SUBCOUNCIL 1 BLAAUWBERG



Making progress possible. Together,

1. ITEM NUMBER: 01SUB 19/11/2019

2. SUBJECT

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF: CHECKERS TABLE BAY (MONDAY - SATURDAY 18H00 - 20H00)

AANSOEK OM VERLENGING VAN DRANKHANDELSURE TEN OPSIGTE: CHECKERS TABLE BAY (MAANDAG - SATERDAG 18H00 - 20H00)

ISICELO SOKWANDISWA KWAMAXESHA OKUTHENGISA UTYWALA NGOKUPHATHELELE KWABE: CHECKERS TABLE BAY (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 Manager, and was then circulated to all organisations included on the Ward 23

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):

- CHECKERS TABLE BAY
- Liquor Licence No: WCP/041640
- Off Consumption
- Table Bay Mall, Berkshire Road, Sunningdale
- 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: : Nora Grose:

Supports the application

Abutting neighbours:

No comments received.

• Community Organizations: : As per CBO Database:

No comment received

• Ward Committee of Ward: 23:

Rhine Barnes: CPF – No objections
Wayde Greig – Table View Neighbourhood Watch – no objection
Jacques Erasmus – Melkbosstrand Neighourhood Watch – no objection

Comments by applicant on objection

Not applicable

- Internal departments:
 - ❖ Town Planning:

Kindly note that P&BDM provide a zoning comment upon receipt of an application for a liquor licence; but once that licence is approved by the Liquor Board and a subsequent application for an extension of time of Trading Hours is submitted there is no zoning development parameter that regulates this aspect and therefore no further comment is required.

- ❖ Health Department:
- No comment required
- ❖ 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 CHECKERS TABLE BAY 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 CHECKERS TABLE BAY 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, CHECKERS TABLE BAY including comments by Safety and Security

FOR FURTHER DETAILS CONTACT:

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

Wvan der Westherzen SUBCOUNCIL1 MANAGER	 	
DATE		_
	Comment:	
Clir Cynthia Clayton Chairperson		
Date		



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Date:		
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Mr W van der Westhuizen SUBCOUNCIL1 MANAGER	······································	
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CITY OF CAPE TOWN ISIXEKO SASEKAPA STAD KAAPSTAD

CITY HEALTH

Rochelle Jones

T: 0215507563 F: 0215507623

E; rochelle.jones@capetown.gov.za

03/10/2019

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:

185208

Liquor Licence Number:

WCP/041640 RENEWAL

2019

Licensee Name:

SHOPRITE CHECKERS (PTY)

LTD

Premises Name:

CHECKERS TABLE BAY

Premises Address:

TABLE BAY MALL, CNR OF BERKSHIRE BOULEVARD & SUNNINGDALE DRIVE,

SUNNINGDALE Sunnungdale

7441

Date of Application Submission:

Date Application captured:

2019/10/01

Disclaimer

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.

Pages: 1 of 1

03-10-2019

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Form 2
MONDAY TO SATURDAY EXTENDED OFF-CONSUMPTION TRADING HOURS

CITY HEALTH

REF! 185208

All fields must be fille	OUOR TRADING HOURS FROM 18:00 TO 20:00, MONDAY TO SATURDAY FOR OFF-CONSUMPTION PREMISES d in
DETAILS OF LICEN	ICEE
1. Liquor license number	WCP/041640
2. Full name of licensee	SHOPRITE CHECKERS (PTY) LTD
3. If the licensee is not a r	natural person, state the name, identity number and address of each shareholder, member or partner. (use an annexure if required)
SEE ANNEXURE	A an annexure if required)
4. Name and address of th	
CHECKERS TAE	LE BAY
TABLE BAY MAL	
CNR OF BERKSH	IIRE BOULEVARD & SUNNINGDALE DRIVE
SUNNINGDALE 7	741
5. Provide details of the pre	mises 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	obtainess is conducted with reference to the number of the erf, street(s), apartment, shop(s) or farm,
RF No. (37373	
, Contact number	
021 980 4978	
. State reason(s) why licens	ee is applying for extension of trading hours (use an annexure if required)
SEE ANNEXURE I	
lectare that the parametron	furnished in this application and in any documents attached to it, is true.
777	Date (29/08/2019)
ritten authorisation to sign	on behalf of licensee to be attached)
me (printed) IAN TH	OMSON Application prepared by (IAN THOMSON)
ital address (P.O.BOX	1618 Physical address SHOPRITE CHECKERS (PTY) LTD
RACKENFELL	(CNR OF OLD PAARL & WILLIAM DABBS ROAD
561	BRACKENFELL
rk tel: 021 980 49	178
OA	Cell: (083 557 6903
1 1/1/0	Pate (20/08/2010) Date (20/08/2010)
	Date (29/08/2019) n behalf of licensee to be attached)
Hen authorisation to cion o	n halfait of liganges to be asset as

