



CITY OF CAPE TOWN
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CH 590G
CS/119D
30307

REPORT TO SUBCOUNCIL 01

LC24264

- 1 ITEM NUMBER: L2154
- 2 SUBJECT 01 SUB 14/2/20

APPLICATION FOR A BUSINESS LICENCE FOR HEALTH AND ENTERTAINMENT: ELECTRONIC DEVICES, TO PERMIT A MAXIMUM OF FIVE LIMITED GAMBLING MACHINES: VIEW ON REPUBLIC T/A THE BRAZEN HEAD: ERF 217, SHOP 12 A, SEASIDE VILLAGE, 1 CORMORANT AVENUE, BIG BAY: WINSTON SAVILLE COETZER

ONDERWERP

AANSOEK OM 'N SAKELISENSIE VIR GESONDHEID EN VERMAAK: ELEKTRONIESE TOESTELLE, OM 'N MAKSIMUM VAN VYF BEPERKTE DOBBELMASJINE TOETE LAAT: VIEW ON REPUBLIC H/A THE BRAZEN HEAD: ERF 217, WINKEL 12 A, SEASIDE VILLAGE, CORMORANTLAAN 1, BIG BAY: WINSTON SAVILLE COETZER

ISIHLOKO

ISICELO SEPHEPHA-MVUME LESHISHINI LEZEMPILO NOLONWABO: IZIXHOBO ZOMBANE, UKWENZELA KUVUMELEKE OOMATSHINI BOKUGEMBULA ABANGADLULANGA KWISHLANU: SABE-VIEW ON REPUBLIC T/A THE BRAZEN HEAD: KWISIZA 217, SHOP 12 A, SEASIDE VILLAGE, 1 CORMORANT AVENUE, BIG BAY: WINSTON SAVILLE COETZER

- 3 PURPOSE

To advise Subcouncil 1 that a Business Licence application has been received, and processed for **Health and Entertainment – Devices**, at the abovementioned premises and to seek the approval of the Subcouncil 1 for authority to issue the licence.

- 4 FOR DECISION BY

Subcouncil 1 is to consider the recommendation and make a decision in respect thereof to either approve or refuse the recommendation, in accordance with the delegations granted to Sub-Council – Delegation Part 24, Section 3(1) To grant licences for Health facilities or entertainment as provided for in terms of item 2 of schedule 1 of the Business Act, Act 71 of 1991, and to exercise all powers conferred on the Municipality in terms of Section 2(4) to 2(10) of the aforesaid Act.

- 5 EXECUTIVE SUMMARY

The application for a Business Licence was properly applied for and submitted by the applicant to the Department City Health for further processing. The application was circulated to the necessary internal departments and to the South African Police Services, for comments/clearances. All commenting departments/authorities have issued clearances, supporting the issuing of the business licence.

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6 RECOMMENDATIONS:

It is recommended that:

- 6.1 The application received from View on Republic t/a The Brazen Head, for a business licence for health and entertainment electronic devices, to permit a maximum of five limited gambling machines on erf 217, Shop 12 A, Seaside Village, 1 Cormorant Avenue, Big Bay, **BE GRANTED** subject to the following standard endorsements for this category of licence:
 - 6.1.1 This business licence must be displayed prominently in a conspicuous place in or on the premises so as to be visible to patrons, the public and Council officials at all times.
 - 6.1.2 This business licence is not transferable from person to person or from business to business.
 - 6.1.3 The premises must comply with the requirements of the Tobacco Products Control Act, Act 83 of 1993, at all times.
 - 6.1.4 The Director: City Health reserves the right to call for any other requirements that may be deemed necessary.
 - 6.1.5 The approval of this licence does not exempt the holder from compliance with any other licences, conditions or statutory requirements.
 - 6.1.6 The premises must comply with the requirements of the Western Cape Noise Control Regulations, P.N. 200 of 2013, at all times.
 - 6.1.7 The premises must comply with the fire requirements at all times.
 - 6.1.8 Noise emissions from the building to a public space or street are not allowed.
- 6.2 Authority be granted to the Head: Environmental Health to sign and issue the Necessary licence in 6.1 above.

