



REPORT TO SUBCOUNCIL 21

1. ITEM NUMBER : **21SUB15/02/20**

2. SUBJECT

RENEWAL - APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FROM 11:00 TO 18:00 FOR SUNDAY TRADING FOR OFF-CONSUMPTION PREMISES IN RESPECT OF LANGVERWACHT KWIKSPAR

UKUHLAZIYWA NGOKUTSHA KWISICELO SOKWANDISWA KWEYURE ZOKUTHENGISWA KOTYWALA UKUSUSELA KWEYE-11:00 UKUYA KWEYE-18:00 NGOKORHWEBO LANGECAWE KWIZAKHIWO EKUNGASELELWA KUZO NGOKUJOLISWE KWA- LANGVERWACHT KWIKSPAR

HERNUWING - AANSOEK OM VERLENGING VAN DRANKHANDELSURE VIR SONDAG-HANDEL VANAF 11:00 TOT 18:00 VIR BUITEVERBRUIKPERSEEL TEN OPSIGTE VAN LANGVERWACHT KWIKSPAR

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 4(2)

To approve, refuse or vary applications for extension of trading hours on premises where liquor licenses have been granted.

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 Subcouncil 21 and was then circulated to abutting neighbours, all organisations included on the Ward 11 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.
- (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:

LANGVERWACHT KWIKSPAR

6.2.1 Details of application:

- **Langverwacht Kwikspar**
- Liquor License No: WCP/033676
- OFF Consumption
- Cnr Langverwacht and Fisant Street, Kuilsriver
- **Current trading hours: Sunday Trading 11:00 – 18:00**
- Business Licence

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

- Ward Councillor: 2020.01.29:
Comment withheld in order to participate at meeting
- Community Organizations: 2020.01.29: As per CBO Database:
No comment received during the public participation period.
- Ward Committee of Ward 11: 2020.01.29:
No comment received during the public participation period.
- **Internal departments:**
 - ❖ Law Enforcement Squad
Pertaining to the mentioned premises, namely *Langverwacht Kwikspar, situated at Cnr Langverwacht and Fisant Street, Kuilsriver*. 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.

7. RECOMMENDATION

That Subcouncil 21 consider the application for the extension of liquor trading hours submitted by Langverwacht Kwikspar, Cnr Langverwacht and Fisant Street, Kuilsriver.

IZINDULULO

Ukuba iBhungana 21 maliqwalasele isicelo sokwandiswa kwamaxesha okuthengisa utywala esingeniswe ngabe- Langverwacht Kwikspar, Cnr Langverwacht and Fisant Street, Kuilsriver.

AANBEVELING

Dat Subraad 21 die aansoek om die verlenging van drankhandelsure ingedien deur Langverwacht Kwikspar, geleë te H/v Langverwacht and Fisant Straat, Kuilsriver oorweeg.

ANNEXURES:

Application submitted by Langverwacht Kwikspar, Cnr Langverwacht and Fisant Street, Kuilsriver including comments by Safety and Security

FOR FURTHER DETAILS CONTACT:

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DIRECTORATE	<i>Urban Management: Area East</i>

PL 

SUBCOUNCIL MANAGER
LORRAINE FROST

TEL NO 021 – 400 2344

DATE 2020.02.11

Comment:



CHAIRPERSON
ALD/DR JOHANNES VAN DER MERWE

TEL NO 021 – 400 2352

DATE 2020.02.11

Comment:
