

Making progress possible. Together.

SUBCOUNCIL 16

ITEM NUMBER: 16 SUB 26/12/19

2. SUBJECT

1.

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF BLUE BOTTLE LIQUORS HOUT BAY, SHOP 6 HOUT BAY SHOPPING CENTRE, MELKHOUT CRESCENT, HOUT BAY: OFF CONSUMPTION SUNDAY 11:00-18:00

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

3. 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.

4. 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 74 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.

5. DISCUSSION

- 5.1 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.
- 5.2 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
- 5.2.1 Details of application (see attached Annexure A):
 - Blue Bottle Liquors Hout Bay
 - Liquor Licence No: WCP/019486
 - OFF Consumption Sunday trading 11h00 18h00
 - Shop 6 Hout Bay Shopping Centre, Melkhout Crescent, Hout Bay
- 5.2.2 SubCouncil Manager confirmation: Advertising extent (Community participation) Notices served on and received the following Comments:
 - Ward Councillor: 2019/11/05: (See attached Annexure B)
 - No comments received.

- Abutting neighbours: 2019/11/13
 - No comments received.
 - Community Organizations: 2019/11/05
 - No comments received
- Ward Committee of Ward 74: 2019/11/05
 - No comments received.
- Internal departments:
 - Health Department: Compliant – see attached <u>Annexure A</u>
 - Law Enforcement Squad Compliant - see attached Annexure A.

6. RECOMMENDATION

That Subcouncil 16 considers the application for the extension of liquor trading hours submitted by **Blue Bottle Liquors Hout Bay**, Shop 6 Hout Bay Shopping Centre, Melkhout Crescent, Hout Bay as well as the various comments received, and resolve to approve, refuse or vary the application for Sunday trading hours from 11:00-18:00.

ANNEXURES:

A. Application submitted by **Blue Bottle Liquors Hout Bay**, including comments by Health and Safety and Security.

FOR FURTHER DETAILS CONTACT:

NAME	Lucille Muller (Acting)
CONTACT NUMBERS	021 487 2005
E-MAIL ADDRESS	Lucille.muller@capetown.gov.za
DIRECTORATE	Urban Management Area North

L Muller (Acting) SUBCOUNCIL16 MANAGER	Comment:
DATE 26/11/2019	
M	Comment:
SUBCOUNCIL 16 CHAIRPERSON: Cllr Matthew Kempthorne	
Date 26/11/2019	

ANNEXURE A



CITY HEALTH

Nafeesah Parker

T: 0214006513

E: Nafeesah.Parker@capetown.gov.za

30-10-2019

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:

185302

Liquor Licence Number:

WCP/019486 Renewal Sunday

Licensee Name:

Shoprite Checkers (PTY) Ltd

Premises Name:

Blue Bottle Liquors HoutBay

Premises Address:

Hout Bay Shopping Centre Shop 6, Melkhout Crescent

Hout Bay

Hout Bay

7806

Date of Application Submission:

Date Application captured:

2019/10/30

Disclaimer

Submission of this application does not grant the right to extend liquor trading hours. Approval to be first obtained from the relevant Sub-Council.

The application fee is non-refundable.

Pages:	1	of	1
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Form 3 SUNDAY OFF-CONSUMPTION TRADING

CITY HEALTH

APPLICATION IN TER PUBLIC BY-LAW, 2013	RMS OF SECTION 6 OF THE CITY OF CAPE TOWN: CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO 13, FOR SUNDAY TRADING FOR OFF-CONSUMPTION PREMISES FROM 11:00 TO 18:00	THE
All fields must be filled	ed in	
DETAILS OF LICEN	NCEE	
1. Liquor license number	WCP / 019486	
2. Full name of licensee	SHOPRITE CHECKERS (PTY) LTD	
3. If the licensee is not a n	natural person, state the name, identity number and address of each shareholder, member or partner, (use an annexure if require	.d)
SEE ANNEXURE	EA	
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4. Name and address of th	the licensed premises	
BLUE BOTTLE L	LIQUORS HOUTBAY	$\overline{}$
HOUTBAY SHOP	OPPING CENTRE SHOP 6	=
MELKHOUT CRI	RESCENT	=
HOUTBAY 7806	6	=
5. Provide details of the pr as the case may be	premises where the licensed business is conducted with reference to the number of the erf, street(s), apartment, shop(s) or farm,	
ERF No. 5352		
COOL		$= \langle$
		=
6. Contact number)
021 980 4978		
	censee is applying for trading on Sundays (use an annexure if required))
SEE ANNEXURE		
		==
I declare that the internal	on furnished in this application and in any documents attached to it, is true.	
	10/mb/ Date (19/09/2019)	
(written authorisation to s	sign on behalf of licensee to be attached)	
Name (printed) IAN	THOMSON Application prepared by IAN THOMSON	
Postal address (P.O.BC	OX 1618 Physical address SHOPRITE CHECKERS (PTY) LTD	
BRACKENFELL	CNR OF OLD PAARL & WILLIAM DABBS ROA	<u>4</u> D
7561	BRACKENFELL	=
Work tel: 021 980 4	0.4978 Cell: 0.83 557 6903	=
Fax:	E-mail: (ithomson@shoprite.co.za	
Signature	Date (19/09/2019))
(written authorisation to s	sign on behalf of licensee to be attached)	
Name (printed) IAN	THOMSON	

