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1. **ITEM NUMBER: 03SUB 27/05/19**
  2. **SUBJECT**

**APPLICATION FOR THE RENEWAL OF EXTENDED LIQUOR TRADING HOURS: FOR OFF-CONSUMPTION PREMISES MONDAY TO SATURDAY (18:00 TO 20:00) AND SUNDAY (11:00 – 18:00) TRADING IN RESPECT OF WARD 70: WELGEDACHT TOPS WCP/030597**

**ONDERWERP**

**AANSOEK OM DIE HERNUWING VAN VERLENGDE DRANKHANDELSURE: VIR BUITEVERBRUIKPERSEEL MAANDAE TOT SATERDAE (18:00 NA 20:00) EN SONDAE (11:00 NA 18:00) TEN OPSIGTE VAN WYK 70: WELGEDACHT TOPS WCP/030597**

**ISIHLOKO**

**ISICELO SOKUHLAZIYWA NGOKUTSHA UKWANDISWA KWEEYURE ZOKUTHENGISWA KOTYWALA: KWIZAKHIWO EKUNGASELELWA KUZO NGOMVULO UKUYA NGOMGQIBELO (18:00 UKUYA KU-20:00) KUNYE NOKUTHENGISA NGECAWE (11:00 UKUYA KU-18:00) NGOKUJOLISWE KWIWADI 70: WELGEDACHT TOPS WCP/030597**

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.

**3. 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.

#### 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 3 Manager, and was then circulated to abutting neighbours, all organisations included on the **Ward 70** 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.

## 5. 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):

- **WELGEDACHT TOPS**
- Liquor Licence No: **WCP/030597**
- Off-Consumption
- **Van Riebeeckshof Convenience Centre, Cnr of Riebeeckshof & Koelenhof Street, Bellville**
- Current trading hours: **Monday – Saturday 18:00 to 20:00 and Sundays 11:00 to 18:00** with extension granted.
- Proposed trading hours: **Monday – Saturday 18:00 – 20:00 and Sundays 11:00 - 18:00.**

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

- Ward Councillor: Councillor Andrea Crous  
Supported.
- Community Organisations:  
No comments received.
- Other  
No comments received.
- Ward Committee of Ward 70:  
No other comments received
- Other Subcouncil 3 Councillors:  
No comments received
- Comments received from Applicant:  
None as there were no objections.

- INTERNAL DEPARTMENT:

- ❖ Safety & Security (Liquor Control):

- Pertaining to the mentioned premises, namely Welgedacht Topps, situated at, Shop 11, Van Riebeeckshof Convenience Centre, C/O Riebeeckshof Road & Koelenhof Street, Welgedacht, Bellville. 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 was submitted to the provincial office of SAPS' liquor control for comments, however, no feedback has been received.

## 6. RECOMMENDATION

It is recommended that the Subcouncil **consider** the application for the renewal of extended trading hours (off-consumption) Monday to Saturday 18:00 to 20:00 and Sunday 11:00 to 18:00 trading submitted by Welgedacht TOPS, situated at Shop 11, Van Riebeeckshof Convenience Centre, C/O Riebeeckshof Road & Koelenhof Street, Welgedacht, Bellville, subject to the following conditions:

- (a) That the application for the renewal of extended trading hours (off-consumption) submitted by Welgedacht TOPS, situated at Shop 11, Van Riebeeckshof Convenience Centre, C/O Riebeeckshof Road & Koelenhof Street, Welgedacht, Bellville, **be considered** 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 Welgedacht TOPS, situated at Shop 11, Van Riebeeckshof Convenience Centre, C/O Riebeeckshof Road & Koelenhof Street, Welgedacht, Bellville.
- (d) This application is also subject to compliance with all relevant by-laws of the City of Cape Town.
- (e) This application will be valid for 12 months from the date of the decision subject to the possession of a valid liquor licence.

## AANBEVELING

Daar word aanbeveel dat die subraad oorweging skenk aan die aansoek om die hernuwing van verlengde drankhandelsure (buiteverbruik) Maandae tot Saterdag 18:00 na 20:00 en Sondag 11:00 na 18:00 ingedien deur Welgedacht Tops, geleë te winkel 11, Van Riebeeckshof-geriefsentrum, h.v. Riebeeckshofweg en Koelenhofstraat, Welgedacht Bellville, onderworpe aan die volgende voorwaardes:

