



**WESTERN CAPE
LIQUOR AUTHORITY**

Western Cape Liquor Authority

Mr Stanley Giger
P.O. Box 883
GREEN POINT
Sea Point
7971



OFFICE USE

FORM 21A

ANNUAL LICENCE RENEWAL NOTICE:

FEE PAYABLE IN RESPECT OF A LIQUOR LICENCE FOR:

THE YEAR 2019

(REG. 30(1))

LIQUOR AUTHORITY REFERENCE NUMBER: WCP/011927

Name of licensee: Mr Stanley Giger

Address of the licensed premises: 9 Somerset Road, De Waterkant, GREEN POINT, Sea Point, 8005

(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 On

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

Annual: R 4 360, payable on or before 31 December 2018

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/011927) 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 52(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 52(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 21, to the Chief Executive Officer for condonation of such failure, and the Chief Executive Officer may condone the failure and allow the licensee to pay the prescribed fee by a date to be determined by the Authority, subject to the payment of the renewal fee plus a penalty of 10% of the fee. See section 52(4).



Nedbank Limited Reg No. 1951/000009/06
135 Rivonia Campus, 135 Rivonia Road,
Sandown, Sandton, 2196, South Africa

VAT Registration No. 4370116074

#01 Contact Telephone 0860555111

16475 @ 2620 17 5 02/10/2018 12:19
ST GEORGE'S MALL

CURRENT ACCOUNT
WESTERN CAPE LIQUOR AUTHORITY
0000001452 069833/0 45399308 4 360,00
Cash/Kontant 4 360,00
Cheques/Tjeks 0
NAR.NN MCP/011927
R 100 43 4 300,00
R 50 1 50,00
R 10 1 10,00
Enjoy your day Geniet die dag



Western Cape
Government

Western Cape
Liquor Authority

Licence No: WCP/011927

This is to certify that the Western Cape Liquor Authority renewed the liquor licence (consumption on) in respect of **WCP/011927** in terms of section 63 of the Western Cape Liquor Act 4 of 2008 (as amended).

The liquor licence holder is:

Mr S Giger
t/a Cubana Latino Caffé

The licenced premises is located at:

9 Somerset Road
De Waterkant
GREEN POINT
Sea Point
8005

The liquor licence is thus renewed, subject to provisions of the Western Cape Liquor Act 4 of 2008 (as amended), the Western Cape Liquor Regulation of 2011, the existing liquor conditions and such further conditions as may be imposed in writing from time to time.

Unless altered by the Liquor Licencing Tribunal this liquor licence is valid from:

01 January 2017 to 31 December 2017

SIGNED FOR AND ON BEHALF OF THE WESTERN CAPE LIQUOR AUTHORITY:

CHIEF EXECUTIVE OFFICER



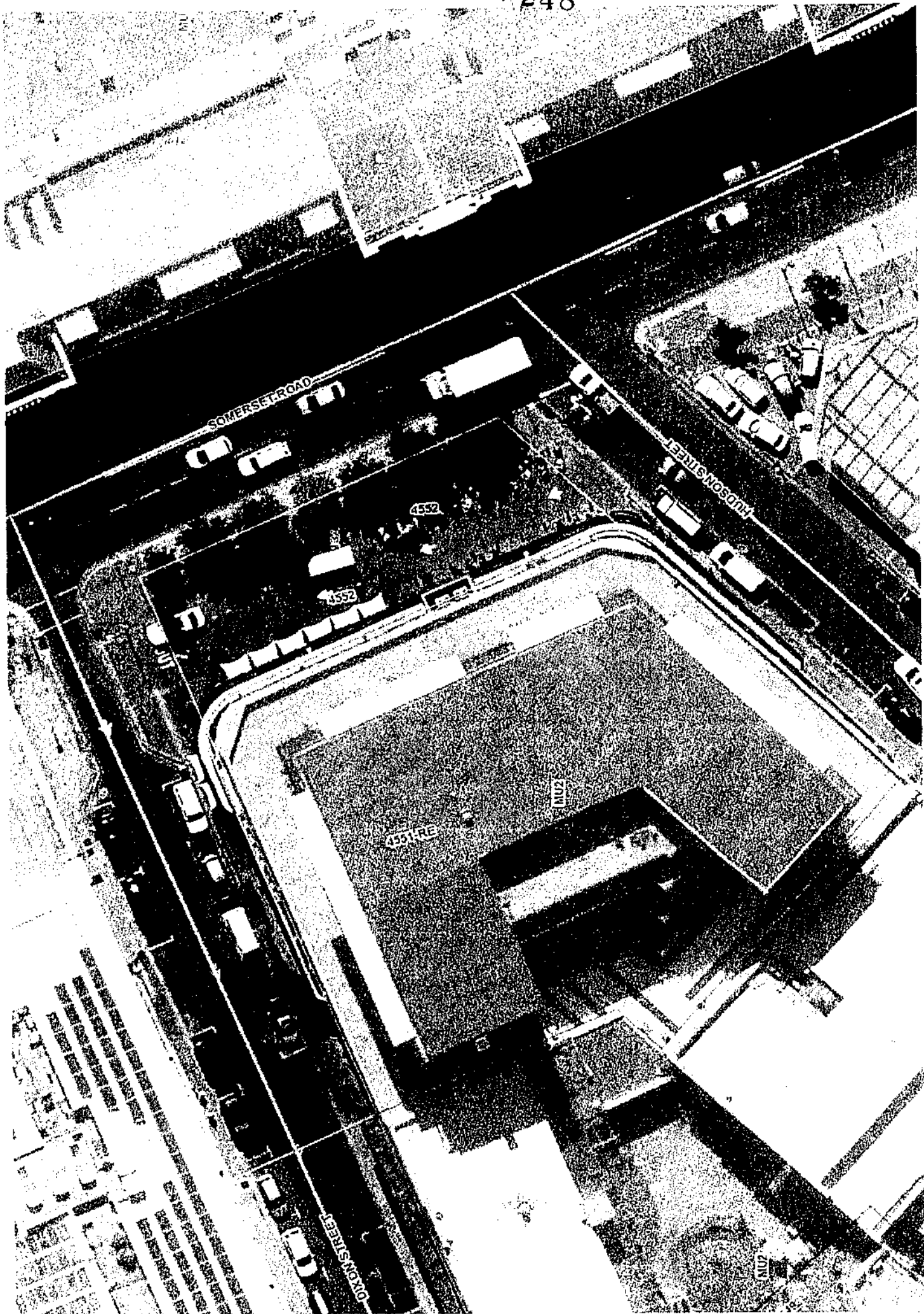
Office Use



Licence Info

ANNEXURE E

Printed Zoning map from City of Cape Town



ANNEXURE F
Power of Attorney

0250

ALFIE CROUS

Liquor Law Specialist

55 Allen Drive
Loevenstein
Bellville
7205

alfie@alfiecrous.co.za
liquor@alfiecrous.co.za
Cell: 082 577 1851
Office: 021 913 8545
Fax to Mail: 086 660 8933

POWER OF ATTORNEY

I, the undersigned

NAME: STANLEY GIGER
IDENTITY NUMBER: 511201 5117 086

being the 100% licence holder and financial interest of:

CUBANA LATINO CAFFE (GREEN POINT)
WCP/011927

hereby nominates and appoints:

Alfred Crous (Identity Number: 650517 5053 083) or
Wilhelmina Charlotte Crous (Identity Number: 710515 0462 083)

with right of substitution to be our legal Agent and to act on my/our behalf in matters concerning the application in terms of **SECTION 6(1)** in terms of **CITY OF CAPE TOWN: CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC, 2013 APPROVED BY COUNCIL: 4 DECEMBER 2013, C58/12/13** for an application to the Municipality, for the extension of trading hours.
To sign and submit any relevant documentation relating to this application with the relevant Authorities and to be our legal representative at any meeting or hearing relating to this application.