6 AANBEVELINGS:

Daar word aanbeveel dat:

- 6.1 Die aansoek wat ontvang is van View on Republic h/a The Brazen Head, vir 'n sakelisenjie vir gesondheid en vermaak: elektroniese toestelle, om 'n maksimum van vyf beperkte dobbelmasjiene toe te laat op erf 217, winkel 12 A, Seaside Village, Cormorantlaan 1, Big Bay, **TOEGESTAAN WORD** onderworpe aan die volgende standaardendossemente vir hierdie lisensiekategorie:
 - 6.1.1 Hierdie sakelisenjie moet opvallend op 'n duidelik sigbare plek in of op die perseel vertoon word sodat kliente, die publiek en raadsamptenare dit te alle tye kan sien.
 - 6.1.2 Hierdie sakelisenjie is nie van persoon tot persoon of onderneming tot onderneming oordraagbaar nie.
 - 6.1.3 Die perseel moet te alle tye aan die bepalings van die Wet op die Beheer van Tabakprodukte, Wet 83 van 1993, voldoen.
 - 6.1.4 Die Direkteur: Stadsgesondheid behou hom die reg voor om enige ander vereistes te stel wat nodig geag word.

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- 6.1.5 Die goedkeuring van hierdie lisensie vrywaar nie die houer van voldoening aan ander lisensies, voorwaardes of statutêre vereistes nie.
- 6.1.6 Die perseel moet te alle tye aan die vereistes van die Wes-Kaapse Geraasbeheerregulasies, P.K.200 van 2013, voldoen.
- 6.1.7 Die perseel moet te alle tye aan die brandvereistes voldoen.
- 6.1.8 Geen geraas mag uit die gebou na 'n openbare ruimte of straat ontsnap nie.
- 6.2 Magtiging aan die hoof: omgewingsgesondheid verleen word om die nodige lisensie in punt 6.1 hierbo te onderteken en uit te reik.

6 IZINDULULO:

Kundululwe ukuba:

- 6.1 **MASIPHUNYEZWE** isicelo esifunyenwe kwabe- View on Republic t/a The Brazen Head, sephepha-mvume loshishino kwezempilo nezolonwabo: izixhobo zombane, ukuze kuvumeleke iimatshini zokugembula ezingadlulanga kwishlanu kwisiza-217, Shop 12 A, Seaside Village, 1 Cormorant Avenue, Big Bay, ngokuxhomekeke kule mimiselo ilandelayo yolu hlobo lwephepha-mvume:
 - 6.1.1 Eli phepha-mvume loshishino malibonakalisiwe kwindawo esekuhleni/ebonakalayo okanye kwisakhiwo eso ukuze libonakale kubathengi/kubaxhasi benkonzo, kuluntu nakumagosa eBhunga, ngalo lonke ixesha.
 - 6.1.2 Eli phepha-mvume loshishino akuvumelekanga ukuba litshintshelwe komnye umntu okanye ukusuka kwelinye ishishini ukuya kwelinye.
 - 6.1.3 Isakhiwo esi kufuneka sithobele imimiselo/iimfuno zoMthetho oLawula iimveliso zeCuba, onguNombolo 83 wango-1993, ngalo lonke ixesha.
 - 6.1.4 Umlawuli wezeMpilo kwiSixeko unelungelo lokumisela nokuba ngeyiphipina imimiselo/imiqathango apho kuya kuthi kubonakale kuyimfuneko yoko.
 - 6.1.5 Ukuphunyezwa kweli phepha-mvume, akumkhululi umnini lo ukuba angathobele amanye amaphepha-mvume, imiqathango okanye imimiselo yomthetho.
 - 6.1.6 Isakhiwo esi kufuneka sithobele iimfuno zeMigaqo yoLawulo lweNgxolo yaseNtshona Koloni, P.N200 yango-2013, ngalo lonke ixesha.
 - 6.1.7 Izakhiwo ezi kufuneka zithobele imigaqo yezomlilo ngalo lonke ixesha.
 - 6.1.8 Ayivumelekanga ingxolo evela kwesi sakhiwo eza kuphumela kwibala loluntu okanye esitalatweni.
- 6.2 Makunikezelwe igunya kuMlawuli oyiNtloko kwezeMpilo yokusiNgqongileyo ukuba ityikitye ize ikhuphe iphepha-mvume elifunekayo elikhankanywe kumhlathi 6.1 ngentla apha.