- (a) Dat die aansoek om die hernuwing van verlengde drankhandelsure (buiteverbruik) ingedien deur Welgedacht Tops, geleë te winkel 11, Van Riebeeckshof-geriefsentrum, h.v. Riebeeckshofweg en Koelenhofstraat, Welgedacht Bellville, **oorweeg word** aangesien dit voldoen aan die kriteria in die Stad Kaapstad: die Beheer van Ondernemings wat Drank aan die Publiek Verkoop, 2013.
- (b) Indien klagtes oor geraas en/of wilde gedrag van klante ontvang word, dit ondersoek sal word en tot die terugtrekking van die verlengde handelsure kan lei en sal ook verwys word na die Wes-Kaapse drankowerheid wat die hernuwing van die dranklisensie in gedrang kan bring.
- (c) Die aansoeker moet toesien dat geen drankverkope direk of via 'n derde party gemaak word aan werklose en/of hawelose mense in openbare oop ruimtes in die omgewing van Welgedacht Tops, geleë te winkel 11, Van Riebeeckshof-geriefsentrum, h.v. Riebeeckshofweg en Koelenhofstraat, Welgedacht Bellville nie.
- (d) Hierdie goedkeuring ook onderworpe is aan die nakoming van alle toepaslike verordeninge van die Stad Kaapstad.
- (e) Hierdie goedkeuring sal vir 12 maande geldig wees vanaf die datum van die besluit onderworpe aan die besit van 'n geldige dranklisensie.

## ISINDULULO

Kundululwe ukuba iBhungana **malithathele ingqalelo** isicelo sokuhlaziywa kokwandiswa kweeyure zokurhweba (kwindawo ekungaselelwa kuyo) ngeMivulo ukuya ngeMigqibelo ukususela ngeye-18:00 ukuya kweye-20:00 nangeCawe ukususela ngeye-11:00 ukuya kweye-18:00 esifakwe ngabe-Welgedacht TOPS, emi kwanombolo 11, Van Riebeeckshof Convenience Centre, kwikona ye-Riebeeckshof Road ne-Koelenhof Street, Welgedacht, Bellville, ngokuxhomekeke kule miqathango ilandelayo:

- (a) Ukuba isicelo sokuhlaziywa kokwandiswa kweeyure zokurhweba (kwindawo ekungaselelwa kuyo) esifakwe ngabe-Welgedacht TOPS, emi kwanombolo 11, Van Riebeeckshof Convenience Centre, kwikona ye-Riebeeckshof Road ne-Koelenhof Street, Welgedacht, Bellville, **masithathelwe ingqalelo** nje ngoko siyithobela imigaqo-nkqubo equkwe kuMthetho kaMasipala weSixeko saseKapa ongoLawulo lweeNdawo eziThengisela uLuntu uTywala, wango-2013.
- (b) Xa kuthe kwafumaneka izikhalazo ezimalunga nengxolo okanye ukuziphatha ngobundlobongela kwabathengi, ezi zikhalazo ziyakuphandwa kwaye zingakhokhelela ekubeni ukwandiswa kweeyure zokurhweba kurhoxiswe yaye ziyakuthi zigqithiselwe kuGunyaziwe wezoTywala weNtshona Koloni nto leyo inokuthi iwanciphise amathuba okuhlaziywa kwephepha-mvume lokuthengisa utywala.
- (c) Umfaki-sicelo makaqinisekise ukuba akukho tywala buyakuthengiselwa okanye bunikelwe umntu ongaphangeliyo okanye ongenakhaya ohlala kwiindawo ezivulelekileyo zoluntu kulo mmandla ikuwo i-Welgedacht TOPS, nemi kwanombolo 11, Van Riebeeckshof Convenience Centre, kwikona ye-Riebeeckshof Road ne-Koelenhof Street, Welgedacht, Bellville.
- (d) Esi sicelo sikwaxhomekeke ekuthotyelweni kwayo yonke imithetho efanelekileyo kaMasipala weSixeko saseKapa.
- (e) Esi sicelo siyakuba semthethweni isithuba seenyanga ezili-12 ukususela ngomhla wokuthathwa kwesigqibo ngokuxhomekeke ekubeni umfaki-sicelo unalo iphepha-mvume lokuthengisa utywala elisemthethweni kusini na.

## ANNEXURES:

- A Application submitted by Welgedacht TOPS, situated at Shop 11, Van Riebeeckshof Convenience Centre, C/O Riebeeckshof Road & Koelenhof Street, Welgedacht, Bellville

### FOR FURTHER DETAILS, CONTACT:

NAME	Johannes Brand
CONTACT NUMBERS	021 444-4862
E-MAIL ADDRESS	johannes.brand@capetown.gov.za
DIRECTORATE	Urban Management

Comment:

14 MAY 2019

JDJA BRAND  
SUBCOUNCIL 3 MANAGER

DATE

14/5/2019

CLLR HELEN CARSTENS  
SUBCOUNCIL 3  
CHAIRPERSON

Comment:

Date

14/5/2019





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 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/030597**

2. Full name of licensee **TURN AROUND TRADING 43 CC. REGISTRATION NUMBER: 2007/024617/23**

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)