Signed at **BELLVILLE** on this **10th** Day of **OCTOBER** in the year **2016**.


.....
SIGNATURE
APPLICANT OR PERSON AUTHORISED
TO SIGN ON HIS/HER BEHALF

0251

ANNEXURE G

Letter from Applicant taking responsibility.

CUBANA LATINO CAFFE
(GREEN POINT)
WCP/011927

ERF 4551
9 SOMERSET ROAD
DE WATERKANT
GREEN POINT
8001

Herewith I **STANLEY GIGER**, IDENTITY NUMBER: 511201 5117
086liquor licence holder of **CUBANA LATINO CAFFE (GREEN POINT)**,
WCP/011927, confirm that I take responsibility and will comply accordingly in
terms of the Section 6(9)(i), 10, 11, and 12 of the **CITY OF CAPE TOWN:**
CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE
PUBLIC, 2013 APPROVED BY COUNCIL: 4 DECEMBER 2013,
C58/12/13 .

- ensuring that reasonable safety and security measures are in place to prevent cause a danger to the safety of patrons inside the premises,
- there is adequate lighting on the outside of the premises where patrons and staff access and exit the licensed premises,
- by taking reasonable steps to ensure that the residents of the surrounding community are not unreasonably affected and inconvenienced by noise or other nuisances emanating from the premises.


STANLEY GIGER
LIQUOR LICENCE HOLDER
2016/10/10

0253

ANNEXURE H

Previous approval for trading hours till 04:00



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Ask for: Colleen Fortune

Cela: Colleen Fortune

Vra Vir: Colleen Fortune

Tel: 0214006513

Umnxeba: 0214006513

Tel: 0214006513

Making progress possible. Together

EXTENSION OF LIQUOR TRADING HOURS FOR ON CONSUMPTION LIQUOR

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

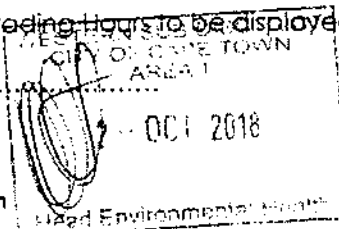
Extended liquor trading hours reference number	174082
Liquor License number	WCP/011927 16SUB 15/9/2018
Full name of Licensee	Stanley Giger
Name/designation or title under which the business is carried on	Cubana Green point
Address of the licensed premises	9 Somerset Road Green Point 8005
Extended liquor trading hours permitted for on consumption	02h00-04h00

Please note that this approval for extended liquor trading hours is valid from 17 September 2018 to 16 September 2019 and remains subject to possession of a valid Liquor Licence.

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

AREA 1

For Director: City Health





CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

CITY HEALTH

Colleen Fortune
Senior Clerk
Business Licence Desk
Western Cape District
Municipal Council
Pretoria
Cape Town
8001

14 22 400 811

Colleen.fortune@capetown.gov.za

2018-10-01

Stanley Giger
11a Cubana Green Point
4 Somerset Road
Green Point
8001

Dear Sir/ Madam

**APPLICATION FOR EXTENDED LIQUOR TRADING HOURS – 02H00 – 04H00: ON CONSUMPTION: CUBANA
GREEN POINT: 11 SOMERSET ROAD, GREEN POINT 8005: ERF 4551**

Reference WCP/011927

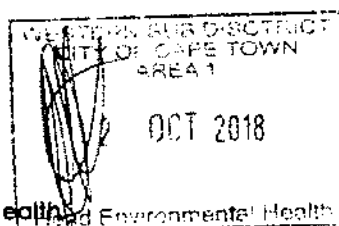
I refer to your application regarding abovementioned matter and wish to advise you that your application for extension of liquor trading hours has been considered by **Sub Council 16** on **17 September 2018** and has been approved to trade from **02h00 – 04h00** for on **consumption** premises. *Please note that extended liquor trading hours cannot be exercised where no valid liquor licence exists.*

1. Should complaints be received concerning noise and/or unruly behaviour of patrons, these will be investigated and may result in the extended trading hours being withdrawn.
2. Any complaints received concerning noise and/or unruly behaviour of patrons would also be referred to the Western Cape Liquor Authority and may jeopardise the renewal of the liquor licence.
3. This approval is also subject to compliance with all relevant by-laws of the City of Cape Town.

Yours faithfully

AREA 1

For Director: City Health



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 02:00 TO 04:00,

CUBANA (GREEN POINT)
WCP/011927

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(ix)	Previous approval for trading hours till 04:00	H

Application Prepared by:	Alfie Crous
Postal Address:	35 Allen Drive, Loevenstein, Bellville, 7530
Telephone / Cell:	(021) 913 8545 / 082 577 1853
Fax to Mail:	086 660 8933
Email Address:	alfiecrous@adept.co.za / liquor@alfiecrous.co.za

ANNEXURE B



De Waterkant Civic Association

Since 1975

Suite 61, Dixon Street, De Waterkant, 8001

www.dwca.co.za

Mr. Marius Coetsee
Manager: Good Hope Sub Council 16
11th Floor - 44 Wale Street
Cape Town
Tel : (021) 487 2201

Your ref. WCP/011927

Shireen.Maggott@capetown.gov.za
DavidWilliam.Bryant@capetown.gov.za
Matthew.Kempthorne@capetown.gov.za
Colleen.fortune@capetown.gov.za

2 July 2019

Dear Mr Coetsee:

Objection to the Application in terms of Section 6 of the City of Cape Town: Control of Undertakings that sell liquor to the Public (Bylaw 2013) ("the Liquor bylaw") for the extension of liquor trading hours from 2 to 4 am by CUBANA GREEN POINT ("the application")

1. The De Waterkant Civic Association has received extensive community commentary on this application and hereby strongly objects in terms of sec. 6(9)(e),(f),(g),(h) and (i) of the Liquor Bylaw 2013 and the motivation below to the granting of the application.

2. In 2017 the DWCA supported the extra security measures instituted by the Cubana owner, Mr. Stan Giger in response to various security problems emanating from Cubana Green Point. In 2018 the DWCA objected to the extended trading hours' application, yet Cubana nevertheless received their extended hours license.