JAA

7 **DISCUSSION/CONTENTS**

The application for a Business Licence was properly applied for and submitted by the applicant to the Department City Health for further processing.

7.1 **Constitutional and Policy Implications**

The application complies with the requirements of the Constitution. Refusing the application on any grounds other than those listed in the Businesses Act, Act 71 of 1991 (as listed below) could be construed as to infringe on the Constitutional Rights of the applicant.

7.2 **Sustainability implications**

Does the activity in this report have any sustainability implications for the City?

No ☒ Yes ☐

7.3 **Legal Implications**

The application complies with the requirements of the Businesses Act, Act 71 of 1991, which states in Section 2, Regulation (4) "A Licensing Authority shall, subject to the provisions of sub-section 6, issue a licence which is properly applied for unless-

- (a) In the case of a business referred to in item 1(1) or 2 of Schedule 1, the business premises do not comply with the requirements relating to Town Planning or the safety or health of the public of any law which applies to those premises.
- (b) In the case of a business referred to in item 2 of Schedule 1, the licensing authority is satisfied that:
 - (i) The Applicant, whether or not he is or will be in actual and effective control of the business, or
 - (ii) If another person is or will be so in control, that other person, is not a suitable person to carry on the business, whether by reason of his character, having regard to any conviction recorded against him, his previous conduct or for any other reason."

7.4 **Staff Implications**

No ☒

Yes ☐

7.5 **Other Services Consulted**

The application was circulated to the following departments for comments:

- 7.5.1 The City Health Department Environmental Health and Specialised Environmental Health Services.
- 7.5.2 The Directorate Planning's Land Use Management and Building Development Department.
- 7.5.3 The Directorate Safety and Security's Emergency Services, Fire Safety Officer.
- 7.5.4 The South African Police Services.

All internal departments have issued clearances, supporting the issuing of Business Licence. A copy of the file be made available for scrutiny at the Sub-Council Meeting.

JAH

ANNEXURES

Annexure A - Land-use Planning Clearance and Building Development.

**Annexure B - City Health - Environmental Health Clearance
- Mechanical Engineer Clearance**

Annexure C - Fire Safety Clearance

Annexure D - SAPS Report- 08/11/2019

Annexure E - Memo from WCGRB & Floor layout plan

JNH

FOR FURTHER DETAILS CONTACT:

A-ZIMBA
18/12/2019

NAME	Bettie Leedo
CONTACT NUMBERS	021 444 1739
E-MAIL ADDRESS	Bettie.leedo@capetown.gov.za
DIRECTORATE	City Health
FILE REF NO	483137

[Signature]
Dr. Wadiso Fareed
DIRECTOR: CITY HEALTH

Comment:

As indicated in
the report

DATE *20 Jan 2020*

[Signature]
Mr. Ernest Sasse
EXECUTIVE DIRECTOR: COMMUNITY SERVICES & HEALTH

Comment:

As per content of
report.

DATE *22/1/2020*

[Signature]
LEGAL COMPLIANCE

[Compulsory to Insert name]

☒ REPORT COMPLIANT WITH THE PROVISIONS OF COUNCIL'S DELEGATIONS, POLICIES, BY-LAWS AND ALL LEGISLATION RELATING TO THE MATTER UNDER CONSIDERATION.