Liquor licence number

WCP/019486

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

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PPLICATION IS	RECOMMENDED B	Y THE SAPS.				The Total State of St	
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SHOPRITE/CHECKERS HEAD OFFICE CREDITORS PAYMENT ADVICE

ZAPR_PAYMENT_ADVICE_CMPF RUN ON 25/09/2019 at 10:21 PAGE 1 PAGE 1 of 1

997 - SHOPRITE CHECKERS PTY LTD - SOUTH AFRICA

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Discount Split:
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Rebate : 0.00%
Adspent : 0.00%
W/House Allowance : 0.00%
END OF SUPPLIER*

Illona Haarhoff

From:

Hout Bay MIC < HoutBayMIC@saps.gov.za>

Sent:

Tuesday, October 8, 2019 11:45 AM

To:

Illona Haarhoff

Subject:

FW: Extended Trading Hours

Att Illona

1. This office has no objection regarding the application for extended trading hours for Checkers, Hout Bay as mentioned below.

Thank You

Sgt TJ Lockem Hout Bay DPO 021 791 8685 houtbaymic@saps.gov.za

From: Hout Bay SAPS

Sent: 08 October 2019 11:40

To: Hout Bay MIC

Subject: FW: Extended Trading Hours

From: WC:FLASH Liquor Control Sent: 08 October 2019 10:14 AM

To: Cape Town Central DFO; Hout Bay SAPS; Manenberg DFO; Mfuleni SAPS; Kleinvlei SAPS; Parow DFO; Mitchells

Plain DFO; Mowbray SAPS

Subject: FW: Extended Trading Hours

Good day

DLO's

The following premises applied for extended trading hours:

Lt Colonel AR Kay

Section Head: Provincial Liquor Control

Western Cape Tel: (021) 935 5114 Fax: (021) 935 5116

Cell: 082 522 3332

SHOPRITE/CHECKERS HEAD OFFICE CREDITORS PAYMENT ADVICE

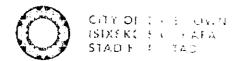
ZAPR_PAYMENT_ADVICE_CMPF RUN ON 27/11/2017 at 14:36 PAGE 1

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Adspent : 0.00%
W/House Allowance : 0.00%
END OF SUPPLIER



Markey Commen

Ask for: Calleen Fortune

Cela: Colleen Fortune

Vrá Vir: Colleen Fortune

Tel. 0214006513

Umnxeba: 0214006513

Tel: 0214006513

Email: colleen.fortune@capetown.gov.za

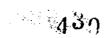
EXTENSION OF LIQUOR TRACE VEHICLES FOR	Off consumption liquor -sunday
Approval in terms of Section 1 both the C By-law 2013 as amended.	ity of Cape Town Liquor Trading Days and Hours
Extended liquor trading hour inference number	184363
Militer	16 SUB 26/12/2018
Liquor License number	WCP/019486
Full name of Licensee	Shoprite Checkers (PTY) Ltd
Name/designation or title in a which the business is carried on	Checkers Liquorshop Houtbay
Address of the licensed promote	Houtbay Shopping Centre, Shop 6
	Melkhout Crescent
	Houtbay 7806
Extended liquor trading hour parm tred for off consumption	Sundays 11:00 to 18:00hrs

Please note that this approval for extended liquor trading hours is valid from 11 December 2018 until 10 December 2019 and remains subject to possession of a valid Liquor Licence.