3. This year, we have received extensive comments and objections from ratepayers and residents, business owners, community groups and investors in the De Waterkant area and we wish to consolidate these comments as follows for your consideration:

3.1 The DWCA opposes the granting of the extended trading hours license from 2 am to 4am in accordance with the national government aims to address the socio-economic impact of alcohol abuse and agreed policy norms and standards (as set out in the August 2016 Final Liquor Policy Paper and National Liquor Policy Review) which includes the recommendation that traders should bear liability for any harm or damages near the premises and to regulate the availability of liquor by restricting the trading hours and controlling access to liquor sales.

3.2 The application does not comply with the Liquor Bylaw criteria, nor with the 500 m distance required between schools, places of worship, residential areas and the prohibition of selling liquor at petrol service stations and premises near public transport. The distance between Cubana Green Point and the following institutions are noted:

- a. School: 180 m
- b. BP garage: 100 m
- c. Residential properties: 5-10 m: Old Cape Quarter CQ1 - 55 residential apartments; Cape Quarter Living (CQ2) - 14 residential apartments; De Waterkant village 20m; 7,9,11 Jarvis streets (MU, residential upper level); all residential blocks in De Waterkant.
- d. Parking garages: (i) Below CQ1: closed due to construction until 2020; Below CQ 2 - it closes late night and then is monitored by CQ security - regulated; 32 Napier street - road and development;

3.2 Although business zoning and trading hours are a local government competency, the DWCA submits that the Western Cape provincial legislation in keeping with national legislation aligned objectives to regulate liquor trade and limit the potentially destructive socio-economic impact of liquor consumption leading to violence, crime, high risk sexual behaviours and road accidents (p. 17-22 of the Liquor Policy Paper sets out the statistics and consequences of the public health and negative socio-economic

effects of alcohol use, including neighbourhood disruption). This Policy recommends that local authorities need to ensure stricter licensing requirements and compliance with noise, nuisance and pollution, public health and safety considerations.

3.3 The DWCA submits that as a day-time and night-time trading entity, opening from 10am or 11am until 2am provides (16 hours) sufficient time in which to fairly conduct business. The extension of an additional 2 hours from 2am to 4am is not in the public interest nor in pursuit of families or diners wishing to pop out for a meal or a drink - it is to extend, in our view, the length of time for existing revellers at the premises. The anti-social behaviour we have witnessed and which have been reported to us counter the applicant's argument for an extra 2 hours of trading.

4. The DWCA submits that the application must be refused on the following grounds:

4.1 The antisocial behaviour by patrons leaving the Cubana venue is a major cause of concern for our residential, business communities and our ratepayers. There are serious social, criminal and environmental issues affecting De Waterkant residential area, besides noise impact. There have been reports of defecation and fornication in public in the residential area close to Cubana.

4.2 The applicant's motivation that Cubana is in a "totally surrounded [by] business area" omits/fails (and in our view manipulates) the fact that Cubana is in very close proximity to the historic De Waterkant residential area, opposite the Salesian Institute and the residential apartments upstairs in Cape Quarter (about 18m away in the building across the road).

4.3 The New Cape Quarter (CQ2) with 10 residential apartments and Old Cape Quarter (CQ1) of 55 residential apartments being built currently are not indicated in the application and the DWCA asks how these residential property rights are so glibly overlooked by the applicant?

4.4 The residential properties in Dixon Street, Waterkant Street and Loader Street bear the brunt of most of the observed anti-social behaviour, with people shouting, honking

of car hooters, screaming in the middle of the morning about where next they are going. Etc.

4.5 Parking remains a critical issue in the area: Two parking areas are mentioned in the application: 1 parking under CQ 1 (closed for renovation for possibly 12 months for the 55 Apartment development project) and CQ1 Parking - both being paid parking. Naturally, Cubana patrons prefer parking in the free public parking in the small narrow, residential streets of De Waterkant. These historic, residential homes are homes situated close to the street, meaning no protection offered by gardens - people's bedroom windows are also close to the street.

4.6 The anti-social/criminal behaviour complaints on record. There are media reports about shootings at Cubana which seem to indicate it is a risky place. These incidents and anti-social behaviour appear most prevalent in the early hours of the morning when alcohol consumption exacerbates the social and criminal conduct impact.

7. Page 9 in the application states:

" The Granting of the extension in trading hours does not prejudice - The residents of a residential area; As we have mentioned earlier that the applicant's previous applications for extension of trading hours has already been approved twice, and the applicant is currently trading till 04:00 legally till 24 November 2016. The applicant implement the necessary safety and strategy precautions' we mentioned in "Security and safety measures" later in this application, that will ensure that no inconvenience will be caused to any residents. The last 12 months there were no noise complaints on record against the applicant."

8. The DWCA rejects this view wholeheartedly. Whilst there might very well be no formal complaints lodged against Cubana, there are many instances of the anti-social behaviour and invasive, disruptive noise disturbances from patrons leaving his establishment in the early hours of the morning, people urinating against cars and homes, people fornicating in vehicles and people shouting and hooting at 4am. This

conduct by patrons from Cubana does prejudice the property and amenity rights of the residents and ratepayers in De Waterkant.

9. Also misrepresented in the application on pages 9-10 of the application are the following:

- 9.1. *"As we mentioned above, it can be seen on the locality plan the applicant's business is located in a fully business area surrounded by businesses and we clearly indicated that there are dwelling located only at the rear of the building approximately +-100 Meters in Dixon street;" .and*
- 9.2. *"The nearest school is located more than 180 meters away, not in direct view and as we have mentioned before.....; "and*
- 9.3. *"(The patients of an institution for drug or alcohol related dependencies; There are no patients of an institution for drug or alcohol related dependencies located near the applicant's venue. None of above institutions are located in the immediate are of the applicants 'premises or any direct view of the applicant's venue.'"*

10. These statements (referred to above) are a distortion of the truth.

- 10.1. There are 15 residential apartments upstairs in Cape Quarter 2, just ±18m away in the building across the road. There are several cottages and houses just up Dixon Street, about 47m up the road, leading to Waterkant and Loader streets.
- 10.2. The Salesian Institute is directly across the Somerset Road, only 24m directly across. This property includes the Salesian Institute Youth Projects www.salesianyouth.org.za - a non-profit organisation which works in youth education and skills development, changing the lives of vulnerable children and youth-at-risk in and around Cape Town (between 14 and 18 years of age). Learners are classed as at-risk adolescents which is defined as moderately and severely intellectually impaired learners, learners with behavioural issues, emotional problems, substance abuse, or poor socio-economic circumstances, for whom mainstream schooling is not appropriate.

