



REPORT TO SUBCOUNCIL 20

1. ITEM NUMBER : *ariat*
20SUB30/10/2020
2. SUBJECT

RENEWAL OF EXTENSION OF LIQUOR TRADING HOURS APPLICATION: IN RESPECT OF: WCP031406/B:- PICK N PAY STEENBERG VILLAGE, ERF 12489, STEENBERG AND REDDAM AVENUE, TOKAI (OFF CONSUMPTION - SUNDAYS)

3. PURPOSE

To report to the Subcouncil on comments received for a liquor license application in terms of Section 37 of the Western Cape Liquor Act, 2008, as amended by the Western Cape Liquor Amendment Act, 10 of 2010 and Western Cape Liquor Regulations, 2011 pertaining to the Extension of Trading Days and Hours applicable to Section 6(5)A of the City of Cape Town Liquor Trading Days and Hours By-Law 2013 as amended.

4. FOR DECISION BY

Delegation Part 24-4 (2) To approve, refuse or vary applications for extension of trading days and hours on premises where liquor licenses have been granted

5. EXECUTIVE SUMMARY

The Liquor Trading Days and Hours By-Law, 2010 as amended by the Liquor Trading Days and Hours By-law, 2012 requires that the needs of the community and the liquor license holder are considered by following due administrative processes. The application before Subcouncil 20 is at the stage where public participation was facilitated by the administration of Subcouncil and the comments from the affected stake holders are attached for the Subcouncil to approve, refuse or vary the application for the extension of trading days and hours, Sundays from 11H00 until 18H00 for Consumption OFF premises applicable to the business trading as Pick n Pay Steenberg Village, Steenberg and Reddam Avenue, Constantia.



6. DISCUSSION

6.1 Section 37 of the Western Cape Liquor Act, 2008, as amended by the Western Cape Liquor Amendment Act, 10 of addresses the Notice of Application process. Section 37(4), (5) and (6) of the Act reads as follows:

"(4) The designated liquor officer in whose area of jurisdiction the proposed licensed premises are located must, within the prescribed period from the date of lodgement of an application, serve a copy of the application in the prescribed manner on the municipality concerned in order for it to—

(a) where section 36(1)(c) applies—

- (i) allow the public to have access to, inspect or, upon payment of the prescribed fee, obtain a copy of the application;*
- (ii) obtain the comment of the ward councillor;*
- (iii) comment on the application; and*
- (iv) allow for the consideration of the planning application in relation to the application for a liquor licence; or*

(b) where section 36(1)(c) does not apply—

(i) allow the public to have access to, inspect or, upon payment of the prescribed fee, obtain a copy of the application;

(ii) obtain comment of the ward councillor; and

(iii) comment on the application.

*(5) The designated liquor officer in whose area of jurisdiction the proposed licensed premises are located must or the municipality **may**, within the prescribed time, give notice of the application to—*

(a) neighbouring residents or such persons who in his, her or its judgement may be affected by, or have an interest in, the granting or refusal of the application; and

(b) the community policing forum, if any, of the area in which the premises are located.

(6) Notwithstanding subsection (1), where an applicant has to comply with section 36(1)(c), the notification done in terms of the applicable planning legislation is deemed to be in compliance with the notification requirements in terms of this section: Provided that the Liquor Licensing Tribunal may require such additional notification as it may deem appropriate."

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6.2 The following application for the extension of liquor trading days and hours was received by the Subcouncil from the City's Environmental Health Office:

7 Details of applicant:

- **WCP031406/B**
- **S.J. Malander**
- **Pick n Pay Steenberg**
- **Erf 12489**
- **Steenberg and Reddam Avenue, Tokai**

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

- **WARD 71 COUNCILLOR: Penny East**
No comment was received during the public participation stage
- **Community Based Organizations: As per CBO Database:**
No comment was received during the public participation stage
- **Members of the Ward 71 Committee**
No comment was received during the public participation stage
- **CPF:**
No comment was received during the public participation stage
- **Internal departments:**
 - ❖ **Law Enforcement:**
No comment was received during the public participation stage

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7. RECOMMENDATION

Subcouncil 20 recommends that the application for a liquor licence received from Pick n Pay Steenberg Village, ERF 12489, Steenberg Village, Steenberg and Reddam Avenue, Tokai, Reference No WCP031406/B:- for the extension of trading days and hours Sundays, 11H00 until 18H00 for Consumption OFF Premises, be APPROVED, REFUSED or VARIED.

If Not Supported, Note the following grounds for disqualification.

