



REPORT TO SUBCOUNCIL 19

1. ITEM NUMBER : 19SUB14/09/19

2. SUBJECT

EXTENSION OF LIQUOR TRADING HOURS APPLICATION: IN RESPECT OF WCP/002312 SIMON'S TOWN BOTTLE STORE FOR MONDAY TO SUNDAY EXTENDED OFF-CONSUMPTION TRADING HOURS

3. PURPOSE

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.

4. FOR DECISION BY

Subcouncil in terms of Delegation part 24.4(2)

To approve, refuse or vary applications for extension of trading hours on premises where liquor licenses have been granted in terms of section 6 (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 2014 and came 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 was submitted to the Manager: Subcouncil 19 and then circulated to, relevant line departments, all organisations included on the Ward 61 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 license 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):

- Simon's Town Bottle Store
- Erf 2299, 98 St George's Street
- SIMON'S TOWN

6.2.2 SubCouncil Manager confirmation: Advertising extent (Community participation) - Notices were sent via email and received the following Comments:

- **Ward Councillor**
To comment at the subcouncil meeting
 - **Community Based Organizations (As per CBO Database):**

No comment received during the public participation period
 - **Ward Committee**
Response / email attached
 - **CPF:**
Response / email attached
 - **Other interested and affected parties**

No comments received
 - **Internal departments:**
 - ❖ **Traffic:**

No comment received during the public participation period
 - ❖ **Law Enforcement**

Response / email attached
-

7. RECOMMENDATION

Subcouncil 19 recommends that the application for extension of liquor licence trading hours received from reference no **WCP/002312 SIMON'S TOWN BOTTLE STORE** for the extension of liquor trading hours be **APPROVED/REFUSED** for:

1. Monday to Saturday from 18:00 to 20:00, and
2. Sunday from 11:00 to 18:00 for off-consumption purposes.

If not supported, note the following grounds for disqualification.

Reasons for amended trading hours:

The granting of the application prejudices-

- (i) *The premises situated in a residential area;*
- (ii) *The problems associated with drunkenness and social ills (anti-social behaviour).*

ANNEXURES:

A. Comments from relevant stakeholders

FOR FURTHER DETAILS CONTACT:

NAME	Desiree Mentor
CONTACT NUMBERS	021 400 7495
E-MAIL ADDRESS	Desiree.mentor@capetown.gov.za
DIRECTORATE	Urban Management


Desiree Mentor
MANAGER: SUBCOUNCIL 19
DATE 09 SEPTEMBER 2019

Comment:


Cllr Patricia Francke
CHAIRPERSON: SUBCOUNCIL 19
DATE 09 SEPTEMBER 2019

Comment:

Annexure A

Raquel Tahnee Harrison

From: Johann Kikillus <soteriaministries@gmail.com>
Sent: Friday, September 6, 2019 6:46 PM
To: Raquel Tahnee Harrison
Cc: Madoda Hlakula; Simon Liell-Cock; Eileen Heywood; accastro.001@gmail.com; Johann Kikillus (johann@soteriaministries.org.za); Cilla Bromley; Michaela Carla Williams
Subject: Re: 28 August 2019: SIMONS TOWN BOTTLE STORE: WCP/002312: EXTENDED LIQUOR APPLICATION FOR MONDAY TO SATURDAY TRADING

I also do not support this. Simonstown has enough anti social behaviour due to alcohol and little is being done about it.
Many thanks
Johann

Johann Kikillus
Director
Soteria ministries
Npo 126-624
Pbo 930044797
Cell: 084 2802213

On 06 Sep 2019, at 12:15, Raquel Tahnee Harrison <RaquelTahnee.Harrison@capetown.gov.za> wrote:

Noted. Thank you Mr H.

Still awaiting outstanding comments for this application. Kindly submit.