- 10.3. The DWCA submits that the impression the applicant is trying to portray is managing a good, safe secure venue - but, regrettably, some Cubana patrons' behaviour negatively impact on the De Waterkant residential area.
- 10.4. On page 12 the application continues to state that the clientele has rights and that "freedom of choice is public Interest." *"The applicant's venue is mostly for the traditional Afrikaans "Lang arm" clientele. They are mostly in their late twenties till 55 years average. This is the Afrikaans people's way of life, this is what they are used to. This is also their culture that is, their shared beliefs, customs, values and language or dialect. There are only a few venues of that nature in the northern suburbs (Sic?) This venue has a fixed clientele and they clients feel save."*
- 10.5. The DWCA submits that the Cubana customer base is not "a traditional Afrikaans "Lang arm" clientele" and the impression that a sedate, quiet "sokkie" happens at Cubana in Greenpoint is certainly not the case. Over the years, some published behaviour at Cubana included.
- 10.6. *"A man has been killed and a second person wounded in Green Point, Cape Town, in what sources say was a fight linked to an ongoing nightclub security turf battle."* Source News24.com <https://www.news24.com/SouthAfrica/News/bouncer-stabbed-to-death-in-cape-town-underworld-club-security-battle-20171203>;
- 10.7. *"SA Football Players Union (Safpu) Safpu official accuses NFD club boss of punching him According to Mulaudzi, the incident occurred at a Cubana Café and eatery in Green Point, Cape Town on Saturday night."* Source The Citizen Online:
<https://citizen.co.za/phakaaathi/south-africa-soccer-phakaaathi-phakaaathi/2030503/safpu-official-accuses-nfd-club-boss-of-punching-him/>
- 10.8. *"I have never been so angry. Very very disappointed by one of your bouncers! The way he chased&dragged me out of the club last night all because I was falling asleep??Really??! Couldn't he just tell me to leave instead embarrassing me as if I done something wrong to a point that he wanted to beat me wow!! Even worse it's not like I refused to leave I was leaving but he just pushed me out kept on telling him not to touch me because I have an operation on the hand he was touching! Chased me out like a dog wow!!! "*
 Amanda Thole - Sunday June 2nd, 2019 at 22:40pm
 Source: EatOut Online Magazine
<http://www.eatout.co.za/review/cubana-green-point-5/>
- 10.9. Further more, the Cubana clientele elsewhere where "2 people were shot & killed in Cubana nightclub in Stellenbosch last night as gunmen chased a male victim

Airport 'hit' is alleged retaliation for Cubana shooting | Cape Argus - IOL

10.10. Not published - a few years back a patron left Cubana Greenpoint, to fetch his firearm in his parked car in Cape Quarter and shot at another patron in the street. This was reported to Marc Truss from CID.

11. The DWCA submits that these incidents indicate that the Cubana chain is not a "sokkie" venue." Every year, during the Jazz festival, marquees are erected on the Cubana parking space and huge parties take place for the Jazz revellers. Big events are also catered for the Mining Indaba. The DWCA supports well-managed events, but Cubana is not "an Afrikaans, sedate "Sokkie" venue. It is a party venue.

2. Below is a brief list of problems reported to the DWCA about disruptive, rowdy patrons. Several guesthouse owners and community members have sought assistance from the DWCA regarding issues of patrons leaving Cubana.

Minutes of DWCA Meeting Wed 2 Oct 2014	Cubana Noise	0 2 - Oct-14			No Detail - but noted in minutes
Noise Complaint database Record no 12	Cubana	0 8 - May-15		Complainant name Removed	Shouting, chattering & fighting by patrons (4h)
Noise Complaint database Record no 13	Cubana	0 9 - May-15		Complainant name Removed	Shouting and music in cars of patrons (4h)
Minutes of DWCA Meeting 4th Aug 2016	Cubana Noise	0 4 - Aug-16			No Detail - but noted in minutes
Noise Complaint database Record no 14	Cubana	1 7 - Sep-16	By E-Mail - not official	Complainant name Removed	Shouting in streets, screaming, car alarms, racing cars

Minutes of DWCA Chairman's report AGM 2014/15		2014/15			Three formal complaints were lodged by a single complainant regarding noise from patrons of Cubana after closing time. Some improvement was seen after an initial engagement with the establishment but incidents continue to occur. (Some included above)
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6. E-mail received from Resident:

(personal information redacted with xxxxxxxxxx)

From: xxxxxxxxxxxxxxxxxxxx

Sent: Friday, 28 June 2019 18:48

To: DWCA

Subject: Fwd: Cubana (xxxxxxx)

Dear xxxxxx

I have seen the application to extend the Cubana drinking licence to 4.00am and am writing to request that DWCA OBJECTS to this.

The residential nature of the Village is under sustained attack from constant development, extended entertainment hours, and full time Airbnb premises. Many of us no longer have neighbours, just a different face next door every morning. There is less and less peace during sleeping hours as entertainment establishments extend their drinking hours and progressively move outdoors. And the pace of development is transforming a Heritage area to the vulgarity of Dubai.

Please object strongly to this extended hours application.

Regards

Xxxxxxxxxxxxxxxxxx

-----Original Message-----

From: xxxxxxxxxxxxxxxxxxxxxxxxx

Sent: Friday, 28 June 2019 17:59

To: xxxxxxxxxxxxxxxxxxxxxxxxx

Hi xxxxxxxxxxxxxxxxxxxxx

I received this from a few people

Is DWCA objecting against a 4am liquor license - really crazy

It went from 12-2-4 so next will be 24hrs

Really bad for DWK

Kind regards

xxxxxxxxxxxxxxxxxx

7. Safety safeguards: The applicant explains in detail all the various safeguards he has implemented which the DWCA acknowledges. He has installed the cameras and has employed security guards for Cubana, but these measures are insufficient to prevent anti-social behaviour from drunk patrons leaving his establishment and disrupting the residential area.
8. Public Interest: The DWCA does not believe that operating until 4am is in our community's or the public interest. We allowed Cubana's first liquor trading hours' extension, but we submit that given the aftermath of what has been going on after 2am emanating from Cubana, the security measures put in place by Cubana are not enough to warrant extensive night-time disruption by anti-social behaviour of his patrons at 2-4 am and the impact on the nearby residential area.
9. Reasonable/Fair: We believe that a 2am license in this small residential area is fair provided there is full compliance with the applicable bylaws and that the residential area is not disrupted by Cubana trading and patrons' conduct, but we submit that the extension to 4 am is patently unreasonable and unfair. We contend that these two extra hours sought from 2-4 am are not for the benefit of late-night diners, but for already intoxicated revellers wanting to become even more intoxicated and leaving at 4am, walking around our homes, screaming, shouting, urinating and fornicating which is unlawful, unreasonable and unfair.

10. We submit that the following questions must also be considered when the nature of such an establishment and the later, middle-of-the-night trading hours are taken into account: is the extension of 2-4am an appropriate concession in the De Waterkant historic, residential area with its tremendous tourism value and attraction to tourists and visitors to Cape Town? Globally, where such unique and valued areas are fostered, only suitable businesses/activities/developments are authorised. We believe De Waterkant is one of those rare and valuable areas that require protection of the unique heritage area versus the promotion of all-night entertainment establishments. There are other areas within the City that permit and encourage late-night facilities, e.g Long Street and Bree Street (where there are far fewer residences).

