



1. ITEM NUMBER: **03SUB 19/03/19**

2. SUBJECT

APPLICATION FOR THE RENEWAL OF EXTENDED LIQUOR TRADING HOURS: MONDAY TO SATURDAY- AND SUNDAY TRADING FOR OFF CONSUMPTION PREMISES IN RESPECT OF WARD 113: SHOPRITE LIQUORSHOP PARKLANDS - WCP/041557 S

ONDERWERP

AANSOEK OM HERNUWING VAN VERLENGDE DRANKHANDELSURE: MAANDAG TOT SATERDAG EN SONDAG VIR BUITEVERBRUIKPERSEEL TEN OPSIGTE VAN WYK 113: SHOPRITE LIQUORSHOP PARKLANDS - WCP/041557 S

ISIHLOKO

ISICELO SOKUHLAZIYWA NGOKUTSHA UKWANDISWA KWEEYURE ZOKUTHENGISWA KOTYWALA: NGOMVULO UKUYA NGOMGQIBELO KUNYE NOKUTHENGISA NGECAWE KWIZAKHIWO EKUNGASELELWA KUZO NGOKUJOLISWE KWIWADI 113: SHOPRITE LIQUORSHOP PARKLANDS - WCP/041557 S

3. PURPOSE

For the Subcouncil to approve the recommendation for an application for the 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 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 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 Subcouncil 3 Manager, and was then circulated to abutting neighbours, all organisations included on the **Ward 113** 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 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.
- (j) 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 LIQUORSHOP, PARKLANDS**
- Liquor Licence No: WCP/041557 S
- OFF Consumption
- Shop 11, 4 Parklands Main Road, Parklands, 7441
- Current trading hours: **Monday – Saturday 09:00 – 20:00 and Sundays 11:00-18:00** with extension granted.
- Proposed trading hours: Monday – Saturday: 09:00 – 20:00 and Sundays 11:00 - 18:00.

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

- Ward Councillor: Joy McCarthy:
Supported
- Community Organisations:
No comments received.
- Ward Committee of Ward 113:
No comments received.
- Other Subcouncil 3 Councillors:
No comments received.
- **INTERNAL DEPARTMENT:**
 - ❖ Safety & Security (Liquor Control):
Pertaining to the mentioned premises namely Shoprite Liquorshop, Parklands, situated at Shop 11, 4 Parklands Main Road, Parklands, Table View. It was ascertained that the applicant did renew his Liquor Licence for 2019. 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.

RECOMMENDATION

It is recommended that the Subcouncil **consider** the application for the renewal of extended trading hours (off-consumption) Monday to Saturday 18:00 to 20:00 and Sunday 11:00 to 18:00 trading submitted by Shoprite Liquorshop, Parklands, situated at Shop 11, 4 Parklands Main Road, Parklands, subject to the following conditions:

- A. That the application for the renewal of extended trading hours (off-consumption) submitted by Shoprite Liquorshop, Parklands, situated at Shop 11, 4 Parklands Main Road, Parklands, Table View, **be considered** as it complies with the criteria included in the City of Cape Town: Control of Undertakings that Sell Liquor to the Public By-Law, 2013.
- B. Should complaints be received concerning noise and/or unruly behaviour of patrons, these complaints will be investigated and may result in the extended trading hours being withdrawn and will also be referred to the Western Cape Liquor Authority which may jeopardise the renewal of the liquor licence.
- C. The applicant must ensure that no sale of liquor is made directly to or via a third party to unemployed and/or homeless persons occupying public open spaces in the vicinity of Shoprite Liquorshop, Parklands, situated at Shop 11, 4 Parklands Main Road, Parklands.
- D. This application is also subject to compliance with all relevant by-laws of the City of Cape Town.
- E. This application will be valid for 12 months from the date of the decision subject to the possession of a valid liquor licence.

AANBEVELING

Daar word aanbeveel dat die subraad die aansoek om hernuwing van verlengde drankhandelsure (buiteverbruik) Maandag tot Saterdag 18:00 tot 20:00 en Sondag 11:00 tot 18:00, ingedien deur Shoprite Liquorshop, Parklands, geleë in winkel 11, Parklands-hoofweg 4, Parklands, onderworpe aan die volgende voorwaardes **oorweeg**:

- A. Dat die aansoek om hernuwing van verlengde drankhandelsure (buiteverbruik) ingedien deur Shoprite Liquorshop, Parklands, geleë in winkel 11, Parklands-hoofweg 4, Parklands, Table View, **oorweeg word aangesien** dit voldoen aan die kriteria van die Stad Kaapstad: Verordening oor die Beheer van Ondernemings wat Drank aan die Publiek Verkoop, 2013.

