

## SUBCOUNCIL 16

1. **ITEM NUMBER** 16 SUB 16/08/19

2. **SUBJECT**

**APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF AFRICA ZONE , SHOP 92 VICTORIA ROAD, WOODSTOCK: 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 Manager: SubCouncils and SubCouncil 16 Manager, and was then circulated to abutting neighbours, all organisations included on the Ward 115 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):
- **Africa Zone**
  - Liquor Licence No: WCP/036393
  - OFF Consumption – Sunday trading 11h00 – 18h00
  - Shop 92 Victoria Road, Woodstock
- 5.2.2 SubCouncil Manager confirmation: Advertising extent (Community participation) - Notices served on and received the following Comments:
- Ward Councillor: 2019/06/18:
    - ❖ No comment received

- Abutting neighbours: 2019/06/24: (See attached Annexure B)
  - ❖ Mr Gilbert Chokouaffi: A Wood Working Place: Supported
  - ❖ Astrid Mayaya: Fivestar Restaurant: Supported
- Community Organizations: 2018/06/04:
  - ❖ Marie-Luise Reiner: St Martini Lutheran Church: Not supported
- Ward Committee of Ward 115: 2018/06/04:
  - ❖ No response received.
- **Internal departments:**
  - ❖ Health Department:  
Compliant – see attached Annexure A
  - ❖ Law Enforcement Squad  
Compliance notice issued on 11 May 2018 for trading hours.- see attached Annexure A  
Spot fines issued on 26 May 2018 and 13 September 2018 for trading hours – see attached Annexure A

## 6. RECOMMENDATION

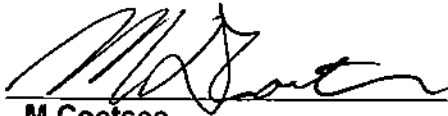
That Subcouncil 16 considers the application for the extension of liquor trading hours submitted by **Africa Zone**, Shop 92 Victoria Road, Woodstock as well as the various comments received, and resolve to approve, refuse or vary the application for Sunday trading hours from 11:00-18:00.

## ANNEXURES:

- A. Application submitted by **Africa Zone**, including comments by Health and Safety and Security.
- B. Comments from abutting neighbours in support of the application and community organization objection to the application.
- C. Comments from Applicant in response to the objection received.

## FOR FURTHER DETAILS CONTACT:

<b>NAME</b>	<i>Marius Coetsee</i>
<b>CONTACT NUMBERS</b>	<i>021 487 2055</i>
<b>E-MAIL ADDRESS</b>	<i>Marius.Coetsee@capetown.gov.za</i>
<b>DIRECTORATE</b>	<i>Area-based Management Area 1- North</i>




**M Coetsee**  
**SUBCOUNCIL16 MANAGER**

Comment:

DATE

19/07/2019



**SUBCOUNCIL 16**  
**CHAIRPERSON :**  
**Cllr Matthew Kempthorne**

Comment:

Date

18/07/2019

## **ANNEXURE A**



CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD

CITY HEALTH

Colleen Hefdsinger

T. 0214006513

F.

E. colleen.hefdsinger@capetown.gov.za

12-06-2019

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: 184704  
Liquor Licence Number: WCP-036393 Renewal 2019  
Sunday  
Licensee Name: Multi Posters - CC  
Premises Name: Africa Zone  
Premises Address: Shop 82, Victoria Road  
Woodstock  
Woodstock  
7625

Date of Application Submission:

Date Application captured: 2019-06-12

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 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 WCT 036393
2. Full name of licensee MULLER'S CC T/A Njama Zone
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)

Muller's CC  
TID: 002019510089  
Apelthane Njama Zone

4. Name and address of the licensed premises

Njama Zone  
92 Victoria Road  
Woodstock

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. 12127  
Shop 92 Victoria Road  
Woodstock

6. Contact number

072 6413 122

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

To reach more sub customers and to  
assist customers

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

Signature [Signature] Date 05.04.17

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

Name (printed) Apelthane Njama Zone Application prepared by Apelthane

Postal address 39 Regal Road Physical address 39 Regal Road

Woodstock Woodstock

7405 7405

Work tel: 072 6413 122 Cell: 072 6413 122

Fax:  E-mail: ap.thane@njama.co.za

Signature [Signature] Date 05.04.17

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

Name (printed) Apelthane Njama Zone

2298

Liquor licence number

WCP/036393

## 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, AFRICAN ZONE, SITUATED AT, SHOP 92 VICTORIA ROAD, WOODSTOCK.

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 11<sup>TH</sup> MAY 2018, A COMPLIANCE NOTICE WASISSUED FOR TRADING HOURS, FURTHERMORE, ON BOTH THE 26<sup>TH</sup> MAY 2018 AND 13<sup>TH</sup> SEPTEMBER 2018, A SPOT FINE WAS