11. As custodians of one of the few remaining heritage, residential district areas in the City centre, we strive to protect existing amenity and one of the City's principal tourism assets. The DWCA submits that it isn't fair or reasonable to the residents tourists and/or the community to endure drunk patrons and the anti-social behaviour throughout the night. The DWCA believe that our request that Cubana Green Point should close their doors 2am is reasonable and that the City should uphold our property rights and ensure compliance with the applicable liquor laws and policies.

12. We request that you refuse the application and protect the existing amenity and property rights in compliance with the applicable Liquor Laws.

13. If no complaints or notices of disturbance or anti-social behaviour get recorded in the year, we shall review these positive steps in next years application.

Sincerely yours,

The DWCA Management Committee

From: Basson Orange <basson@orange.fr>
Sent: 02 July 2019 03:32 PM
To: Shireen Maggott
Subject: OBJECTION: CUBANA: Opposition to the Cubana Green Point's demand to extend their liquor trading hours

To whom it may concern. As a resident and homeowner at 153 Waterkant Street, De Waterkant, I would like to express my opposition to the demand submitted by the Cubana Green Point to the Cape Town City Council in order to extend their liquor trading hours until 4:00 in the morning. Personally I think it would contribute to noise pollution, anti social behavior (urinating, fornicating, drunk and general rowdiness), and to the ever increasing amount of accidents in the area.... Increase in crime, loitering, and already existing limited parking for residents. There are night clubs in other non residential areas to service late night trade and will suffice.

Basson Van Der Westhuizen
153 Waterkant Street
De Waterkant
Cape Town

Basson Van Der Westhuizen
basson@orange.fr

COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FORM

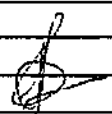
Please complete the information below and return to Subcouncil SC16 11th Floor, 44 Wale Street, CAPE TOWN 8000			
Applicant Details		CUBANA GREEN POINT	
		(ON CON)	
APPLICATION	SUPPORTED		
Please indicate whether the business is LOCATED near	Aged or Frail Care Centre		
	Rehab, Drugs / Alcohol Centre		
	School(s)		
	Other	32 Loader Street, Residential property Erf # 303	
PARKING			
REASONS FOR NOT SUPPORTING	<p>We wish to strongly oppose the Application for the extension of Liquor trading hours for Cubana from 2am to 4am.</p> <p>Cubana is located in an area that zoned residential and business, and cause major noise, and disturbance to the residential properties, and residence in the area.</p> <p>As proven in the past, establishments of this nature are totally disrespectful to their surrounding neighbours, by blatantly ignoring their amended liquor license hours implemented by the Liquor Authorities.</p>		
ORGANISATION DETAILS			
NAME	Manuel & Martin Theisen	SIGNATURES	(Signature) (Signature)
DATE	30 June 2019	CONTACT NUMBER	021 419 2476

For ease of reference community organisations/residents may submit comments to this office, to aid in the decision taken by this SubCouncil. Written comment in respect of this notice[s] of application[s]

0270

COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FORM

Please complete the information below and return to Subcouncil SC16 11th Floor, 44 Wale Street, CAPE TOWN 8000


Applicant Details		CUBANA GREEN POINT (ON CON)
APPLICATION	SUPPORTED	
Please indicate whether the business is LOCATED near	Aged or Frail Care Centre	
	Rehab, Drugs / Alcohol Centre	
	School(s)	
	Other	38 Loader Street, Residential property Erf # 306
PARKING		
REASONS FOR NOT SUPPORTING	<p>We wish to strongly oppose the Application for the extension of Liquor trading hours for Cubana from 2am to 4am.</p> <p>Cubana is located in an area that zoned residential and business, and cause major noise, and disturbance to the residential properties, and residence in the area.</p> <p>As proven in the past, establishments of this nature are totally disrespectful to their surrounding neighbours, by blatantly ignoring their amended liquor license hours implemented by the Liquor Authorities.</p>	
ORGANISATION DETAILS		
NAME	Werner Leitner	SIGNATURES 
DATE	30 June 2019	CONTACT NUMBER 021 419 2476

For ease of reference community organisations/residents may submit comments to this office, to aid in the decision taken by this SubCouncil. Written comment in respect of this notice[s] of application[s]

0271

COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FORM

Please complete the information below and return to Subcouncil SC16 11th Floor, 44 Wale Street, CAPE TOWN 8000

Applicant Details		CUBANA GREEN POINT	
		(ON CON)	
APPLICATION	SUPPORTED	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Please indicate whether the business is LOCATED near	Aged or Frail Care Centre		
	Rehab, Drugs / Alcohol Centre		
	School(s)		
	Other	Guest house, De Waterkant Lodge, 6 Loader Street	
PARKING			
REASONS FOR NOT SUPPORTING	We wish to strongly oppose the Application for the extension of Liquor trading hours for Cubana from 2am to 4am.		
	Cubana is located in an area that zoned residential and business, and cause major noise, and disturbance to the residential properties, guest houses and hotels within the residential parts of the area.		
	As proven in the past, establishments of this nature are totally disrespectful to their surrounding neighbours, by blatantly ignoring their amended liquor license hours implemented by the Liquor Authorities.		
	Windows and doors of the premises are kept open until early morning hours, music blaring, drunk patrons making a racket and keeping everyone awake in the surrounding area. When they finally close up shop, the drunken patrons make their way to their cars parked all over the village, laughing, shouting, screaming, blowing their car hooters and speeding off. The following morning the streets are littered with empty beer bottles and broken glass.		
	This results in complaints from guests. Some don't mention anything to management or staff, and sadly the first time we get to hear of it is through trip advisor or booking.com reviews.		
The worst case scenario is that guests insist to be moved to another room, and unfortunately this is not always possible during busy periods, therefore resulting in early departures, refunds and bad reviews			
ORGANISATION DETAILS			
NAME	Mr SA Roux	SIGNATURE	
DATE	30 June 2019	CONTACT NUMBER	021 419 2476

For ease of reference community organisations/residents may submit comments to this office, to aid in the decision taken by this SubCouncil. Written comment in respect of this notice[s] of application[s]

0272

Yours faithfully

Marius Coetsee

MANAGER Subcouncil 16

COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FORM

Please complete the information below and return to Subcouncil SC16 11th Floor, 44 Wale Street, CAPE TOWN 8000			
Applicant Details	CUBANA GREEN POINT (ON CON)		
APPLICATION	SUPPORTED	NOT SUPPORTED	
Please indicate whether the business is LOCATED near	Aged or Frail Care Centre		
	Rehab, Drugs / Alcohol Centre		
	School(s)	RESIDENTIAL AREA / B/B	
	Other	RESTAURANT	
PARKING			
REASONS FOR NOT SUPPORTING	THE CLIENTS LOADING VEHICLE + UNDER THE ALCOHOL INFLUENCE + MAKING A LOT OF NOISE + PROBLEMS.		
ORGANISATION DETAILS			
NAME	enrico cotarantino		
DATE	11/7/19	SIGNATURE	[Signature]
		CONTACT NUMBER	076 565 1771