DETAIL AS PER ANNEXURE "G"

4. Name and address of the licensed premises

**WELGEDACHT TOPS**

**ERF 37821, SHOP 11, VAN RIEBEECKSHOF CONVENIENCE CENTRE**

**C/O RIEBEECKSHOF ROAD & KOELENHOF STREET, WELGEDACHT**

**BELLVILLE, 7530**

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. **4589**

**WELGEDACHT TOPS**

**SHOP 11, VAN RIEBEECKSHOF CONVENIENCE CENTRE**

**C/O RIEBEECKSHOF ROAD & KOELENHOF STREET, WELGEDACHT**

**BELLVILLE, 7530**

6. Contact number

Office: **021 9138545**, Fax: **086 660 8933**, Email: **admin@alfiecrous.co.za / liquor@alfiecrous.co.za**

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

DETAIL AS PER ANNEXURE "A"

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

Signature  Date **05/03/2019**

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

Name (printed) **ALFRED CROUS**

Application prepared by **ALFRED CROUS**

Postal address **35 ALLEN DRIVE**

Physical address **35 ALLEN DRIVE**

**LOEVENSTEIN**

**LOEVENSTEIN**

**7530**

**7530**

Worktel: **021 913 8545**

Cell: **082 577 1853**

Fax: **086 660 8933**

Email: **admin@alfiecrous.co.za / liquor@alfiecrous.co.za**

Signature  Date **05/03/2019**

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

Name (printed) **ALFRED CROUS**



Liquor licence number **WCP/030597****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, WELGEDACHT TOPS, SITUATED AT, SHOP 11, VAN RIEBEECKSHOF

CONVENIENCE CENTRE, C/O RIEBEECKSHOF ROAD &amp; KOELENHOF STREET, WELGEDACHT, BELLVILLE. 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 WAS SUBMITTED TO THE PROVINCIAL OFFICE OF SAPS' LIQUOR

CONTROL FOR COMMENTS, HOWEVER, NO FEEDBACK HAS BEEN RECEIVED.

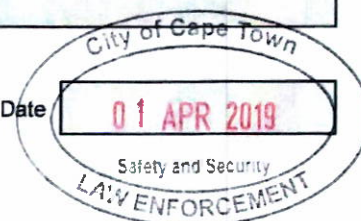
Name of Official

**Marilyn Holding**  
10001005

Signature

*M. Holding*

Date

**01 APR 2019**

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 035.08 (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



## 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/030597**
2. Full name of licensee **TURN AROUND TRADING 43 CC. REGISTRATION NUMBER: 2007/024617/23**
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)

DETAIL AS PER ANNEXURE "G"

#### 4. Name and address of the licensed premises

**WELGEDACHT TOPS**

**ERF 37821, SHOP 11, VAN RIEBEECKSHOF CONVENIENCE CENTRE**

**C/O RIEBEECKSHOF ROAD & KOELENHOF STREET, WELGEDACHT**

**BELLVILLE, 7530**

#### 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. **37821**

**WELGEDACHT TOPS**

**SHOP 11, VAN RIEBEECKSHOF CONVENIENCE CENTRE**

**C/O RIEBEECKSHOF ROAD & KOELENHOF STREET, WELGEDACHT**

**BELLVILLE, 7530**

#### 6. Contact number

Office: **021 9138545**, Fax: **086 660 8933**, Email: **admin@alfiecrous.co.za / liquor@alfiecrous.co.za**

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

DETAIL AS PER ANNEXURE "A"

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

Signature  Date **05/03/2019**

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

Name (printed) **ALFRED CROUS**

Application prepared by **ALFRED CROUS**

Postal address **35 ALLEN DRIVE**

Physical address **35 ALLEN DRIVE**

**LOEVENSTEIN**

**LOEVENSTEIN**

**7530**

**7530**

Work tell: **021 913 8545**

Cell: **082 577 1853**

Fax: **086 660 8933**

Email: **admin@alfiecrous.co.za / liquor@alfiecrous.co.za**

Signature  Date **05/03/2019**

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

Name (printed) **ALFRED CROUS**

Liquor licence number **WCP/030597****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, WELGEDACHT TOPS, SITUATED AT, SHOP 11, VAN RIEBEECKSHOF

CONVENIENCE CENTRE, C/O RIEBEECKSHOF ROAD &amp; KOELNHOF STREET, WELGEDACHT, BELLVILLE. 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 WAS SUBMITTED TO THE PROVINCIAL OFFICE OF SAPS' LIQUOR

CONTROL FOR COMMENTS, HOWEVER, NO FEEDBACK HAS BEEN RECEIVED.

Name of Official

**Marilyn Holding**

10001035

Signature

*M. Holding*

Date

**01 APR 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