



1. ITEM NUMBER : 15 SUB.22/.01/.19.

2. SUBJECT / ONDERWERP / ISIHLOKO:

APPLICATION FOR RENEWAL OF EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF: PICK N PAY LIQUOR CENTRE POINT, C/O LOXTON AND KOEBERG ROAD (OFF-CONSUMPTION MONDAY TO SATURDAY, 18:00 – 20:00)

AANSOEK OM HERNUWING VAN VERLENGING VAN DRANKHANDELSURE TEN OPSIGTE VAN: PICK N PAY LIQUOR CENTRE POINT, H/V LOXTON EN KOEBERGWEG (BUITEVERBRUIK MAANDAE TOT SATERDAE, 18:00 – 20:00)

ISICELO SOKUHLAZIYWA KOKWANDISWA KWEEYURE ZOKURHWEBANGOTYWALA: KWABE- PICK N PAY LIQUOR CENTRE POINT, C/O LOXTON AND KOEBERG ROAD (KWINDAWO EKUNGASELELWA KUYO UKUSUSELA NGEMIVULO UKUYA NGEMIGQIBELO, ZISUKE KWINTSIMBI YE-18:00 ZIYE KWEYAMA-20:00)

3. PURPOSE

To decide on an application for extension of liquor trading hours (Off Consumption) 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 15 in terms of Part (24) of the Systems of Delegations.

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.

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, including all required comments was submitted to the Manager: Subcouncil 15 and then circulated to abutting neighbours, all organisations included on the Ward 55 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.
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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**):

- **PICK N PAY LIQUOR**
- **Liquor Licence No: WCP / 042006**
- **OFF Consumption 18:00 – 20:00**
- **Erf 14428, SHOP GF003, CENTRE POINT SHOPPING CENTRE, C/O LOXTON AND KOEBERG ROAD**

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

- Ward Councillor: Fabian Ah-Sing

Application supported (**Annexure B**).

- Abutting neighbours:

Abutting neighbours' comments solicited (**Annexure C**)

- Community Organisations:

No response received by close of commentary period.

- Community Police Forum:

No response received by close of commentary period.

- Ward Committee

No response received by close of commentary period.

- Other interested and affected parties

No response received by close of commentary period.

- **Internal departments:**

- ❖ Town Planning:

No comment required if application is for Off-Consumption.

- ❖ Safety & Security

Attached as Annexure A.

7. RECOMMENDATION

It is recommended that Subcouncil 15 consider the application for the extension of liquor trading hours submitted by **PICK N PAY LIQUOR (CENTRE POINT)** as well as the various comments received, and resolve to approve, refuse or vary the application for extension of trading hours, off-consumption (Monday to Saturday, 18:00 until 20:00).

AANBEVELING

Daar word aanbeveel dat Subraad 15 die aansoek om die verlenging van drankhandelsure ingedien deur **PICK N PAY LIQUOR (CENTRE POINT)** asook die verskillende kommentaar ontvang, oorweeg en besluit om die aansoek om die verlenging van handelsure vir buiteverbruik (Maandag tot Saterdag vanaf 18:00 tot 20:00) goed te keur, van die hand te wys of te verander.

IZINDULULO

Kundululwe ukuba iBhungana-15 malithathele ingqalelo isicelo sokwandiswa kweeyure zokuthengiswa kotywala esingeniswe ngabe- **PICK N PAY LIQUOR (CENTRE POINT)** kunye nezimvo ezahlukeneyo ezithe zafunyanwa, kwakhona lithabathe isigqibo sokuphumeza, sokukhaba okanye sokulungisa isicelo sokwandiswa kweeyure zokuthengiswa kotywala, kwindawo ekungaselelwa kuyo (ngeMvulo ukuya ngeMgqibelo ukususela ngeye-18:00 kude ibeyeye-20:00).

ANNEXURES:

Annexure A : Application submitted by the Health Department (including comments from Safety & Security);

Annexure B : Support from Ward Councillor

Annexure C : Support from Neighbours

FOR FURTHER DETAILS CONTACT:

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DIRECTORATE	Urban Management



MANAGER: SUBCOUNCIL 15
MARIETTE GRIESSEL

TEL NO 021 444-9797

DATE 15 JANUARY 2019



CHAIRPERSON: SUBCOUNCIL 15
ALDERMAN BRIAN WATKYNS

TEL NO 021 444-9798

DATE 15 JANUARY 2019