Criteria for granting licences

- 31.(1) *The Liquor Licensing Tribunal or Presiding Officer, as the case may be, **may not grant a licence**, unless it or he or she is satisfied on the balance of probabilities that -*
- (a) the granting thereof is in the public interest;*
 - (b) the applicant is of good character, and not disqualified from holding a licence in terms of section 35;*
 - (c) the premises on which the sale or consumption of liquor will take place are or will upon completion be suitable for use by the applicant for the purposes of the licence;*
 - (d) the applicant has the right to occupy the proposed licensed premises; and*
 - (e) the granting of the application does not prejudice -*
 - (i) the residents of a residential area;*
 - (ii) the residents of an institution for the aged or frail;*
 - (iii) the learners of an educational institution who are under the age of eighteen (18) years;*
 - (iv) the patients of an institution for drug or alcohol related dependencies; or*
 - (iv) the congregants of a religious institution located in the vicinity of the proposed licensed premises."*

Reasons for Non Support:

The granting of the application prejudices-

- (i) the residents of a residential area;*
- (ii) the residents of an institution for the aged or frail;*
- (iii) the learners of an educational institution who are under the age of eighteen (18) years;*
- (iv) the patients of an institution for drug or alcohol related dependencies; or*
- (i) the congregants of a religious institution located in the vicinity of the proposed licensed premises."*

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NAME	<i>Richard White</i>
CONTACT NUMBERS	<i>021 444 8112</i>
E-MAIL ADDRESS	<i>Richard.White@capetown.gov.za</i>
DIRECTORATE	<i>Urban Management</i>



Richard White
MANAGER: SUBCOUNCIL 20

Comment:

DATE 16 September 2020

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Liquor License WCP031046/B:- Pick n Pay, erf 12489, Steenberg and Reddam Avenue, Tokai (Off Consumption – Sundays)

SUBCOUNCIL 20
RECEIVED
31 AUG 2020
CITY OF CAPE TOWN



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Form 3
SUNDAY OFF-CONSUMPTION TRADING

CITY HEALTH

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 031 406 B

2. Full name of licensee GARY LEON KRUGER

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

PICK N PAY STEENBERG VILLAGE

c/o STEENBERG & REDDAM WAY/AVENUE

TOKAI TNS

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. 12489

PICK N PAY STEENBERG VILLAGE

c/o STEENBERG & REDDAM WAY/AVENUE

TOKAI TNS

6. Contact number

021 701 0000

7. State reason(s) why licensee is applying for trading on Sundays (use an annexure if required)

TO SELL GOOD QUALITY WINE & SPIRITS AT AFFORDABLE

PRICES AND PROVIDING A SAFE OUTLET & SERVICE TO THE PUBLIC

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

Signature [Signature] Date 30.3.20

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

Name (printed) S.J. MALANDE

Application prepared by S.J. MALANDE

Postal address 68 FLEM STREET

Physical address 68 FLEM STREET

FAIRVIEW ESTATE

FAIRVIEW ESTATE

PAROW

PAROW

Work tel: 082 923 1872

Cell: 082 923 1872

Fax:

E-mail: shahin.malander@gmail.com

Signature [Signature] Date 30.3.20

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

Name (printed) S.J. MALANDE

OFFICE USE ONLY

Liquor licence number WCP/031406

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 STEENBERG VILLAGE, SITUATED AT, STEENBERG AVENUE & REDDAM WAY, TOKAI. 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.

Name of Official

Marilyn Hlothen
Assistant Chief

Signature

Hlothen

Date

21 JUN 2020

LAW ENFORCEMENT
10001005

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 R8 433.00 (Vat Inclusive) is payable into Profit centre 16070172 (S/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



REPUBLIC OF SOUTH AFRICA NATIONAL IDENTITY CARD

Surname:

KRUGER

Names:

GARY LEON

Sex:

M

Nationality:

RSA

Identity Number:

5509215006086

Date of Birth:

21 SEP 1955

Country of Birth:

RSA

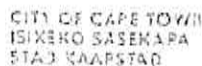
Status:

CITIZEN



Signature:





Case 1: $\beta_1 = \beta_2 = \beta_3 = 0$

Ask for The ONE Company

P.O. Box 2000
 Lincoln, NE 68501
 (402) 475-1000
 FAX (402) 475-1001
 E-mail: info@lincolncap.com
 Web: www.lincolncap.com

$\begin{aligned} &= \frac{1}{\sqrt{2}} \left(\frac{1}{\sqrt{2}} + i \frac{1}{\sqrt{2}} \right) \\ &= \frac{1}{2} (1 + i) \\ &= \frac{1}{2} \sqrt{2} e^{i\pi/4} \\ &= \frac{1}{\sqrt{2}} e^{i\pi/4} \end{aligned}$

CITY HEALTH • ENVIRONMENTAL HEALTH • SOUTHERN SUB DISTRICT

For detailed information, contact:

Cindy.Williams1@capetown.gov.za

0214006367

Wynberg, EH Office, Wynberg Town Hall, Lower Maynard Rd, Wynberg

10 1150 APPROVAL LETTER

TYPE OF LIQUID CONSUMPTION:

OFF CONSUMPTION

REF NO: 33/55/7/8/00 WCO/031406/B

PERSONAL SERVICE

DATE: 22/08/2019

ADV SHAUN MALANDER

68 PLEIN STREET, FAIRFIELD ESTATE

FAROW

7500

Dear Sir

RE: APPLICATION FOR EXTENDED LIQUOR TRADING HOURS:

PICK N PAY STEENBERG VILLAGE

ERF 12489 STEENBERG & REDDAM AVENUE, CONSTANTIA

I refer to your application received 28/05/2019 regarding the abovementioned matter and wish to advise that your application to extend your liquor trading hours has been considered by Sub Council and it was resolved:

4. Council 20 approves the application for a 30-day license received from Pickle Pay liquor store, 5126 Germ Village, Rd 1, 2489, Tourist Hotel Centre, Suva, Schenar River Road, Constanza Reference No WCP0 310/80, for the Extension of Training Days and hours, Suva, 2014 15/01 for Consumption Off Premises

This approval will expire on 15/08/2020 where after a new application for extended liquor trading hours for the year will need to be submitted to the City of Cape Town for consideration in terms of section 2 of the City of Cape Town Control of Undertakings that sell liquor to the Public By-law 2013.

