### SUBCOUNCIL 1 BLAAUWBERG



Making progress possible. Together.

1. ITEM NUMBER: 01SUB 29/11/2020

### 2. SUBJECT

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF: SHOPRITE ATLANTIS (MONDAY – SATURDAY 18H00 – 20H00)

AANSOEK OM VERLENGING VAN DRANKHANDELSURE TEN OPSIGTE: SHOPRITE ATLANTIS (MAANDAG – SATERDAG 18H00 – 20H00)

ISICELO SOKWANDISWA KWAMAXESHA OKUTHENGISA UTYWALA NGOKUPHATHELELE KWABE: SHOPRITE ATLANTIS (NGOMVULO -NGOMGQIBELO 18H00 – 20H00)

### 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 25. 5(1)

To approve, refuse or vary applications for extension of trading hours on premises where liquor licences 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: SubCouncils and SubCouncil 1 Manager, and was then circulated to all organisations included on the Ward 29

database and ward committee members for comment. The Ward Councilor was asked to obtain comments from the abutting neighbours if she felt it relevant.

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.

### 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):
  - SHOPRITE ATLANTIS
  - Liquor Licence No: WCP/040808
  - Off Consumption
  - Wesfleur Shopping Centre, Wesfleur Circle Atlantis
  - Current trading hours: 09h00 20h00
  - Business Licence in order
- 6.2.2 SubCouncil Manager confirmation: Advertising extent (Community participation) Notices served on and received the following Comments:
  - Ward Councillor: Cynthia Clayton

No comments received

• Abutting neighbours:

No comments received.

• Community Organizations: : As per CBO Database:

No comment received

Ward Committee of Ward: 29

No comments received

Comments by applicant on objection

Not applicable

- Internal departments:
  - ❖ Town Planning:

No applicable

Health Department:

Not applicable

Law Enforcement Squad

See comments appended to attached application (Annexure A)

### 7. RECOMMENDATION

 That Subcouncil 1 considers the application for the extension of liquor trading hours submitted by SHOPRITE ATLANTIS as well as the various comments received, and resolve to approve, refuse or vary the application for extension of trading hours to 20h00.

### **AANBEVELING**

 Dat Subraad 1 die aansoek om die verlenging van drankhandelsure ingedien deur SHOPRITE ATLANTIS asook die verskillende kommentaar ontvang, oorweeg en besluit om die aansoek om die verlenging van handelsure tot 20h00 goed te keur, van die hand te wys of te verander.

### IZINDULULO

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A Application submitted by, **SHOPRITE ATLANTIS** including comments by Safety and Security

### FOR FURTHER DETAILS CONTACT:

NAME	W van der Westhuizen
CONTACT NUMBERS	021 4446037
E-MAIL ADDRESS	Wvanderwesthuizen@capetown.gov.za
DIRECTORATE	Urban Management – Area 1

RECEIVED: 6/10/2020.



(MON-SATO ONLY)

Form 2

MONDAY TO SATURDAY EXTENDED OFF-CONSUMPTION TRADING HOURS

## **CITY HEALTH**

REF: 185953

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This applicant must now hand the application form in at the designated Environment Health Office. Ploase note: As from 01 July 2020 a non-refundable Application fee of R4 428,00 (Vat Inclusive) is payable into Profit centre 18070172 Git. 510409. Payment can be thede at any cash diffee of the City. Proof of payment must from 1 July 2019 accompany the application when handing it in at the designated Environmental Health Office.

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Ask for: Rochelle Ignes

Cela: Rocholle Jones

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Tel: 0214445648

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Emeli Rochelle jones@capetown.gov.zu

EXTENSION OF LIQUOR TRADING HOURS FOR OFF CONSUMPTION LIQUOR -MONDAY-SATURDAY

Approval in terms of Section 6 (5) (A) of the City of Cape Town Liquor Trading Days and Hours. By law 2013 as amended:

Extended liquor treding hours reference: number	01SUB 22/11/2019
Liguor License number	WGP/033289
Full name of Licensee	SHOPRITE CHECKERS (PTY) LTD.
Name/designation or title under which the business is carried on	SHOPRITE ATLANTIS 2
Address of the licensed premises	CNR ORION & REVGERSDAL AVENUE
	ATLANTIS
	ERF: 15590
Extended liquor trading hours permitted for off consumption	18:00 to 20:00hrs

Please note that this approval for extended liquor trading hours is valid from 21 November 2019 until November 2020 and remains subject to possession of a valid Liquor Licence.