☐ NON-COMPLIANT

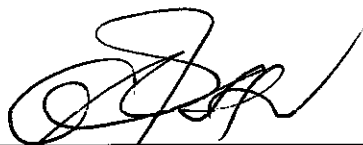
NAME *Jean-Mari Holt*

Comment:

TEL *021 400 2753*

DATE *24/01/2020*

gml
C *replied as legally compliant:*
based on the contents of the report.



Mr W van der Westhuizen
SUBCOUNCIL 1 MANAGER

DATE

17 feb 2020

Comment: _____




Cllr N Grose
SUBCOUNCIL 1 CHAIRPERSON

Date

17/02/2020



LEGAL COMPLIANCE: OFFICE OF THE EXECUTIVE DIRECTOR CORPORATE SERVICES	
23 JAN 2020	
PRINT NAME:	
SIGNATURE:	
TIME: 8:54	



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Business Licence: Application Progress Report

Application Number:	17/1/1/1-483137
Licence:	8004 HEALTH AND ENTERTAINMENT-DEVICES: Business premises with three or more electronic machines
Type	Entertainment

Trade Name:	VIEW ON REPUBLIC T/A THE BRAZEN HEAD
Business Address:	SHOP 12A, SEASIDE VILLAGE, 1 CORMORANT ROAD,BIG BAY, 7441
Applied for Licence	BLO Completed
Licence Fee Payment	BLO Completed
Validate Property For Zoning	BLO Completed
Released For Inspection	BLO Completed
Inspection Comments	RO

Building Development Clifford Marks	Building Development has no objection to this application
Mechanical Ventilation Robin Rhode	The premises were found to be satisfactory. Date: 01 October 2019
Fire Safety LM Jacobs	In order at time of inspection. Fire equipment to be serviced annually
Environmental Health Pieter Rosouw	The premises were found to be satisfactory. Date: 01 October 2019



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CH 590 G
CITY HEALTH:
HEALTH AREA 1
ENVIRONMENTAL HEALTH

Re: Control Document for all documents that are hand delivered to other offices and departments

This serves to certify that that the below mentioned documents were delivered and received by:

Document description/ type	No. of copies sent/ received	Department / section to be sent to
The Brazen Head (17/1/1 – 483137)	X 1	Director: City Health Dr Waarisa Fareed

Delivered by: EUGENE

Staff no: 1004566

Date:

And

Received by (Print name):

Staff no:

Date:

Maitland Environmental Health Office
Health area 1
Berkley Road, Maitland
www.capetown.gov.za

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ANNEXURE: A
LAND USE MANAGEMENT



CITY OF CAPE TOWN
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Business Licence: Land Use
Comments

Application Number:	17/1/1/1 - 483137		
Requirements:	PVO - Johannes Franco Prins: zoning general business: place of entertainment permitted as of right. in order. ✓		

Client:	Capacity	Partnership	
	Name Surname	Mr	WINSTON COETZER40 SAVILLE
	ID Number	4001235039082	
	Address	P O BOX 50079, WEST BEACH, West Beach - 7449	
	Tel. Office	0215546346	
	Tel. Other	0825586532	

Business:	Tradename	VIEW ON REPUBLIC T/A THE BRAZEN HEAD40	
	License Type	8004: HEALTH AND ENTERTAINMENT - DEVICES: Business premises with three or more electronic machines	
	Residential Address	SHOP 12A, SEASIDE VILLAGE, 1 CORMORANT ROAD, BIG B, BIG BAY - 7441	
	Postal Address	P O BOX 50079, WEST BEACH, West Beach - 7449	
	Erf Number	217	
	Tel. Office	0215546346	
	Fax	0825586532	

