



1. **ITEM NUMBER :** 01SUB 22/08/2019

2. **SUBJECT**

**APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS APPROVED
UNDER SUB-DELEGATED AUTHORITY.**

**AANSOEK OM VERLENGING VAN DRANKHANDELSURE GOEDGEKEUR
ONDER GEDELEGERDE MAGTE.**

**ISICELO SOKWANDISA IYURE ZOSHINO NGOTYWALA SIPHUNYEZIWE
PHANTSI KOMTHETHO WONIKEZEKO LWAMANDLA.**

3. **PURPOSE**

To inform the Subcouncil of extensions of liquor trading hours in terms of Section 691) of the City of Cape Town: Control of Undertakings that Sell Liquor to the Public By-Law, 2013 that were approved by the Subcouncil Manager at its meeting held on the 23rd May 2019 vide minute 01SUB6/5/2019 and that it was, after consultation with the Chairperson of the Subcouncil and the relevant Ward Councillor AGREED.

4. **FOR DECISION BY**

SubCouncil in terms of Delegation 25. 5(1)

For noting by the Subcouncil as per sub-delegated granted to the Subcouncil Manager by the Subcouncil at its meeting held on 23rd May 2019 vide minute 01SUB6/5/2019 and that it was, after consultation with the Chairperson of the Subcouncil and the relevant Ward Councillor

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 Manager: Subcouncils and Subcouncil 1 Manager, and was then circulated to all organisations included on the Ward's 23 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):

7. RECOMMENDATION

- That Subcouncil 1 notes the contents of the report.

AANBEVELING

- Dat die Subraad kennis neem van die inhoud van die verslag.

IZINDULULO

- Ukuba iBhungana 1 maliqwalasele okuqulathwe yongxelo

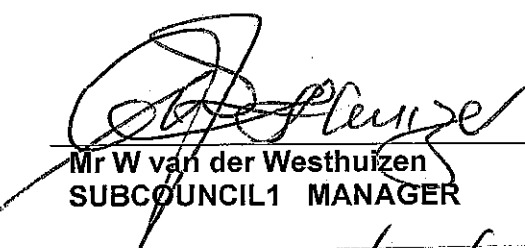
ANNEXURES:

A Application for Extension of Trading Hours approved under sub delegation

FOR FURTHER DETAILS CONTACT:

NAME	<i>W van der Westhuizen</i>
CONTACT NUMBERS	021 444 6037
E-MAIL ADDRESS	<i>wesievanderwesthuizen@capetown.gov.za</i>
DIRECTORATE	<i>Urban Management</i>

Comment: _____




Mr W van der Westhuizen
SUBCOUNCIL1 MANAGER

DATE

7/8/2019

Comment: _____



Cllr C Clayton
SUBCOUNCIL 1CHAIRPERSON

Date

7/8/2019



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Making progress possible. Together.

12 December 2018

Attention: Environmental Health
Colin Abrahams

SUBJECT: APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN
RESPECT OF TONY'S LIQUOR WEST BEACH MON – SAT 18h00 – 20h00

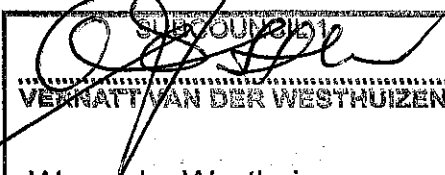
I the undermentioned confirm herewith that the attached report was considered in terms of the sub-delegation granted to me by the Subcouncil at its meeting held on 23 May 2019 vide minute 01SUB6/5/2019 and that it was, after consultation with the Chairperson of the Subcouncil and the relevant Ward Councillor AGREED

That the application for the extension of trading liquor hours for OFF CONSUMPTION from 18h00 – 20h00 (Monday - Saturday) in respect of Tony's Liquor West Beach BE SUPPORTED ON CONDITION

That:

The owner must do everything possible to limit the sale of cheap liquor to vagrants and homeless as daily complaints are received from businesses around the bottle store that vagrants consume in alcohol in close proximity of the outlet, they urinate and defecate especially opposite the road from the outlet around the Veterinarians offices. There is further evidence that vagrants/homeless consume alcohol and move to the corner near the West Coast Church where they consume and leave the bottles behind.

The above matter is submitted to you for your further attention.