- B. Indien klagtes oor geraas en/of wilde gedrag van kliënte ontvang word, die klagtes ondersoek sal word en daartoe kan lei dat die verlengde handelsure teruggetrek word en na die Wes-Kaapse Drankowerheid verwys word, wat die vernuwing van die dranklisensie kan belemmer.
- C. Die aansoeker moet toesien dat geen drank direk of via 'n derde party verkoop word aan werklose mense en/of hawelose persone wat op die openbare oop ruimtes in die omgewing van Shoprite Liquorshop, Parklands, geleë in winkel 11, Parklands-hoofweg 4, Parklands woon nie.
- D. Hierdie aansoek is ook onderworpe aan voldoening aan alle toepaslike verordeninge van die Stad Kaapstad.
- E. Hierdie aansoek geld vir 12 maande vanaf die datum van die besluit onderworpe aan die besit van 'n geldige dranklisensie.

ISINDULULO

Kundululwe ukuba iBhungana **malithathele ingqalelo** isicelo sokuhlaziywa ngokutsha kweeyure ezandisiweyo zokuthengiswa kotywala (obuselelwa ngaphandle) ngoMvulo ukuya ngoMgqibelo ngeye-18:00 ukuya kweye-20:00 kunye nokuthengisa ngeCawe ngeye-11:00 ukuya kweye-18:00 esingeniswe ngabakwa-Shoprite Liquorshop, Parklands, abame kwa-Shop 11, 4 Parklands Main Road, Parklands, ngokuxhomekeke kule miqathango ilandelayo:

- A. Ukuba makuthathelwe ingqalelo isicelo sokuhlaziywa ngokutsha kweeyure ezandisiweyo zokuthengiswa kotywala (obuselelwa ngaphandle) esingeniswe ngabakwa-Shoprite Liquorshop, Parklands, abame kwa-Shop 11, 4 Parklands Main Road, Parklands, Table View, nanjengoko sithobela uluhlu oluqukwe kwimiqathango ekuMthetho kaMasipala ongoLawulo lweMigaqo yokuThengiswa koTywala eLuntwini kwiSixeko saseKapa, wango-2013.
- B. Ukuba kuthe kwafumaneka izikhalazo ngokuphathelene nengxolo okanye indlela engamkelekanga yokuziphatha kwabathengi, oku kuyakuthi kuphandwe kwaye umphumela woku ungabangela ukuba kurhoxiswe isicelo sokwandiswa kweeyure zokuthengiswa kotywala kwaye ziyakuthi zidluliselwe kuGunyaziwe ongezoTywala eNtshona Koloni ongathi acuthe amathuba okuba kuhlaziwe isicelo sephepha-mvume lokuthengisa utywala.
- C. Umfaki-sicelo kufuneka aqinisekise ukuba akukho butywala buthengiselwa abantu abangenamisebenzi kunye/okanye nabantu abangenamakhaya abahlala kwiindawo zoluntu ezivulelekileyo kummandla ongakwa-Shoprite Liquorshop, Parklands, abame kwa-Shop 11, 4 Parklands Main Road, Parklands.
- D. Esi sicelo kwakhona sixhomekeke ekuthotyelweni kwayo yonke imithetho kamasipala weSixeko saseKapa efanelekileyo.

E. Esi sicelo sizakuthatha isithuba esizinyanga ezili-12 ukususela ngomhla wokuthathwa kwesigqibo ngokuxhomekeke ekubeni unayo na ilayisenisi esemthethweni yokuthengisa utywala.

ANNEXURES:

A - Applications submitted by Shoprite Liquorshop, Parklands, – Mondays to Saturdays 09:00 – 20:00 and Sundays 11:00 - 18:00

FOR FURTHER DETAILS, CONTACT:

NAME	<i>Johannes Brand</i>
CONTACT NUMBERS	<i>021 444-4862</i>
E-MAIL ADDRESS	<i>Johannes.Brand@capetown.gov.za</i>
DIRECTORATE	<i>Area-Based Management</i>

Comment:

JDJA BRAND
SUBCOUNCIL 3 MANAGER

DATE

Comment: _____

CLLR HELEN CARSTENS
SUBCOUNCIL 3
CHAIRPERSON

Date


MANAGER: SUBCOUNCIL (3)

JDJA BRAND

TEL NO (021)444-4862

DATE

5/3/2019.

COMMENT:

1. Herewith confirm that the relevant delegation is quoted in item.
2. The recommendation is/are subject to Subcouncil decision.
3. Author of report was notified that item is on agenda and in terms of delegation 1(5) requested to attend the Subcouncil meeting.



SUBCOUNCIL CHAIRPERSON

COUNCILLOR HELEN CARSTENS

TEL NO (021) 444-4865

DATE

5/3/2019

COMMENT:



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

MONDAY TO SATURDAY EXTENDED OFF-CONSUMPTION TRADING HOURS

CITY HEALTH

Form 2

RECEIVED: 08/02/2019 - REF: 184469

APPLICATION IN TERMS OF SECTION 6 OF THE CITY OF CAPE TOWN: CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC BY-LAW, 2013, FOR EXTENSION OF LIQUOR TRADING HOURS FROM 18:00 TO 20:00, MONDAY TO SATURDAY FOR OFF-CONSUMPTION PREMISES

All fields must be filled in

DETAILS OF LICENCEE

1. Liquor license number WCP / 041557

2. Full name of licensee SHOPRITE CHECKERS (PTY) LTD

3. If the licensee is not a natural person, state the name, identity number and address of each shareholder, member or partner. (use an annexure if required)

SEE ANNEXURE A

4. Name and address of the licensed premises

SHOPRITE LIQUORSHOP PARKLANDS

SHOP 11, 4 PARKLANDS MAIN ROAD

PARKLANDS

TABLE VIEW 7441

5. Provide details of the premises 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

ERF No. 28294

6. Contact number

021 980 4978

7. State reason(s) why licensee is applying for extension of trading hours (use an annexure if required)

SEE ANNEXURE B

I declare that the information furnished in this application and in any documents attached to it, is true.