Licence Holder:	Holder	VIEW ON REPUBLIC (PTY) LTD	
	Name Surname	Mr	WINSTON COETZER40 SAVILLE
	ID Number	4001235039082	
	Residential Address	DG01, DOLPHIN BEACH ESTATE, MARINE DRIVE., Blouberg - 7441	
	Postal Address	P O BOX 50079, WEST BEACH, West Beach - 7449	
	Tel. Other	0825586532	

Processed By:	Rochelle Jones		
Captured Date Time:	4/23/2019 2:01:08 PM		

Pages:	1 of 1	2019-11-07
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ANNEXURE: A

BUILDING DEVELOPMENT



CITY OF CAPE TOWN
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Business Licence: Application Progress Report

Application Number:	17/1/1/1 - 483137
Licence:	8004 HEALTH AN ENTERTAINMENT - DEVICES: Business premises with three or more electronic machines
Type :	Entertainment

Trade Name:	VIEW ON REPUBLIC T/A THE BRAZEN HEAD
Business Address:	SHOP 12A, SEASIDE VILLAGE, 1 CORMORANT ROAD, BIG BAY, 7441
1 - Applied for Licence:	BLO Completed
2 - Licence Fee Payment:	BLO Completed
3 - Validate property for Zoning:	BLO Completed
4 - Released for Inspection:	BLO Completed
5 - Inspection Comments:	RO

Building Development: Clifford Marks	Building Development has no objection to this application
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✓

Annexure: B.

Follow UP - Report
Environmental Health
Mechanical Ventilation

Rochelle Jones

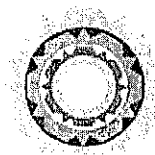
From: Robin Rhode
Sent: Tuesday, 01 October 2019 4:34 PM
To: Pieter Rossouw; Rochelle Jones
Subject: RE: View on the Republic t/a Brazenhead Ref: 483137 ✓

Hello Rochelle,

Please be advised that the mechanical ventilation to the premises was found to be satisfactory. ✓

Kind Regards,

Robin Rhode
Senior Technician – Mechanical Ventilation
City of Cape Town
City Health – Specialised Services
Tel: 021 444 7542
Fax: 021 938 8509



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From: Pieter Rossouw
Sent: 01 October 2019 04:28 PM
To: Rochelle Jones
Cc: Robin Rhode
Subject: RE: View on the Republic t/a Brazenhead Ref: 483137 ✓

Hi Rochelle

I have no problem but must comply with mechanical ventilation requirements. ✓

Pieter

From: Rochelle Jones
Sent: 19 September 2019 01:45 PM
To: Pieter Rossouw; Robin Rhode
Subject: View on the Republic t/a Brazenhead Ref: 483137

Hi Pieter & Robin,

I trust you are both well.

Will you please assist with the comments of your follow up inspections?

The business licence system, unfortunately will not allow for a follow up inspection to be scheduled in order for your comments to be uploaded as it reflects "No Records Found"

Please send your comments via email as I will then be able to use that as an annexure for the report.

Regards

Rochelle Jones

Senior Clerk: Environmental Health Western
City Health – Social Services

1st Floor, Royal Ascot Municipal Office, 1, Bridle Way, Milnerton, 7441

Tel: 021 444 5648 | **Fax:** 021 444 6678 | **Email:** rochelle.jones@capetown.gov.za | **Web:**
www.capetown.gov.za

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ANNEXURE: B
ENVIRONMENTAL HEALTH
REQUIREMENTS.

Business Licence: Application
Progress Report

Application Number:	17/1/1/1 - 483137
Licence:	8004 HEALTH AN ENTERTAINMENT - DEVICES: Business premises with three or more electronic machines
Type :	Entertainment

Trade Name:	VIEW ON REPUBLIC T/A THE BRAZEN HEAD
Business Address:	SHOP 12A, SEASIDE VILLAGE, 1 CORMORANT ROAD, BIG BAY, 7441
1 - Applied for Licence:	BLO Completed
2 - Licence Fee Payment:	BLO Completed
3 - Validate property for Zoning:	BLO Completed
4 - Released for Inspection:	BLO Completed
5 - Inspection Comments:	RO

Health: Pieter Rossouw	<p>06/05/2019: No electronic machines 16/05/2019: No electronic machines 06/06/2019: No electronic machines 09/07/2019: No electronic machines</p> <p>No structures and no machines. Owner indicated that gambling board will decide end of July 2019</p>
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ANNEXURE: B MECHANICAL VENTILATION REQUIREMENTS.