Extension of Liquor trading Hours to be displayed together with Liquor License

Head: Environmental Health

Sub-District: Western

For Sub Council: 01

WESTERN SUR DISTINGT CITY OF CAPE TOWN

Head Environmental Health

## SHOPRITE/CHECKERS HEAD OFFICE

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To whom it may concern:

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Trace Id

: 2020-09-15

: 09:36:04

: VODSQC7QM48G

Payer Details.

Payment From

Amount

: Shoprite/checkers (pty) Ltd

: 154969.00

Payee Details

Recipient/Account no

Recipient Name Bank

Branch Code Recipient Reference

Channel

667035

CITY OF CAPE TO

: Nedbank Limited

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### END OF NOTIFICATION

To authenticate this Payment Notification please visit our website at https://www.fitb.co.zz, click on Online Bunking, select the "Verify Payment" option and follow the on-screen instructions

Our customer (the payer) has requested First National Bank Limited to send this notification of payment to you. Should you have any queries regarding the contents of this notice, please contact the payer. First National Bank Limited does not guarantee or warrant the accuracy and integrity of the information and data transmitted electronically and we accept mo liability whatsoever for any loss, expense, claim or damage, whether direct indirect or consequential, arising from the transmission of the information and data-

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## Western Cape Liquor Authority

Shoprite Checkers (Pty) Ltd C/o DM Hoogenhout P.O. Box 721 STRAND 7139

#### FORM 21A

#### **BIENNIAL LICENCE RENEWAL NOTICE:**

#### FEES PAYABLE IN RESPECT OF A LIQUOR LICENCE FOR:

### THE TWO YEARS 2020 AND 2021

(REG. 30(1))

LIQUOR AUTHORITY REFERENCE NUMBER: WCP/033289

West Coast Region

Name of licensee: Shoprite Checkers (Pty) Ltd

Address of the licensed premises: Cnr Orion & Reygersal Avenue, All ANTIS, 7348

(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.)

Category of licence: Consumption Off

You are hereby notified that the total renewal fees payable to the Western Cape Liquor Authority are:

Blennial: R 9,170, payable on or before 31 December 2019

#### 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/033289) as the reference on the deposit slip.

### Kindly email proof of payment to 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 fee had to be paid may, on or before 31 March of that year, apply in writing (on Form 23) to the Chief Executive Officer for condonation of such failure, and the Chief Executive Officer may condone the failure and allow the late payment of the prescribed fee by a date to be determined by the Authority, subject to the payment of the renewal fee plus a penalty of 150% of the fee. See section 63(4).



### NOTIFICATION OF PAYMENT

To whom it may concern:

Ein Nedorial Bank hereby confirms that the following payment has been made:

Date Actioned

Time Actioned

Trace Id

: 2019-11-14

: 11:25:58

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Payer Details

Payment From

Amount

Shoprite/checkers (pty) Ltd

:366800.00

Payee Details

Recipient/Account no

Recipient Name

Bank:

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: WESTERN CAPEL! : Nedbank Limited

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INTERNET

### END OF NOTIFICATION

To withenticate this Payment Notification please visit our website at https://www.fob.co.za, elick on Online Benking, select the "Verify Payment" option and follow the on-senses instructions

Our customer (the payer) has requested FirstRand Bank Limited to send this notification of payment to you. Should you have any questes regarding the contents of this notice, please content the payer, FirstRand Bank Limited does not guarantee or warrant the accuracy and integrity of the information and data transmitted contently and we accept no hability whatsoever for any loss, expense, claim of damage, whether direct, indirect or consequential, arising from the

First National Bank, a division of FirstRand Bank Limited. Reg No. 1929/001225/06. An Authorized Financial Services and Credit Provider (NCRCP20).

SHOPRITE CHECKERS (PROPRIETARY) LIMITED REG. NO. 1929/001817/07 ("THE COMPANY")

REF. SRC 0615-3842

WRITTEN RESOLUTION PASSED BY THE DIRECTORS OF THE COMPANY ON 4 JUNE 2015:

APPLICATION FOR EXTENDED TRADING HOURS - SECTION 6 OF THE PUBLIC BY-LAW OF THE CITY OF CAPE TOWN:

It is hereby resolved that:

- that the Company appoints Mr Ien Richard Thomson with identity number 610405 5128 080 for and on behalf of the Company to undertake an application in terms of Section 6 of a Public By-law ("the Application") issued by the City of Cape Town in 2013.
- 2. Such application will be for a concession that all off-consumption liquor premises of the Company in the jurisdiction of the City of Cape Town be permitted to trade on Sundays and with extended hours (until 20H00) from Mondays to Saturdays.