ISSUED FOR TRADING HOURS, WHICH IS IN CONTRAVENTION WITH THE CITY'S BYLAWS. 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

10801005

Signature

*M. Holding*

Date

06 MAY 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 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

8070 18

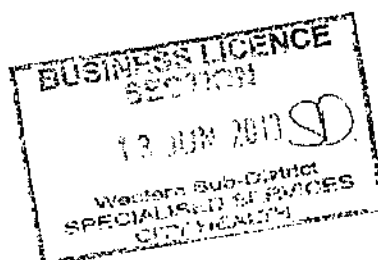
Receipt number

SEE NEXT PAGE

617246540271

payment date

5 JUNE 2019





299

MEDIA CITY  
OFFICE #6014

SERVED BY - N. Quabe

SUMMARY RECEIPT

GENERAL LEDGER	
NOTE NUMBER	810400P18070172
TICKET CODE	00
COMMENTS	AFRICA ZONE
0001 AMOUNT	3070.18 CD
GENERAL LEDGER	
NOTE NUMBER	810400P18070172
TICKET CODE	00
COMMENTS	AFRICA ZONE
0002 AMOUNT	<u>4035.09 CD</u>
DEBIT CARD	12105.27

CARD NUMBER 4854 4254 6554 7012  
461724 05 JUN 2019 15 07 654 USR0271

Thank you for this  
payment.

Have a nice day



CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD

HEALTH DEPARTMENT  
ENVIRONMENTAL HEALTH

Colleen Fortune  
Senior Clerk  
Business Licence Desk  
Western Sub-District  
Media City 2nd Floor  
Foreshore  
Cape Town  
8001

Tel 021 400 6513

[Colleen.fortune@capetown.gov.za](mailto:Colleen.fortune@capetown.gov.za)

2018-09-19

Multi Posters CC  
1/a Africa Zone  
Shop 92, Victoria Road  
Woodstock  
7925

Dear Sir/Madam

APPLICATION FOR EXTENDED LIQUOR TRADING HOURS – SUNDAY 11:00 to 18:00 OFF CONSUMPTION:  
AFRICA ZONE; SHOP 92, VICTORIA ROAD, WOODSTOCK 7925; ERF 12127

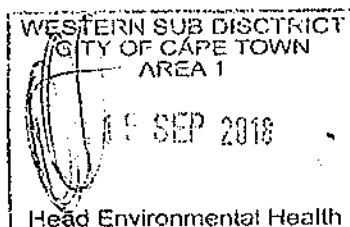
Reference WCP/036393

Your application for extended off consumption liquor trading hours from Sundays 11:00 to 18:00 was approved by SC 16 on 30<sup>th</sup> July 2018. Please note that this approval for extended liquor trading hours is valid from 30 July 2018 until 29 July 2019 and remains subject to possession of a valid Liquor License. Please note that extended liquor trading hours cannot be exercised where no valid liquor licence exists.

1. Should complaints be received concerning noise and/or unruly behaviour of patrons, these will be investigated and may result in the extended trading hours being withdrawn.
2. Any complaints received concerning noise and/or unruly behaviour of patrons would also be referred to the Western Cape Liquor Authority and may jeopardise the renewal of the liquor licence.
3. This approval is also subject to compliance with all relevant by-laws of the City of Cape Town.

Yours faithfully

AREA 1  
For Director: City Health



CIVIC CENTRE IZIKO LEENKONZO ZOLUNTU BURGERSENTRUM  
12 HERIZOG BOULEVARD CAPE TOWN 8001 PO BOX 298 CAPE TOWN 8000  
[www.capetown.gov.za](http://www.capetown.gov.za)

Making progress possible. Together.

0301

28 NOV 2018

T2 (021)

16-99-45

# Western Cape Liquor Authority

Western Cape Liquor Authority  
135 Rivonia Road,  
Sandton, 2196, South Africa

WCA Registration No. A320116/074

WCA Contact Telephone 0860533111

000000000000  
RELEASED BY 21 2 28/11/2018 10:28  
SALT WATER (IT)

000000000000  
WCA/2018/000000  
WESTERN CAPE LIQUOR AUTHORITY

Consumption	04588370	1	4 360,00
Licensee's fee			4 360,00
Classroom/Tests			0
WCA/2018/000000			
2 190	30	3 000,00	
1 50	30	1 000,00	
2 20	18	350,00	
Enjoy your day		Senior fee day	
Responsible Member PIR deposits not less			
000000000000			



OFFICE USE

## FORM 21A

### ANNUAL LICENCE RENEWAL NOTICE:

IN RESPECT OF A LIQUOR LICENCE FOR:

THE YEAR 2019

(REG. 30(1))

LIQUOR AUTHORITY REFERENCE NUMBER: WCP/036393

Name of licensee: Multi-Posters CC

Address of the licensed premises: 92 WOODSTOCK ROAD, WOODSTOCK, 7925

(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](mailto: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/036393) as the reference on the deposit slip.