For ease of reference community organisations/residents may submit comments to this office, to aid in the decision taken by this SubCouncil. Written comment in respect of this notice[s] of application[s]

must reach this office before or on

2019/07/02

[16H30]

The previous are not kind + arrogant and are very noisy + are obscene in their acts

[Signature]

COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FORM

Applicant Details: CUBANA GREEN POINT (ON CON)

Application:

☐

Supported

☐

Not supported

Please indicate whether the business is LOCATED near:

☐

~~Aged or Frail Care Centre~~

☐

~~Rehab, Drugs / Alcohol Centre~~

☐

~~School(s)~~

☐

Other: Office, Retail, Residential apartments

Parking: Cape Quarter Parking is used for our clients

REASON FOR NOT SUPPORTING:

- Impact on the perception of the area with late night intoxicated patrons vandalising the area and the Cape Quarter facilities and leaving litter everywhere.
- Noise complaints currently being experienced at Cubana, Cape Quarter have to compensate guests at the accommodation that cannot sleep due to excessive noise complaints.
- Safety concern regarding intoxicated patrons who have been awake and drinking for long periods at a busy crossing

I strongly object to the liquor license time extension on behalf of my client, Tower Property Fund (the landlord of The Cape Quarter).

ORGANISATION DETAILS:

0274

Name: Samantha Gouveia

Contact Number: 021 421 1111

Date: 01 July 2019

Signature: SGouveia

For ease of reference community organisations/residents may submit comments to this office, to aid in the decision taken by this SubCouncil. Written comment in respect of this notice[s] of application[s] must reach this office before or on 2019/07/02 [16h30].

**COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING
HOURS FORM**

Applicant Details: CUBANA GREEN POINT (ON CON)

Application: Not supported

**Please indicate whether the business is LOCATED near: residential
homes**

Parking: No specifically allocated parking available for Cabana Green
Point

REASON FOR NOT SUPPORTING: Cabana Green Point is located
near residential homes in the de Waterkant area. Already there is
noise disturbance when guests leave restaurants and clubs at night
and this shouldn't be worsened by extending the operating hours of
Cabana.

Name: Kirstin O'Sullivan

Contact Number: 082 78 78 698

Date: 1 July 2019

Signature: *Gillian*

**For ease of reference community organisations/residents may submit
comments to this office, to aid in the decision taken by this
SubCouncil. Written comment in respect of this notice[s] of
application[s] must reach this office before or on 2019/07/02 [16h30].**

COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FORM

Applicant Details: CUBANA GREEN POINT (ON CON)

Application:

- ☐ Supported
☒ Not supported

Please indicate whether the business is LOCATED near:

- ☐ Aged or Frail Care Centre
☐ Rehab, Drugs / Alcohol Centre
☐ School(s)
☒ Other: Residential Property

Parking: Already an issue in the area

REASON FOR NOT SUPPORTING:

Very close to residential property, Parking very constrained
Noise likely late into the night

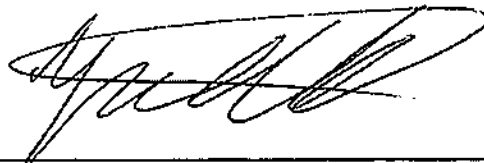
ORGANISATION DETAILS:

Name: Max Nulita II

Contact Number: +44 7437 015952

Date: 1 JULY 2019

Signature:



For ease of reference community organisations/residents may submit comments to this office, to aid in the decision taken by this SubCouncil. Written comment in respect of this notice[s] of application[s] must reach this office before or on 2019/07/02 [16h30].

Vivienne Sasman

Subject: FW: PRINT: OBJECTION 7: CUBANA: Application for extension of liquor trading hours in terms of Sect 4A Of the City of Cape Town LiquorTrading Days and hours By Law 2013 as amended

From: Alison Bannister [<mailto:albannister@worldonline.co.za>]

Sent: 01 July 2019 10:31 PM

To: Marius Coetsee; Dave Bryant

Cc: chair@dwca.co.za; Shireen Maggott

Subject: OBJECTION 7: CUBANA: Application for extension of liquor trading hours in terms of Sect 4A Of the City of Cape Town LiquorTrading Days and hours By Law 2013 as amended

Dear Sirs,

Application for extension of liquor trading hours; Notice in terms of Section 4A of the City of Cape Town Liquor trading days and hours by law 2013 as amended.

Applicant: Cubana Green Point, Address; 9 Somerset Rd Green Point

11 Jarvis Street, de Waterkant ,is a residential property owned by The Sun Trust.

This property is located just around the corner from Cubana and is affected by the activities on that property.

The existing extended liquor trading hours will impact negatively on the amenity of the area. Alcohol and drugs available at Cubana result in an unruly, noisy, and often undesirable clientele which is incompatible with the character of the immediate residential area.

We strongly object to the extension of the liquor trading hours to 4am as this will have a negative impact on the character and amenity of our and adjacent properties .

Alison Bannister
for THE SUN TRUST

Subject: FW: OBJECTION 8: CUBANA: Attached, please find the Application for Extended Liquor Trading Hours for CUBANA GREEN POINT (ON Consumption)

-----Original Message-----

From: Donald Cameron [<mailto:donalddcameron3@btinternet.com>]

Sent: 01 July 2019 11:32 PM

To: Shireen Maggott

Subject: OBJECTION 8: CUBANA: Attached, please find the Application for Extended Liquor Trading Hours for CUBANA GREEN POINT (ON Consumption)

Dear Shireen Maggott

I am writing to OBJECT to the extension of the liquor licence for CUBANA Green Point.

De Waterkant is a dense residential area and there has been a sustained increase in licensed and unlicensed noise and nuisance from commercially operated places of entertainment in recent years. An extension of drinking hours to 4.00am would produce unacceptable noise and disturbance to residents during sleeping hours.

CUBANA is very close to residential flats (for example in the Cape Quarter complex across the road) and late night activity draws in cars, taxis and revellers who spill out into the general area.

The extension also sets a precedent that the many other entertainment establishments in the area will seek to exploit and imitate.

Yours faithfully

Donald Cameron
25 Loader Street
De Waterkant
cell 0769153845

COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FORM

Applicant Details: CUBANA GREEN POINT (ON CON)

Application:

☒ ☐ Not supported

Please indicate whether the business is LOCATED near:

- ☐ Aged or Frail Care Centre
☐ Rehab, Drugs / Alcohol Centre
☐ School(s)
☒ Other: Residential area

Parking:

REASON FOR NOT SUPPORTING:

Failure to effectively manage patrons after they leave the premises, leading to early-hours disruption in residential area (door slamming, shouting, drunkenness, engines gunning)

ORGANISATION DETAILS:

Name: Heather Parker

Contact Number: 021 425 5309

Date: July 2, 2019

Signature: 

For ease of reference community organisations/residents may submit comments to this office, to aid in the decision taken by this SubCouncil. Written comment in respect of this notice[s] of application[s] must reach this office before or on 2019/07/02 [16h30].