AUTHORISATION:

It is also resolved that Mr Ian Richard Thomson be and is hereby authorised to execute the Application, sign all documentation and to do all necessary to give effect to this resolution.

APPROVED:

PCENGELBRECHT DIRECTOR

JVR BRÖMN - DIRECTOR



REG. NO. 1929/001817/07 (PTY) LTD

Annexure B

City of Cape Town

## <u>Application for extension of trading hours:</u>

- 1. Shoprite Checkers (Pty) Ltd ("Shoprite Checkers") currently has 41 (forty one) liquor shops and 75 grocer wine licenses in die Western Cape, which provides employment for 105 (one hundred and five) full time employees and an additional 31 (thirty one) third party workers consisting of security officers and cleaning assistants.
- 2. The amount of workers in a specific liquor shop is based on the number of shifts scheduled for that particular store. The longer the trading hours of the store, the more shifts are required to ensure that the store achieves maximum productivity and efficiency and jobs and additional income for individuals is accordingly generated in the process. Public consumption of any commodity boosts economic growth.
- 3. We do not believe that there is a downside to longer trading hours or including Sundays to trade. The question should therefore be centralised around public and economic policy. By allowing reputable retailers (such as Shoprite Checkers) to trade on Sundays (for instance), we submit that the playing field, with reference to illegal liquor traders, will be levelled as it stands to reason that their commercial relevance will dissipate. It should be noted that it will remain less challenging to continue policing the compliance of large retailers with liquor laws as the processes of a retailer such as Shoprite Checkers are visible and transparent and Shoprite Checkers prides itself that it trades in strict compliance with the prescribed hours in the Act, and continues to ensure that it does not sell alcohol to minors. Another factor which should not be discounted is that of convenience, especially where time is a valuable commodity for most consumers.
- 4. When consumers therefore go to a grocery store on a Sunday, they want to do all of their family grocery shopping at that time. This could include buying wine other liquor simultaneously.



REGISTERED OFFICE: CNR WILLIAM DABS & OLD PAARL ROADS, PO BOX 215, BRACKENFELL, 7561, SOUTH AFRICA TEL: +27 (0) 21 880-4000 FAX: +27 (0) 21 880-4050 www.shopriteholdings.co.zs

DIRECTORS: JW BASSON (CEO), C'G GOOSEN, J MALBERTS, JA L BASSON, C BLAIR, M BOSMAN, S B BRAUDE, JV R BRÖNN, C J C DE W BURGER, A J DE SWARDT, P G DU PREEZ, D F DU TOIT, P C ENGELBRECHT, J FOURIE, G FRITZ, A B GARDENER, A GOUWS, D HALLALE, B HARISUNKER, G HAYES, A M HOWARD, J H HUNTER, W J HUNLLIN, A JANSE VAN MERWE, J G VAN DEVENTER, HAPP, G G KRIEL, P J MALAN (NAMIBIAN), G M P MENTZ, F K G MULLER, E L NEL, S SCHIFF, N L SCHREUDER, P TZELLIOS (GREEK), P B VAN DER D H JACOBS, E L MARAIS, D G MÖLLER, V P SCHOELER, P SOLMS, P G VAN BREDA, J J VAN ZYL, L G VAN DER SPUY, A A WAGENAAR

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Registration number

1929 / 001817 / 07

Enterprise Name

SHOPRITE CHECKERS (PTY) LTD

Enterprise Shortened Name

None provided.

**Enterprise Translated Name** 

None provided.

Registration Date:

05/09/1929

Business Start Date

05/09/1929

Enterprise Type

**Private Company** 

Enlerprise Status

in Business

Financial year end

June

Main Business/Main Object

PRIVATE HOUSEHOLDS, EXTERRITORIAL ORGANISATIONS, REPRESENTATIVES OF FOREIGN GOVERNMENTS AND OTHER ACTIVITIES NOT ADEQUATELY DEFINED

Postal address

P O BOX 215 BRACKENFELL 7561

Address of registered office

WILLIAM DABS AND OLD PAARL ROAD

BRACKENFELL

7560



The Companies and Intellectual Properly Commission of South Africa

P.O. BOX (29, PRETORIA, 0001, Republic of South Africa, Doces, 256; PRETORIA Cat Centre Tel 05B 100 2472. Website www.clps co za