Yours faithfully

Field Environmental Health
Area 4 Southern

RECEIVED BY:

DATE RECEIVED:

SIGNATURE:



WESTERN CAPE
LIQUOR AUTHORITY

Western Cape Liquor Authority

G. Leon Kruger
Postnet Suite 12
Private Bag 28
TOKAI
7966



NEDBANK
Nedbank Limited Reg No 1931/02/06
135 Rivonia Campus, 135 Rivonia Rd,
Sandton, Sandton, 2000, South Africa

WIT Registration No: 210112374

WIC Contact: T-144444

W 12641 D 4065 03/07/2017
TOKAI, CAPE

CURRENT ACCOUNT
WESTERN CAPE LIQUOR AUTHORITY
0000001432 04/06/10 9310/111
Cash/Postbank
Cheques/T-jobs
WIC NO WCP/001/006
Enkay your day
0000000000

FORM 21A

ANNUAL OR BIENNIAL LICENCE RENEWAL NOTICE

FEES PAYABLE IN RESPECT OF A LIQUOR LICENCE FOR

THE YEAR 2016; OR

THE TWO YEARS 2016 AND 2017

(REG. 30(1))

LIQUOR AUTHORITY REFERENCE NUMBER: WCP/031406

Name of licensee: Gary Leon Kruger

Address of the licensed premises: Hiv STEENBERGELAAN EN REDDAMWEG, TOKAI, 7945

(If the residential or postal address has changed, please also supply the new address to the following e-mail address: liquor.enquiries@wca.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 4,000.00, payable on or before 31 September 2017

Biennial: R 8,000.00, payable on or before 31 December 2017

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: 143 205 8883

Branch code: 198 786

Please use your licence number as the reference on the deposit slip (and WCP/031 number indicated just below the heading of this form).

Kindly email proof of payment to Finance@wca.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 or, if 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 fee had to be paid. See section 62(3)(a)(i) and (ii).

4. A licensee who has failed to pay the prescribed (annual) 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).



Inspired by you

Family Supermarket Steenberg Village
Reg. No. 2001/000 727/07

Tel : 021 701 0000
Fax : 021 701 0334
e-mail: fsteenberg@pnp.co.za

Potion Size 12
Private Bag X26
Total 7966

To Whom It May Concern

I, Gary Kruger (Id 550921 5006 08 6) grants Shaun Malander permission to complete the application for Liquor Licence.

Gary Kruger

From: Heinrich Ras
Sent: Thursday, 03 September 2020 9:00 AM
To: Brigitte Francis
Subject: FW: Extension of Liquor trading Days and Hours: Pick n Pay Family Store, Steenberg Village WCP031406A Mon to Sat
Attachments: Pick n PAY Family Store (Steenberg) WCP 031406A Applications for extended trading hours for Monday to Saturday trading.pdf; 2020-08-31. PicknPay Family Store.Steenberg VillageWCP031406A Mon to Sats.docx

Law enforcement have no objection as no complaints was received pertaining to this establishment.

H.P.Ras
Senior Inspector.
Wynberg Law Enforcement
Tel: 021 761 3923



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

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From: Brigitte Francis <Brigitte.Francis@capetown.gov.za>
Sent: Monday, August 31, 2020 11:49 PM
To: pegasus5@telkomsa.net; lyannenaiker@gmail.com; lauraleeburford@gmail.com; 'harryccowley@yahoo.co.uk' <harryccowley@yahoo.co.uk>; pam@littlewood.co.za; info@thecurtaincompany.co.za; Penny East <Penny.East@capetown.gov.za>; Heinrich Ras <Heinrich.Ras@capetown.gov.za>
Subject: Extension of Liquor trading Days and Hours: Pick n Pay Family Store, Steenberg Village WCP031406A Mon to Sat

Dear Councillor, Members of Ward 71 Ward Committee and Mr Ras

Attached is an application submitted by Pick n Pay Family Store, Steenberg Village for the extension of liquor trading days and hours from Mondays to Saturdays from 18:00 to 20:00, subject to the Lockdown Regulations of the Disaster Management Act pertaining to the sale and consumption of liquor.

All comments can be sent to Subcouncil.20@capetown.gov.za

Regards

Brigitte Francis
Admin Officer
Urban Management: Area Management-South
Subcouncil 20

WORKING FROM HOME DURING COVID-19

Tel: 021 444-8114 | **Cell:** 084 3254 777 | **Email:** Brigitte.Francis@capetown.gov.za | **Web:** www.capetown.gov.za