Shireen Maggott

From: Helet Merkling <merk@mweb.co.za>
Sent: 02 July 2019 01:20 PM
To: Shireen Maggott
Cc: Matthew Kempthorne; Colleen Heldsinger; environment@dwca.co.za; ian mcMahon
Subject: OBJECTION: CUBANA 11: WCP/011927 Cuban Green Point Liquor Licence extension application (2am-4 am trading)

**COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS
 FORM:** **2 July, 2019**

Applicant Details: CUBANA GREEN POINT

Your ref. WCP/011927

Shireen.Maggott@capetown.gov.za
 Matthew.Kempthorne@capetown.gov.za
 Colleen.fortune@capetown.gov.za
 environment@dwca.co.za

Application:

• Not supported as application is non-compliant with criteria of the Liquor Act 27/1989 as amended and City of Cape Town: Control of Undertakings that Sell Liquor to the public By-law, 2013 (Section 6)

Please indicate whether the business is LOCATED near:

• Rehab, Drugs / Alcohol Centre (Salesian Institute)

• School(s) Prestwich street Primary School + Ellerton Primary School

• Other: Mosques: Nurul Mohmadia, Auwal, Jumu'a, Shafee, Boorhanol, Quawatul; Churches: St Andrews, Lutheran Church; Petrol Station, Somerset road; Residential area close-by; MyCity Bus public transport system nearby

• Anti-social and criminal behavior in breach of City of Cape Town by-laws and national legislation

• Noise, environmental disruption during night time

• Public urination + defecation + fornication in nearby residential areas

• Breach of existing private property rights and amenity of historic residential neighbourhood

• Parking: Lack of parking in the area

• REASONS FOR NOT SUPPORTING: Non-compliance with applicable liquor control legislation and the City of Cape Town Control of Undertakings that Sell Liquor to the public By-law, 2013 (Section 6); anti-social conduct late at night; disruption of night time rest and private property rights and amenity and environmental impact

RATEPAYER DE WATERKANT

Name: HL Merkling

Contact: merk@mweb.co.za

Date: 2-07-2019

COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FORM

Applicant Details: CUBANA GREEN POINT (ON CON)

Application:

- ☐ Supported
☒ Not supported

Please indicate whether the business is LOCATED near:

- ☐ Aged or Frail Care Centre
☐ Rehab, Drugs / Alcohol Centre
☐ School(s)
☒ Other: SALESIAN INSTITUTE YOUTH PROJECTS - AT 2 SOMERSET RD.
(A CHARITY FOR TEENAGERS ESCAPING DRUG AND ALCOHOL ABUSE)

Parking:

VERY PROBLEMATIC ALREADY DUE TO LIMITED STREET PARKING AVAILABLE IN DE WATERKANT

REASON FOR NOT SUPPORTING:

EXCESSIVE NOISE LEVELS FROM DRUNK PATRONS SPILLING OVER INTO CHIPPING AND HUDSON STREETS KEEPING US AWAKE AT NIGHT IN THE MIRAGE
VERY HIGH LEVELS OF PUBLIC DRUNKENNESS. AND NOISE ALREADY, WILL INCREASE EVEN FURTHER.

ORGANISATION DETAILS:

PRIVATE RESIDENTS IN THE CAPITAL MIRAGE.

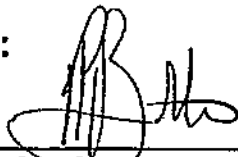
Name:

DR. PETER H. BOTHA

Contact Number: 083 - 383 3113

Date: 2.7.2019

Signature:



For ease of reference community organisations/residents may submit comments to this office, to aid in the decision taken by this SubCouncil. Written comment in respect of this notice[s] of application[s] must reach this office before or on 2019/07/02 [16h30].

From: Basson Orange <basson@orange.fr>
Sent: 02 July 2019 03:32 PM
To: Shireen Maggott
Subject: OBJECTION 14: CUBANA: Opposition to the Cubana Green Point's demand to extend their liquor trading hours

To whom it may concern. As a resident and homeowner at 153 Waterkant Street, De Waterkant, I would like to express my opposition to the demand submitted by the Cubana Green Point to the Cape Town City Council in order to extend their liquor trading hours until 4:00 in the morning. Personally I think it would contribute to noise pollution, anti social behavior (urinating, fornicating, drunk and general rowdiness), and to the ever increasing amount of accidents in the area.... Increase in crime, loitering, and already existing limited parking for residents. There are night clubs in other non residential areas to service late night trade and will suffice.

Basson Van Der Westhuizen
153 Waterkant Street
De Waterkant
Cape Town

Basson Van Der Westhuizen
basson@orange.fr

ANNEXURE C

0286

8 July 2019

**Head
Environmental Health
Sub Council 16: Gardens, Cape Town
For Director: City Health**

**APPLICATION IN TERMS OF SECTION 6(1) in terms of CITY OF CAPE TOWN:
CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC, 2013
APPROVED BY COUNCIL 4 DECEMBER 2013, C58/12/13 for an application to
the Municipality for the extension of trading hours**

**CUBANA GREEN POINT
WCP/011927**

Situated at **ERF 4551, 9 SOMERSET ROAD, GREEN POINT, 8001** under the
municipal Sub Council of **CITY OF CAPE TOWN**.

We hereby refer to our application for extension of hours for **CUBANA GREEN
POINT, WCP/011927** dated the 07 June 2019.

Please note!!

Most of this objection we are replicating to, is based merely in general, and
with no, merits at all, and no incidents is on record at all. Law enforcement
clearly, submitted a report mentioning that no complaints whatsoever was
raised the past 12 months.

The objectors merely find this matter interesting, and none of them has been
prediluted at all.

When it comes to public interest, it is all about the masses, and not the single
individuals. It is of crucial important that venues like this existed for tourism.
Our country economy is so critical, that public interest is also about tourism.

There are lots of venues in this area, and the parking area opposite the
applicant's venue is the only entrance to the parking building. The entrance
on the other side is closed for any entrance, which results in that all the
venue's traffic, needs to enter the parking areas on this single entrance.

This results further that there is no proof that most of the people walking past
Cubana, is indeed from Cubana, and not other venues.

1 The following objections was raised:

1.1 Objection: NAME: Max Nultail

Parking is already an issue in the area. Very close to residential property. Parking very constrained. Noise likely late into the night.

1.1.2 Replication:

This objection is relevant, between the hours of 02:00 and 04:00. "Noise likely" is based on speculation.