Extension of Liquor Trading doors to be displayed together with Liquor License

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For Director: City Health



Certificate issued by the Companies and Intellectual Property Commission on Monday, December 18, 2017 08:25 Certificate of Confirmation



Companies and Intellectual Property Commission

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Registration number

1929 / 001817 / 07

Enterprise Name

SHOPRITE CHECKERS (PTY) LTD

Enterprise Shortened Name

None provided.

Enterprise Translated Name

None provided.

Registration Date

05/09/1929

Business Start Date

05/09/1929

Enterprise Type

Private Company

Enterprise Status

In Business

Financial year end

June

Main Business/Main Object

PRIVATE HOUSEHOLDS, EXTERRITORIAL ORGANISATIONS, REPRESENTATIVES OF FOREIGN GOVERNMENTS AND OTHER ACTIVITIES NOT ADEQUATELY DEFINED

Postal address

P Ó BOX 215 BRACKENFELL 7561

Address of registered office

WILLIAM DABS AND OLD PAARL ROAD

BRACKENFELL

7560



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PMI ECH 42a PPE1(44A 1,00) Republic to South Africa Districts PRETURIA Call Centre Isober 10: 2470 Website www.oprichiza.



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Certificate issued by the Companies and Intellectual Property Commission on Monday, December 18, 2017 08:25 Certificate of Confirmation



Companies and intellectual Property Commission

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Active Directors / Officers				
Surname and first names	ID number or date of birth	Director type	Appoint- ment date	Addresses
SHOPRITE HOLDINGS, as a secretary of M1929001817	M1936007721	Secretary (Companies and CC's)	02/11/1998	Postal: PO BOX 215, BRACKENFELL, 7561
				Residential: CNR WILLIAM DABS AND, OLD PAARL ROAD, BRACKENFELL, 7560
BOSMAN, MARIUS	5706015072082	Director	17/06/1999	Postal: P O BOX 215, BRACKENFELL, BRACKENFELL, WESTERN CAPE, 7561 Residential: 26 VISVANGER WAY, MELKBOSSTRAND, MELKBOSSTRAND, WESTERN CAPE, 7441
NEL. ETIENNÉ LOURENS	4907135009084	Director	17/06/1999	Postal: 5 TAMBOER STREET, BOSCH EN ZICHT DE ZALZE, WINELANDS GOLF ESTATE, WESTERN CAPE, 7600 Residential: 5 TAMBOER, BOSCHENZICHT, DE ZALZE WINELANDS GOLF ESTATE, WESTERN CAPE, 7600
VAN DER MERWE, PHILIP BAUKE	6009185062085	Director	17/06/1999	Poslal: P O BOX 215, BRACKENFELL, BRACKENFELL, WESTERN CAPE, 7561 Residential: 5 VYGEBOOMSLOT, DURBANVILLE, DURBANVILLE, WESTERN CAPE, 7550
HARISUNKER, BHIKRAM	5112095026082	Director	17/06/1999	Postal, P O BOX 11700, MARINE PARADE, MARINE PARADE, NORTHERN CAPE, 4056 Residential: 7 RIDGE ROAD, LA LUCIA, LA LUCIA, NORTHERN CAPE, 4051



The Companies and Intellect at Property Commission

Fig. 80x 439 PRETORIA UND FROMEN SCOPIABLE Director FREINFA Canterre Bei 085 100 3470 (1863 1863) (1964) (18



SHOPRITE CHECKERS (PROPRIETARY) LIMITED REG. NO. 1929/001817/07 ("THE COMPANY")

REF. SRC 0615-3842

WRITTEN RESOLUTION PASSED BY THE DIRECTORS OF THE COMPANY ON 4 JUNE 2015:

APPLICATION FOR EXTENDED TRADING HOURS - SECTION 6 OF THE PUBLIC BY-LAW OF THE CITY OF CAPE TOWN:

It is hereby resolved that:

- 1. that the Company appoints Mr Ian Richard Thomson with identity number 610405 5128 080 for and on behalf of the Company to undertake an application in terms of Section 6 of a Public By-law ("the Application") issued by the City of Cape Town in 2013.
- Such application will be for a concession that all off-consumption liquor premises of the Company in the jurisdiction of the City of Cape Town be permitted to trade on Sundays and with extended hours (until 20H00) from Mondays to Saturdays.

AUTHORISATION:

It is also resolved that **Mr Ian Richard Thomson** be and is hereby authorised to execute the Application, sign all documentation and to do all necessary to give effect to this resolution.

APPROVED:

PC ENGELBRECHT DIRECTOR

JVR BRÖMN - DIRECTOR