VERBATT VAN DER WESTHUIZEN
W van der Westhuizen
Manager: Subcouncil 1
CITY OF CAPE TOWN



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

CITY HEALTH

Rochelle Jones

T: 0215507563 F: 0215507623

E: rochelle.jones@capetown.gov.za

05/06/2019

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: 184688
Liquor Licence Number: WCP/032359 RENEWAL
2019
Licensee Name: ANTONIO GODOY-GARCIA
Premises Name: TONY'S LIQUOR STORE,
WEST BEACH
Premises Address: SHOP 4 & 5, SANDOWN
CENTRE,
WEST BEACH
West Beach
7441

Date of Application Submission:

Date Application captured: 2019/06/04

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 OF CAPE TOWN ISIXeko SASEKAPA STAD KAAPSTAD

Form 2
MONDAY TO SATURDAY EXTENDED OFF-CONSUMPTION TRADING HOURS

CITY HEALTH

THIS CITY WORKS FOR YOU

REF: 184688

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/032359
2. Full name of licensee ANTONIO GODOY-GARCIA - IDENTITY NUMBER 430718 5136 18 6
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)

NOT APPLICABLE

4. Name and address of the licensed premises

TONY'S LIQUOR STORE, WEST BEACH

SHOP 4 & 5, SANDOWN CENTRE

WEST BEACH

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 23173, TABLE VIEW

6. Contact number

021 487 7900 / 084 924 9086

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

SEE WRITTEN REPRESENTATIONS ATTACHED

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

Signature Antonio Godoy Garcia Date 27/3/19

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

Name (printed) CONCHITA GARCIA

Application prepared by CONCHITA

Postal address SHOP 4 & 5

Physical address

SANDOWN CENTRE

WEST BEACH

Work tel: 021 554 0387

Cell: 084 924 9086

Fax: 021 558 5361

E-mail: tonysliquors@telkomsa.net

Signature Conchita Garcia Date 27/3/19

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

Name (printed) CONCHITA

Liquor licence number WCP/032359

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, TONY'S LIQUOR STORE WEST BEACH, SITUATED AT, SHOP 4 & 5,

SANDOWN CENTRE, WEST BEACH. 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, HOWEVER, ON THE 13TH

SEPTEMBER 2019, A SPOT FINE WAS ISSUED FOR FAILURE TO MAINTAIN FIRE EXTINGUISHER. 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

M. Holding

Date

29 APR 2019

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 R4 035.09 (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

RENEWAL APPLICATION BY ANTONIO GODOY-GARCIA FOR THE EXTENSION OF TRADING HOURS DURING WEEK DAYS FROM 18H00 TO 20H00 AND FOR EXTENSION OF THE TRADING DAYS TO SUNDAY IN RESPECT OF TONY'S LIQUOR STORE, WEST BEACH (WCP/032359) LOCATED AT ERF 23173, SHOP 4 & 5, SANDOWN CENTRE, WEST BEACH

1. THE APPLICANT

We act herein on behalf of Antonio Godoy-Garcia who is the owner and operator of Tony's Liquor Store, West Beach, located at Erf 23173, Shop 4 & 5, Sandown Centre, West Beach.

2. VALIDITY OF LICENCE

Attached hereto and marked Annexure "A" is a copy of the renewal notice of liquor licence WCP/032359 together with proof of payment of renewal fee for the current year.

We submit that our client's application for extended trading hours during week days from 18:00 – 20:00 was approved on 7 October 2014.

We submit that our client's application for extended trading days to include Sundays from 11:00 - 18:00 was approved in February 2015.

3. LOCATION, ZONING AND PHOTOS

The liquor store is located at Erf 23173, Shop 4 & 5, Sandown Centre, West Beach. The liquor store is located in the heart of the business area of West Beach and is therefore frequented by many shoppers.

It will be seen from the Google Map attached hereto and marked Annexure "B", that the premises is surrounded by a number of businesses and that the nearest residential area is situated further along the road from the Shopping Centre in which the liquor store is situated. The liquor store is centrally located in a shopping centre, enabling shoppers from the surrounding residential areas and even further afield, to do their shopping at the liquor store.

4. PROXIMITY OF RESIDENTS AND CULTURAL AND RELIGIOUS INSTITUTIONS

There are no cultural, religious or educational facilities in the vicinity that may possibly be detrimentally affected by the extension of the days and hours as applied for.