1.2 Objection: NAME: Allison Bannister behalf of THE SUN TRUST

11 Jarvis Street, de Waterkant, is a residential property owned by The Sun Trust. This property is located just around the corner from Cubana and is affected by the activities on that property.

The existing extended liquor trading hours will impact negatively on the amenity of the area. Alcohol and drugs available at Cubana result in an unruly, noisy, and often undesirable clientele which is incompatible with the character of the immediate residential area.

We strongly object to the extension of the liquor trading hours to 4am as this will have a negative impact on the character and amenity of our and adjacent properties.

1.2.1 Replication:

This objection is on fiction, and not facts. "Alcohol and drugs available at Cubana" There is no merits nor, proof nor any drug related complaints on record, that can be linked to Cubana Furthermore "Sun Trust is a Guest House" and this is a business objection which Mr Banner object for his own benefit. Number 11, Java Street is not in Any view, of the applicant's premises. The fact that he mentions" **it will have a negative effect ", means that he is not even aware that the applicant is already trading with extension of Trading Hours.**

Mr Bannister never explain on which how exactly Cubana is affecting his business directly, but merely as the residents.

1.3 Objection: NAME: Donald Cameron

I am writing to OBJECT to the extension of the liquor licence for CUBANA Green Point.

De Waterkant is a dense residential area and there has been a sustained increase in licensed and unlicensed noise and nuisance from commercially operated places of entertainment in recent years. An extension of drinking hours to 4.00am would produce unacceptable noise and disturbance to residents during sleeping hours.

CUBANA is very close to residential flats (for example in the Cape Quarter complex across the road) and late-night activity draws in cars, taxis and revellers who spill out into the general area.

The extension also sets a precedent that the many other entertainment establishments in the area will seek to exploit and imitate.

Further to my previous OBJECTION to this application, please find attached supporting information which demonstrates the extent of residential disturbance that would be caused by this licence extension, ie proximate residential properties, disturbance from parking and vehicle movements, late night noise from CUBANA customers

Replication : The fact that Mr Cameron mentioned " extension of drinking hours to 4.00am would produce unacceptable noise and disturbance to residents during sleeping hours", already mean that he is not aware that the applicant already has an extension on trading hours, which make this only a guessing situation and speculating aspect from him.

He is also only speaking in general and the president that will be set. His objection has no merits, and he never mentioned any facts that was based on previous complaints.

Vehicle movements can be caused by any person, and he never links the applicant's premises to any facts.

1.4 **Objection NAME:** Heather Parker

Failure to effectively manage patrons after they leave the premises, leading to early-hours disruption in residential area (door slamming, shouting, drunkenness, engines gunning).

- 1.4.1 **Replication:** Mrs Parker also speaks in general, and do not motivate or linked Cabana to her objection. She also did not explain how she came to her conclusion. She also never mentions any previous complains from Cubana after 02:00.

She is only finding this matter interesting, and do not have a valid objection.

1.5 **Objection: NAME:** Manuel & Martin Theisen

We wish to strongly oppose the Application for the extension of Liquor trading hours for Cubana from 2am to 4am.

Cubana is located in an area that zoned residential and business and cause major noise and disturbance to the residential properties, and residence in the area.

As proven in the past, establishments of this nature are totally disrespectful to their surrounding neighbours, by blatantly ignoring their amended liquor license hours implemented by the Liquor Authorities

Replication: Mr and Mrs Theisen, is also objecting in general, and do not object directly to Cubana. They only mentioned “establishments of this nature” in General. With no unique or specific facts which is relevant to the applicant specifically.

1.6 Objection NAME: Werner Leitner

We wish to strongly oppose the Application for the extension of Liquor trading hours for Cubana from 2am to 4am.

Cubana is located in an area that zoned residential and business and cause major noise and disturbance to the residential properties, and residence in the area. As proven in the past, establishments of this nature are totally disrespectful to their surrounding neighbours, by blatantly ignoring their amended liquor license hours implemented by the Liquor Authorities.

Replication: It make no sense what Leither mean by “blatantly ignoring their amended liquor license hours implemented by the Liquor Authorities” . There is no amendments on the applicant’s licence. The only amendments in 2012 was that the Municipality is deciding for trading hours after 02:00.

1.7 Objection NAME: SA Roux

We wish to strongly oppose the Application for the extension of Liquor trading hours for Cubana from 2am to 4am.

Cubana is located in an area that zoned residential and business and cause major noise and disturbance to the residential properties, and residence in the area. As proven in the past, establishments of this nature are totally disrespectful to their surrounding neighbours, by blatantly ignoring their amended liquor license hours implemented by the Liquor Authorities.

Windows and doors of the premises are kept open until early morning hours, music blaring, drunk patrons making a racket and keeping everyone awake in the surrounding area. When they finally close up shop, the drunken patrons make their way to their cars parked all over the village, laughing, shouting, screaming, blowing their car hooters and speeding off. The following morning the streets are littered with empty beer bottles and broken glass.

This results in complaints from guests. Some don’t mention anything to management or staff, and sadly the first time we get to hear of it is through trip advisor or booking.com reviews.

The worst-case scenario is that guests insist to be moved to another room, and unfortunately this is not always possible during busy periods, therefore resulting in early departures, refunds and bad reviews.

Replication Mr Roux has a licenced Guest House” and this is a business objection which Mr Roux is a licence holder, and object for his own benefit.

Mr Bannister never explain on which how exactly Cubana is affecting his business directly, but merely as the residents.

Mr Roux mention "Windows and doors of the premises are kept open until early morning hours, music blaring, drunk patrons making a racket and keeping everyone awake in the surrounding area. " Cubana has no windows, and this is clear that he is confused with another premises, and he did not explain how he can determent how the noise is generated from Cabana. No sound can be heard from Cubana, from Java Street and further.

There are no record of any complaints lodged in that area at all.

1.8 **Objection; NAME:** The De Waterkant Civic Association

Replication:

First of all, the objector hired an Attorney to motivate his objection. This is highly irregular to hire somebody to motivate an objection.

The distances the Attorney mentioned, eg.

Residential properties: 5-10 m. - The pavement of Somerset road is 10 meters away from the door. How can a house (Java Street)be possibly, 5 – 10 away.

There is no 500-meter rule that exist. Even if this did exist, what is the rule.

He mentioned By Laws. But he never mentioned what the By Laws is all about. Our whole application is motivated around security measures which the By Laws demands.

His mentioning of previous complaints in this column, was already dealt with in 2015, and he took all the names out, which makes this highly suspicious.

The emails he presented, was without names, which can just as much be fabricated.

The (CQ1) of 55 residential apartments he mentioned, is only in the building process and not yet complete. No residents are even staying there now.

This objection is fabricated, and false.

Information he speaks about " Sokkie" is not accurate at all, this was a mentioning of similar places that was dealt with by Council in the past.

If the objector wrote his own objection, the facts could have been more relevant, but this is proof that, this attorney, is not familiar with the area at all.

We trust that the Sub Council will find abovementioned in order.

Yours faithfully


A. CROUS