Business Licence: Application Progress Report

Reference Number: 483137

Mechanical Ventilation: Robin Rhode	<ol style="list-style-type: none">1. The internal gambling room, being devoid of natural ventilation, must either be provided with ventilation to the satisfaction of the Environmental Health Practitioner or with an artificial ventilation system in compliance with regulation 01 of the National Building Regulations. Should the artificial ventilation route be taken, fresh filtered air must mechanically be brought into rooms or spaces, either directly or via a ducted system, at the required air flow rate in accordance with SANS Code of Practice 10400 – O: 2011.2. Should the internal gambling room be a Smoking Area, then it must comply with both the Tobacco Products Control Act as well as the National Building Regulations read with SANS Code of Practice 10400-O:2011, rule 4.4. Smoking rooms must be designed to extract smoke from the room and to supply fresh air to the room at a minimum of 15 air changes per hour. The rate of extraction must exceed the rate of supply in such a way that a negative pressure is maintained in such room and the contaminated air is prevented from passing back into the building. The extract air shall exhaust to the environment in such a way that it will not cause a nuisance and all such air shall NOT be permitted to enter a ceiling void or space within the building envelope.
SAPS: Reporting Official SAPS	SAPS clearance obtained

ANNEXURE: C

FIRE SAFETY



CITY OF CAPE TOWN
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Business Licence: Application Progress Report

Application Number:	17/1/1/1 – 483137
Licence:	8004 HEALTH AN ENTERTAINMENT – DEVICES: Business premises with three or more electronic machines
Type :	Entertainment

Trade Name:	VIEW ON REPUBLIC T/A THE BRAZEN HEAD
Business Address:	SHOP 12A, SEASIDE VILLAGE, 1 CORMORANT ROAD, BIG BAY, 7441
1 – Applied for Licence:	BLO Completed
2 – Licence Fee Payment:	BLO Completed
3 – Validate property for Zoning:	BLO Completed
4 – Released for Inspection:	BLO Completed
5 – Inspection Comments:	RO

Fire: L M Jacobs	In order at time of inspection. Fire equipment to be serviced annually
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ANNEXURE : D SAPS REPORT



Extract from
**South African Police Service
Criminal Database**

Host request reference: 14680624
User reference: 7092251
Search date / time: 2019-11-07 09:22:54
SA ID / Passport number: 4001235039082
First names: Winston Saville
Surname: Coetzer
Population group: White
Gender: Male
Date of birth: 1940-01-23
Country of birth: South Africa
Address: 01 Dolphin beach Marine drive,
Table view,
Previous charges declared: No
Search type: INDIVIDUALS
Reason for enquiry: Other
Fingerprints taken at: Blouberg
Barcode number:
Receipt number:

Result: NO ILLICIT ACTIVITY IDENTIFIED

The result is a reflection of the status of the applicant on the South African Police Service Criminal Database on the search date / time as indicated above and should be used accordingly. Illicit Activity after the search date / time will therefore not form part of this result. No Illicit Activity and Possible Illicit Activity reports can be authenticated on the www.AFISwitch.co.za website.

Notice: THIS IS NOT A POLICE CLEARANCE CERTIFICATE

A Police clearance Certificate is also known as a Behavior Certificate, Certificate of Good Conduct, Certificate of Character and a No Objection Certificate. In South Africa a Police Clearance Certificate is solely Issued by the South African Police Service Criminal Record Centre.



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