WESTERN CAPE
LIQUOR AUTHORITY

Western Cape Liquor Authority

Renewal notice

Mr Antonio Godoy Garcia
39 Botma Street
BOTHASIG
7406



OFFICE USE

FORM 21A

ANNUAL LICENCE RENEWAL NOTICE:

FEES PAYABLE IN RESPECT OF A LIQUOR LICENCE FOR:

THE YEAR 2019

(REG. 30(1))

LIQUOR AUTHORITY REFERENCE NUMBER: WCP/032359

Name of licensee: Mr Antonio Godoy Garcia

Address of the licensed premises: Shop 4 & 5, Sandown Centre, WEST BEACH, Milnerton, 7441

(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 Off

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

Annual: R 4,360, payable on or before 31 December 2018

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/032359) 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).



*Proof of
payment.*

Absa Online: Notice of Payment

09 December 2018

Dear MR A GODOY-GARCIA

Subject: Notice Of Payment: western cape liquor

Please be advised that you made a payment to western cape liquor as indicated below.

Transaction number:	803011C74E-8
Payment date:	2018-12-09
Payment made from:	Richwood
Payment made to:	western cape liquor
Beneficiary bank name:	NEDBANK
Beneficiary account number:	1452069883
Bank branch code:	198765
For the amount of:	4,360.00
Immediate interbank payment :	N
Reference on beneficiary statement:	WCP/032359
Additional comments by payer:	-

Please remember that the following apply to Absa Online payments to non-ABSA bank accounts.

- Payments made on weekdays before 15:30 will be credited to the receiving bank account by midnight of the same day but may not be credited to the beneficiary's bank account at the same time.
- Payments made on weekdays after 15:30 will be credited by midnight of the following day.
- Payments made on a Saturday, Sunday or Public holiday will be credited to the account by midnight of the 1st following weekday.

If you need more information or assistance, please call us on 08600 08600 or +27 11 501 5110 (International calls).

If you have made an incorrect internet banking payment, please send an email to digital@absa.co.za

Yours sincerely

General Manager: Digital Channels

This document is intended for use by the addressee and is privileged and confidential. If the transmission has been misdirected to you, please contact us immediately. Thank you.

TONY'S LIQUORS


1 march 2019

To whom it my concern

I hereby give my daughter Conchita Garcia permission to lodge this application on behalf of myself, Mr Antonio Godoy-Garcia , ID 4307185136186

There are two applications, Richwood and Westbeach.

If you have any queries, please feel free to contact me on 078 431 3290


Antonio Godoy-Garcia

39 Nederburg Drive, Richwood
Tel: 021 558 5361

Shop 4 & 5 Sandown Road
Bloubergstrand
Tel: 021 554 0387
Cell: 078 170 8802



Tony's Liquor



nd

Hakuna Matata
Veterinary Clinic



Anchor Way

BloubergSands
Self Catering



BP

OK MiniMark
Blouberggrise



Tony's Liquor



Wi

Bay View Blinds
& Awnings



Cape town
Accommodation...



Blouberg Medi Spa
Google

We Cover IT



MILNERTON CASH OFF.

OFFICE #8001

SERVED BY - F.Mzoliza

GENERAL LEDGER

VOTE NUMBER : 810400P18070172

TICKET CODE : 00

COMMENTS TONY'S LIQUOR STORE, WEST COAT

0001 AMOUNT

8070.20 CA

0001/#79371 04 JUN 2019 11:46 901 USR0058

Thank you for this

payment.

Have a nice day THANKS AFFLIICATION

GL DATA CAPTURE RECEIPT

CASHIER TO RETAIN A COPY

MILNERTON CASH OFF.

OFFICE #8001

SERVED BY - F.Mzoliza

GENERAL LEDGER

VOTE NUMBER : 810400P18070172

TICKET CODE : 00

COMMENTS TONY'S LIQUOR STORE, WEST BEACH

0002 AMOUNT

4035.10 CA

0002/#79371 04 JUN 2019 11:46 901 USR0058

Thank you for this

payment.

Have a nice day

CATEGORY	AMOUNT	TICK BOX
H & E:	R25.00	
SALE AND SUPPLY OF MEALS	R25.00	
HAWKING IN MEALS	R10.00	
EXTENDED LIQUOR TRADING HOURS (SUNDAY)	R 8 070.19	✓
EXTENDED LIQUOR TRADING HOURS (MON-SAT)	R 4 035.09	✓
EXTENDED LIQUOR TRADING HOURS ON-CON	R 8 070.19	

THANKS