, namely, Pick N Pay (Parklands), situated at, corner of Parklands Main Road, Raats Drive and St John's Wood Road, Parklands, it was ascertained that the applicant did renew his liquor licence 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 due to the Covid-19 pandemic and the SAPS maintaining lockdown regulations.

7. RECOMMENDATION

It is recommended that it be **NOTED** that an application for the renewal of extended liquor trading hours (off-consumption) in respect of Pick 'n Pay Parklands, situated on the corner of Parklands Main Road, Raats Drive and St John's Wood Road, Parklands for trading Mondays to Saturdays 18:00 – 20:00 and Sundays 11:00 - 18:00 was considered under sub delegated authority by the Subcouncil Manager, in consultation with the Chairperson of Subcouncil 3 and Ward Councillor and that the following decision was taken on the 15th of December 2020:

- A. That the application for the renewal of extended trading hours (off-consumption) submitted Pick 'n Pay Parklands, situated on the corner of Parklands Main Road, Raats Drive and St John's Wood Road, Parklands for trading on Mondays to Saturdays 18:00 – 20:00 and Sundays 11:00 - 18:00 **BE APPROVED** as it complies with the criteria included in the City of Cape Town: Control of Undertakings that Sell Liquor to the Public By-Law, 2013.
- B. Should complaints be received concerning noise and/or unruly behaviour of patrons, these complaints will be investigated and may result in the extended trading hours being withdrawn and will also be referred to the Western Cape Liquor Authority which may jeopardise the renewal of the liquor licence.
- C. The applicant must ensure that no sale of liquor is made directly to or via a third party to unemployed and/or homeless persons occupying public open spaces in the vicinity of Pick 'n Pay Parklands, situated on the corner of Parklands Main Road, Raats Drive and St John's Wood Road, Parklands.
- D. This approval is also subject to compliance with all relevant by-laws of the City of Cape Town.

E. This approval will be valid for 12 months from the date of the decision subject to the possession of a valid liquor licence.

F. That the extension granted is subject to the specific level of lockdown regulations applicable.

ISINDULULO

TRANSLATION NOT AVAILABLE AT TIME OF PRINTING

AANBEVELING

TRANSLATION NOT AVAILABLE AT TIME OF PRINTING

ANNEXURES:

A - Application submitted by Pick 'n Pay Parklands, situated on the corner of Parklands Main Road, Raats Drive and St John's Wood Road, Parklands – Mondays to Saturdays 18:00 – 20:00 and Sundays 11:00 - 18:00.

FOR FURTHER DETAILS, CONTACT:

NAME	<i>Yolande Louwrens-Coetzee</i>
CONTACT NUMBERS	<i>021 444-4866</i>
E-MAIL ADDRESS	<i>Yolande.louwrens@capetown.gov.za</i>
DIRECTORATE	<i>Urban Management – Area North</i>

WESSIE VAN DER WESTHUIZEN
ACTING SUBCOUNCIL 3 MANAGER

Comment:

DATE _____

Comment:

CLLR NICKY RHEEDER
SUBCOUNCIL 3
CHAIRPERSON

Date



CITY OF CAPE TOWN | ISIXEKO SASEKAPA | STAD KAAPSTAD

Form 2
MONDAY TO SATURDAY EXTENDED OFF-CONSUMPTION TRADING HOURS

CITY HEALTH

RENEWAL

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

1. Liquor license number **WCP/039194**
2. Full name of licensee **Pick 'n Pay Retailers (Pty) Ltd**
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)

Annexure A

4. Name and address of the licensed premises

Pick 'n Pay (Parklands)

Cnr Parklands Main Road

Raats Drive & St John's Wood Road

Parklands

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 28295**

Milnerton

6. Contact number

Danie Cronje : 021 883 3906

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

Annexure B

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

Signature **D.L. Cronje** Date **11/5/20**

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

Name (printed) **D.L. Cronje**

Application prepared by **Danie Cronje Attorneys**

Postal address **P.O. Box 621**

Physical address **1 Andringa Street**

Stellenbosch

Stellenbosch

7599

7600

Work tel: **021 883 3906**

Cell: **082 772 3517**

Fax: **086 552 5884**

E-mail: **danie@daniecronje.com**

Signature **D.L. Cronje** Date **11/5/20**

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

Name (printed) **D.L. Cronje**

OFFICE USE ONLY

Liquor licence number WCP/039194

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, PICK N PAY (PARKLANDS), SITUATED AT, CNR PARKLANDS MAIN ROAD,

RAATS DRIVE & ST JOHN'S WOOD ROAD, PARKLANDS. 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 DUE TO THE COVID- 19 PANDEMIC AND THE SAPS MAINTAINING LOCKDOWN REGULATIONS.

Marilyn Holding
 Assistant Chief
 LAW ENFORCEMENT
 10001005

Name of Official

Signature

M. Holding

Date

04 JUL 2020

City of Cape Town
 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 2019 a non-refundable Application fee of R4 217.00 (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 2019 accompany the application when handing it in at the designated Environmental Health Office.

Application Fee

Receipt number

payment date

23/07/2019



CITY HEALTH

Form 3
SUNDAY OFF-CONSUMPTION TRADING

CITY OF CAPE TOWN | ISIXEKO SASEKAPA | STAD KAAPSTAD

RENEWAL

THIS CITY WORKS FOR YOU

REF: 184937

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/039194**
2. Full name of licensee **Pick 'n Pay Retailers (Pty) Ltd**
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)
Annexure A
4. Name and address of the licensed premises
Pick 'n Pay (Parklands)
Cnr Parklands Main Road
Raats Drive & St John's Wood Road
Parklands
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 28295**
Muizenberg
6. Contact number
Danie Cronje : 021-883 3906
7. State reason(s) why licensee is applying for trading on Sundays (use an annexure if required)
Annexure B

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

Signature **D.L. Cronje** Date **11/6/19**

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

Name (printed) **D.L. Cronje** Application prepared by **Danie Cronje Attorneys**
Postal address **P.O. Box 621** Physical address **1 Andringa Street**
Stellenbosch
7599 **Stellenbosch**
7600
Work tel: **021-883 3906** Cell: **082 772 3517**
Fax: **086 552 5884** E-mail: **danie@daniecronje.com**
Signature **D.L. Cronje** Date **11/6/19**
(written authorisation to sign on behalf of licensee to be attached)
Name (printed) **D.L. Cronje**

OFFICE USE ONLY

Liquor licence number WCP/039194

SAFETY AND SECURITY

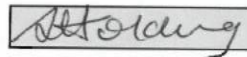
Comment or state history of nuisance(s) and/or any complaints received or action taken in respect of the premises or licensee

PERTAINING TO THE MENTIONED PREMISES, NAMLEY, PICK N PAY (PARKLANDS), SITUATED AT, CNR PARKLANDS MAIN ROAD,
RAATS DRIVE & ST JOHN'S WOOD ROAD, PARKLANDS. 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 IS RECOMMENDED BY THE SAPS.

Name of Official

Marilyn Holding
10001005

Signature



Date

04 JUL 2019

City of Cape Town
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 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