Liquor licence number

				1												

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

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THIS APPLIC	ATION WAS SUBMITTED TO	THE PROVINCIAL OFF	CE OF SAPS' LIQUOR CO	INTROL FOR CO	MMENTS, HOWEVER, NO
FEEDBACK H	AS BEEN RECEIVED.				
A CONTRACT OF THE PROPERTY OF		itinings digetoriusuman ned 1794 (Substitute)			OVI A COLOR OF THE PARTY OF THE
Name of Official	Marilyn Holding 10001005	Signature	Att older	g Date	
					Sorety and Seeker to
his applicant must repplication fee of R4	now hand the application form in a 217.00 (Vat Inclusive) is payable ast from 1 July 2019 accompany the	t the designated Environm into Profit centre 1807017:	ent Health Office, Please no 2 G/L 810400, Payment can b	te: As from 01 Jul	/ 2019 a non-refundable
	st from 1 July 2019 accompany th	e ahbucanan windi usulisi	g it in at the designated Envir	ronmental Health	Office.
pplication Fee		Receipt number		payment date	



NOTIFICATION OF PAYMENT

To whom it may concern:

First National Bank hereby confirms that the following payment has been made:

Date Actioned

.: 2019-09-06

Time Actioned

: 15:41:17

Trace.1d

: VODSLSG37H1F

Payer Details

Payment From

: Shoprite/checkers (pty) Ltd

Amount

109634.00

Payee Details

Recipient/Account no

: ...667035

Recipient Name

CITY OF CAPE TO

Bank

: Nedbank Limited

Branch Code

: 198765

Recipient Reference

: 192131688

Channel

: INTERNET

END OF NOTIFICATION

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

Our customer (the payer) has requested FirstRand Bank Limited to send this notification of payment to you. Should you have any queries regarding the contents of this notific, please contact the payer. FirstRand Bank Limited does not guarantee or warrant the accuracy and integrity of the information and data transmitted electronically and we accord no liability whatsoever for any loss, expense, claim or damage, whether direct, indirect or consequential, arising from the transmission of the information and data.

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

SHOPRITE/CHECKERS HEAD OFFICE CREDITORS PAYMENT ADVICE

ZAPR_PAYMENT_ADVICE_CMPF RUN ON 22/11/2017 at 12:41 PAGE 1 PAGE 1 of 1

997 - SHOPRITE CHECKERS PTY LTD - SOUTH APRICA

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

Annexure B

City of Cape Town

Application for extension of trading hours:

- 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. 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) 21 980-4000 FAX: +27 (0) 21 980-4050 www.shopriteholdings.co.za

DIRECTORS: JW BASSON (CEO), C G GOOSEN, J M ALBERTS, J A 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 ENCELBRECHT, J FOURIE, G FRITZ, A B GARDENER, A GOUWS, D HALLALE, B HARISUNKER, G HAYES, A M HOWARD, J H HUNTER, W J HUNLUN, A JANSE VAN RENSBURG, M G JOUBERT, A E KARP, 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

Certificate issued by the Companies and Intellectual Property Commission on Monday, December 18, 2017 08:25 Certificate of Confirmation



Companies and Intellectual Property Commission

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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

Enterprise Status

In Business

Financial year and

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 Intelectual Property Commission of South Africa

P.O. BOX 429 PRETORIA 0001, Republic of State Africa Docer 259 PRETORIA.

Car Ceobe Tel 085-100 2470, Website Years clipc on za

Certificate issued by the Companies and Intellectual Property Commission on Monday, December 18, 2017 08:25 Certificate of Confirmation



Companies and Intellectual Property Commission

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Active Directors / Officers			Hamilton and the same and the same and the same of the	
Surname and first names	ID number or date of birth	Director type	Appoint- ment date	Addresses
SHOPRITE HOLDINGS, as a secretary of M1929001817	M1936007721	Secretary (Companies and CC's)	02/11/1998	Postal: PO BOX 215, BRACKENFELL, 7561
				Residential: CNR WILLIAM DABS AND, OLD PAARL ROAD, BRACKENFELL, 7560
BOSMAN, MARIUS	570,6015072082	Director	17/06/1999	Postal: P.O BOX 215, BRACKENFELL, BRACKENFELL, WESTERN CAPE, 7561 Residential: 26 VISVANGER WAY, MELKBOSSTRAND, MELKBOSSTRAND, WESTERN CAPE, 7441
NEL, ETIENNE LOURENS	4907135009084	Director	17/06/1999	Postal: 5 TAMBOER STREET. BOSCH EN ZICHT DE ZALZE, WINELANDS GOLF ESTATE, WESTERN CAPE, 7600 Residential: 5 TAMBOER, BOSCHENZICHT, DE ZALZE WINELANDS GOLF ESTATE, WESTERN CAPE, 7600
VAN DER MERWE, PHILIP BAUKE	6009185062085	Director	17/08/1999	Poslai: P.O BOX 215, BRACKENFELL, BRACKENFELL, WESTERN CAPE, 7561 Residential: 5 VYGEBOOMSLOT, DURBANVILLE, DURBANVILLE, WESTERN CAPE, 7550
HARISUNKER, BHIKRAM	5112095028082	Director	17/06/1999	Postal: P O BOX 11700, MARINE PARADE, MARINE PARADE, NORTHERN CAPE, 4056 Residential: 7 RIDGE ROAD, LA LUCIA, LA LUCIA, NORTHERN CAPE, 4051



The Compares and Intellectual Préparty Commission of Spath Abres

PIO BOX 429, PRETORIA, 0001, Republic of Stadh Anical Clyces 256, PRETORIA Cali Ceptus Tel 088, 100, 2472, Westste www.cupc.co.2a 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:

- 1. that the Company appoints Mr Ian 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.
- 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:

PC ENGELBRECHT DIRECTOR

JVR BRÖMY- DIRECTOR