Signature *I. Thomson* Date 14/12/2018

(written authorisation to sign on behalf of licensee to be attached)

Name (printed) IAN THOMSON

Application prepared by IAN THOMSON

Postal address P.O. BOX 1618

Physical address SHOPRITE CHECKERS (PTY) LTD

BRACKENFELL

CNR OF WILLIAM DABBS & OLD PAARL ROAD

7561

BRACKENFELL

Work tel: 021 980 4978

Cell: 083 557 6903

Fax:

E-mail: ithomson@shoprite.co.za

Signature *I. Thomson* Date 14/12/2018

(written authorisation to sign on behalf of licensee to be attached)

Name (printed) IAN THOMSON

OFFICE USE ONLY

Liquor licence number **WCP/041557**

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

PERTAINING TO THE MENTIONED PREMISES, NAMELY, SHOPRITE LIQUORSHOP PARKLANDS, SITUATED AT, SHOP 11, 4

PARKLANDS MAIN ROAD, PARKLANDS, TABLE VIEW. IT WAS ASCERTAINED THAT THE APPLICANT DID RENEW HIS LIQUOR

LICENSE FOR 2019. 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.

Name of Official

Marilyn Holding

10001005

Signature

M. Holding

Date

03 JAN 2019

City of Cape Town
Safety and Security
LAW ENFORCEMENT

This applicant must now hand the application form in at the designated Environment Health Office. **Please note:** As from 01 July 2018 a non-refundable Application fee of R4 035.09 (Vat inclusive) is payable into Profit centre 18070172 G/L 810400. Payment can be made at any cash office of the City. Proof of payment must from 1 July 2018 accompany the application when handing it in at the designated Environmental Health Office.

Application Fee

Receipt number

payment date



CITY HEALTH

RECEIVED: 08/02/2019 - REF: 184470

APPLICATION IN TERMS OF SECTION 6 OF THE CITY OF CAPE TOWN: CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC BY-LAW, 2013, FOR SUNDAY TRADING FOR OFF-CONSUMPTION PREMISES FROM 11:00 TO 18:00

All fields must be filled in

DETAILS OF LICENCEE

1. Liquor license number WCP / 041557

2. Full name of licensee SHOPRITE CHECKERS (PTY) LTD

3. If the licensee is not a natural person, state the name, identity number and address of each shareholder, member or partner. (use an annexure if required)

SEE ANNEXURE A

4. Name and address of the licensed premises

SHOPRITE LIQUORSHOP PARKLANDS

SHOP 11, 4 PARKLANDS MAIN ROAD

PARKLANDS

TABLE VIEW 7441

5. Provide details of the premises 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

ERF No. 28294

6. Contact number

021 980 4978

7. State reason(s) why licensee is applying for trading on Sundays (use an annexure if required)

SEE ANNEXURE A

I declare that the information furnished in this application and in any documents attached to it, is true.

Signature *IAN THOMSON* Date 14/12/2018

(written authorisation to sign on behalf of licensee to be attached)

Name (printed) IAN THOMSON

Application prepared by IAN THOMSON

Postal address P.O. BOX 1618

Physical address SHOPRITE CHECKERS (PTY) LTD

BRACKENFELL

CNR OF WILLIAM DABBS & OLD PAARL ROAD

7561

BRACKENFELL

Work tel: 021 980 4978

Cell: 083 557 6903

Fax:

E-mail: ithomson@shoprite.co.za

Signature *IAN THOMSON* Date 14/12/2018

(written authorisation to sign on behalf of licensee to be attached)

Name (printed) IAN THOMSON

OFFICE USE ONLY

Liquor licence number **WCP/041557**

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

PERTAINING TO THE MENTIONED PREMISES, NAMELY, SHOPRITE LIQUORSHOP PARKLANDS, SITUATED AT, SHOP 11, 4

PARKLANDS MAIN ROAD, PARKLANDS, TABLE VIEW. IT WAS ASCERTAINED THAT THE APPLICANT DID RENEW HIS LIQUOR

LICENSE FOR 2019. 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.

Name of Official

Marilyn Holding
10001005

Signature

M. Holding

Date

03 JAN 2019

Safety and Security

LAW ENFORCEMENT

This applicant must now hand the application form in at the designated Environment Health Office. Please note: As from 01 July 2018 a non-refundable Application fee of R8 070.18 (Vat inclusive) is payable into Profit centre 18070172 G/L 810400. Payment can be made at any cash office of the City. Proof of payment must from 1 July 2018 accompany the application when handing it in at the designated Environmental Health Office.

Application Fee

Receipt number

payment date