Kindly email proof of payment to [Finance@wcla.gov.za](mailto: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

## **ANNEXURE B**

## COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS

## FORM

Please complete the information below and return to				
Subcouncil SC 16, 11 <sup>TH</sup> Floor, 44 Wale Street, Cape Town				
Applicant Details	AFRICA ZONE OFF CONSUMPTION (Sunday)			
APPLICATION	SUPPORTED		NOT SUPPORTED	X
Please indicate whether the business is LOCATED near	Aged or Frail Care Centre			
	Rehab, Drugs / Alcohol Centre			
	School(s)			
	Other	The Haven Night Shelter		
PARKING				
REASONS FOR NOT SUPPORTING	Woodstock having alot of problems with drugs already: it does not need another alcohol outlet.			
ORGANISATION/OBJECTOR DETAILS				
NAME	ST MARTINI LUTHERAN CHURCH			
DATE	27 JUNE 2019			

For ease of reference community organisations/residents may submit comments to this office, to aid in the decision taken by this Subcouncil. Written comment in respect of this notice(s) of application(s)

must reach this office before or on **02/07/2019** at close of business (16:30)

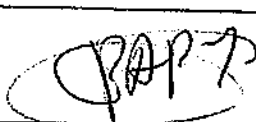
Kind regards,

Shireen Maggott  
Secretary to Marius Coetsee  
Manager: Good Hope Sub Council 16  
Directorate: Area-based Management Area 1  
Department: Subcouncils  
Good Hope Subcouncil 16: Wards: 54, 57, 74, 77 & 115  
11th Floor - 44 Wale Street

0304

## COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS

## FORM

Please complete the information below and return to Subcouncil SC 16, 11 <sup>TH</sup> Floor, 44 Wale Street, Cape Town				
Applicant Details	<b>AFRICA ZONE</b> <b>OFF CONSUMPTION (Sunday)</b>			
APPLICATION	SUPPORTED	✓	NOT SUPPORTED	
Please indicate whether the business is LOCATED near	Aged or Frail Care Centre			
	Rehab, Drugs / Alcohol Centre			
	School(s)			
	Other			
PARKING				
REASONS FOR NOT SUPPORTING				
ORGANISATION/OBJECTOR DETAILS				
NAME	GILBERT CHOKO WAFFI			
DATE	02/07/2019 			

For ease of reference community organisations/residents may submit comments to this office, to aid in the decision taken by this Subcouncil. Written comment in respect of this notice(s) of application(s)

must reach this office before or on **08/07/2019** at close of business (16:30)

## COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS

## FORM

Please complete the information below and return to Subcouncil SC 16, 11 <sup>TH</sup> Floor, 44 Wale Street, Cape Town				
Applicant Details	AFRICA ZONE OFF CONSUMPTION (Sunday)			
APPLICATION	SUPPORTED	<input checked="" type="checkbox"/>	NOT SUPPORTED	
Please indicate whether the business is LOCATED near	Aged or Frail Care Centre			
	Rehab, Drugs / Alcohol Centre			
	School(s)			
	Other			
PARKING				
REASONS FOR NOT SUPPORTING				
ORGANISATION/OBJECTOR DETAILS				
NAME	ASTRID MAYANA			
DATE	03.07.2019			

For ease of reference community organisations/residents may submit comments to this office, to aid in the decision taken by this Subcouncil. Written comment in respect of this notice(s) of application(s)

must reach this office before or on **08/07/2019** at close of business (16:30)

**ANNEXURE C**



Shireen Maggott

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**From:** Nguamekam Apolinaire <apolino2011@gmail.com>  
**Sent:** 09 July 2019 11:35 AM  
**To:** Shireen Maggott  
**Subject:** Re: OBJECTION: Africa Zone  
**Attachments:** image001.gif; Scan0035.jpg

This is my comment of the objection for extending trading hours for Sunday

i'm Ngamekam Apollinaire

i'm be trading in Woodstock since 2006 and we only doing off consumption  
i already have existing outlet i'm only want to extending trading hours so is can not affecting and consent on  
drug relative  
and st martini Lutheran church is not around me

king regards : A