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Companies and Intellectual Property Commission + member of the striplean

Registration number

1929/001817/07

Enterprise Name

SHOPRITE CHECKERS (PTY) LTD

Auditor Name

**PRICEWATERHOUSECOOPERS** 

Postal Address

POSBUS 168 BELLVILLE 7535

## **Active Directors / Officers**

Surname and first names	ID number or date of birth	Director type	Appoint- ment date	Addresses
HUNLUN, WIMPIE JOHANNES	6408145250089	Director	29/11/2013	Postal: P.O. BOX 1265; SIMBITHI; SIMBITHI; NORTHERN CAPE, 4390 Rescenda: 56 FEVERBERRY WAY, SIMBITHI, BALLITO; NORTHERN CAPE, 4390
BRONN, JOSEPH VAN ROOYEN	7704215046087	Director	29/11/2013	Postal: P O BOX 245 BRACKENFELL, 0, 7561 Residential: 10 NETTLETON ROAD: CLIFTON, 0, 8005
DU PREEZ, PIETER GERRIT	661,1265138069		22/05/2009	Postel P.O. BOX 215, BRACKENEELL 0, 7581 Residential 4 BEGONIA STREET, HELDERVUE, SOMERSET WEST, 0, 7430
SCHREUDER, NEIL LAURENCE	8012055087081;	Director	22/06/2009	Postal: P.O.BOX 215, BRACKENFELL, 0, 7580 Residental: 34 HENDRIKSZ: ROAD: SOMERSET WEST; 0, 7130:
GARDENER, ANDREW BRETT	6203135053083	Director	39/11/2006	Postal: PRIVATE BAG X8021 CENTURION: 0, 0048 Residential: 92 MORRELL ROAD BLAIRGOWRIE, JOHANNESBURG: 0, 2184
ENGELBRECHT, PIETER CHRISTIAN	6905295032004	Ülrector	25/08/2003	Posiaj P.O. BOX 215, BRACKENFELL, BRACKENFELL, WESTERN CAPE, 7561 Residental 7 HENDRIK BOOM DE KUILEN VILLAGE, DE ZALZE WINELANDS GOLF ESTATE, STELLENBOSCH, WESTERN CAPE, 7600



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Companies and intellectual Property Commission

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Active Directors / Officers				
Stanianie and first names	ID number or date of birth	Director type	Appoint- ment date	Addresses
SHOPRITE HOLDINGS, as a secretary of M1929001817	M1836007721	Secretary (Companies and CC's)	02/11/1998	Postal PO BOX 215 BRACKENFELL 7581
BOSMAN, MARIUS	5708015072082	Pirontes	J7800000	Residental: CNR WILLIAM DABS AND, OLD PAARL ROAD, BRACKENFELL, 7580
	3100013012062	Yuerdo.	17/06/1999	Postal: P.O. BOX 215, BRACKENFELL, BRACKENFELL, WESTERN CAPE, 7561
₹es }				Residential: 26 VISVANGER WAY, MELKBOSSTRAND, MELKBOSSTRAND, WESTERN CAPE: 7441
NEL, ETJENNÉ LOURENS	4907:135009084	.Director	17/06/1999	Postal: 5 TAMBOER STREET BOSCH EN ZICHT DE ZALZE WINELANDS GOLF ESTATE, WESTERN CAPE, 7600 Residental: 5 TAMBOER, BOSCHENZICHT, DE ZALZE WINELANDS GOLF ESTATE
VAN DER MERWE, PHILIP BAUKE	60091,65062085	Director	17/06/1999	WESTERN.CAPE, 7600. POSIAL P O BOX 215. BRACKENFELL, BRACKENFELL. WESTERN CAPE, 7501 Resideral 5 VYGEBOOMSLOT, DURBANVILLE, DURBANVILLE WESTERN CAPE, 7550
Haribunker, Bhikram	\$112095028082	Director	<b>17/06/19</b> 99	Fosial: P.O. BOX. 11700, MARINE PARADE, MARINE PARADE, NORTHERN CAPE. 4056 Residential: 7 RIDGE ROAD, LA LUCIA, LA LUCIA, NORTHERN CAPE, 4051



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MR K SNIPPERS	
Acting Subcouncil 1 Manager	
DATE 13/11/2020	
Je pusé	
CLLR N GROSE	
Chairperson Subcouncil 1	
DATE 13/11/2000	