Regards

From: Madoda Hlakula <Madoda.Hlakula@capetown.gov.za>
Sent: Friday, September 6, 2019 8:54 AM
To: Raquel Tahnee Harrison <RaquelTahnee.Harrison@capetown.gov.za>; Simon Liell-Cock <Simon.LiellCock@capetown.gov.za>; Eileen Heywood <ehay212@gmail.com>; 'accastro.001@gmail.com' <accastro.001@gmail.com>; Johann Kikillus (johann@soteriaministries.org.za) <johann@soteriaministries.org.za>; Cilla Bromley <cilla@bromley.co.za>
Subject: RE: 28 August 2019: SIMONS TOWN BOTTLE STORE: WCP/002312: EXTENDED LIQUOR APPLICATION FOR MONDAY TO SATURDAY TRADING

I do not support this application as it adds fuel to the abuse of alcohol in our beloved Valley.

From: Raquel Tahnee Harrison <RaquelTahnee.Harrison@capetown.gov.za>
Sent: Thursday, September 5, 2019 10:56 PM
To: Simon Liell-Cock <Simon.LiellCock@capetown.gov.za>; Eileen Heywood <ehay212@gmail.com>; 'accastro.001@gmail.com' <accastro.001@gmail.com>; Johann Kikillus (johann@soteriaministries.org.za) <johann@soteriaministries.org.za>; Cilla Bromley <cilla@bromley.co.za>; Madoda Hlakula <Madoda.Hlakula@capetown.gov.za>

Raquel Tahnee Harrison

From: Eileen Heywood <ehay212@gmail.com>
Sent: Friday, September 6, 2019 5:07 PM
To: Raquel Tahnee Harrison
Subject: Re: 28 August 2019: SIMONS TOWN BOTTLE STORE: WCP/002312: EXTENDED LIQUOR APPLICATION FOR MONDAY TO SATURDAY TRADING

Dear Raquel

I do not support this application as the applicant does not support our values of providing cheap alcohol to street people thereby supporting their additions.

Kind regards
Eileen Heywood

On Thu, Sep 5, 2019 at 10:58 PM Raquel Tahnee Harrison <RaquelTahnee.Harrison@capetown.gov.za> wrote:

Good day All

Just a friendly reminder to please send your comments. Thank you.

Regards

Raquel Tahnee Harrison
Admin Officer: Subcouncil 19 – Area South
Urban Management

Fish Hoek Admin Offices, Recreation Road, Fish Hoek

Tel: 021 444 9503 | **Email:** Raquel.harrison@capetown.gov.za | **Web:** www.capetown.gov.za

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From: Madoda Hlakula
Sent: Friday, 06 September 2019 08:54
To: Raquel Tahnee Harrison; Simon Liell-Cock; Eileen Heywood; 'accastro.001@gmail.com'; Johann Kikillus (johann@soteriaministries.org.za); Cilla Bromley
Subject: RE: 28 August 2019: SIMONS TOWN BOTTLE STORE: WCP/002312: EXTENDED LIQUOR APPLICATION FOR MONDAY TO SATURDAY TRADING

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Raquel Tahnee Harrison
Admin Officer: Subcouncil 19 – Area South
Urban Management

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Tel: 021 444 9503 | Email: Raquel.harrison@capetown.gov.za | Web: www.capetown.gov.za

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CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Making progress possible. Together.

From: Raquel Tahnee Harrison
Sent: Wednesday, 28 August 2019 01:27
To: Simon Liell-Cock <Simon.LiellCock@capetown.gov.za>; Eileen Heywood <ehay212@gmail.com>; 'accastro.001@gmail.com' <accastro.001@gmail.com>; Johann Kikillus (johann@soteriaministries.org.za) <johann@soteriaministries.org.za>; Cilla Bromley <cilla@bromley.co.za>; Madoda Hlakula <Madoda.Hlakula@capetown.gov.za>
Subject: 28 August 2019: SIMONS TOWN BOTTLE STORE: WCP/002312: EXTENDED LIQUOR APPLICATION FOR MONDAY TO SATURDAY TRADING

Good day Councillor, CPF Chair, WC members and officials