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## REPORT TO SUBCOUNCIL 19

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1. ITEM NUMBER : **19SUB15/09/19**

2. SUBJECT

**EXTENSION OF LIQUOR TRADING HOURS APPLICATION: IN RESPECT OF: WCP/019267 GLENCAIRN KWIKSPAR FOR MONDAY TO SUNDAY EXTENDED OFF-CONSUMPTION TRADING HOURS**

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 24.4(2)

To approve, refuse or vary applications for extension of trading hours on premises where liquor licenses have been granted.

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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 2014 and came 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 was submitted to the Manager: Subcouncil 19 and then circulated to, relevant line departments, all organisations included on the Ward 61 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 license 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):

- GLENCAIRN KWIKSPAR
- GLENCAIRN SHOPPING CENTRE
- CNR GLENCAIRN & BIRKENHEAD WAY,
- GLENCAIRN

6.2.2 SubCouncil Manager confirmation: Advertising extent (Community participation) - Notices were sent via email and received the following Comments:

- Ward Councillor

To comment at Subcouncil meeting

- Subcouncil Chairperson

Response / email attached

- Community Based Organizations (As per CBO Database):

No comment received during the public participation period

- Ward Committee

Response / email attached

- CPF:

Response / email attached

- Other interested and affected parties

No comments received

- Internal departments:

- ❖ Traffic:

No comment received during the public participation period

- ❖ Law Enforcement

No comment received during the public participation period



## 7. RECOMMENDATION

Subcouncil 19 recommends that the application for extension of liquor licence trading hours received from reference no **WCP/019267 GLENCAIRN KWIKSPAR** for the extension of liquor trading hours be **APPROVED/REFUSED** for:

1. Monday to Saturday from 18:00 to 20:00, and
2. Sunday from 11:00 to 18:00 for off-consumption purposes.

If not supported, note the following grounds for disqualification.

Reasons for amended trading hours:

*The granting of the application prejudices-*

- (i) *The premises situated in a residential area;*
- (ii) *The problems associated with drunkenness and social ills (anti-social behaviour).*

### ANNEXURES:

A. Comments from relevant stakeholders

### FOR FURTHER DETAILS CONTACT:

<b>NAME</b>	<i>Desiree Mentor</i>
<b>CONTACT NUMBERS</b>	<i>021 400 7495</i>
<b>E-MAIL ADDRESS</b>	<i>Desiree.mentor@capetown.gov.za</i>
<b>DIRECTORATE</b>	<i>Urban Management</i>



**Desiree Mentor**  
**MANAGER: SUBCOUNCIL 19**

DATE 09 SEPTEMBER 2019

Comment:



**Cllr Patricia Francke**  
**CHAIRPERSON: SUBCOUNCIL 19**

DATE 09 SEPTEMBER 2019

Comment:

**From:** Patricia Francke  
**Sent:** Thursday, 20 June 2019 15:44  
**To:** Madoda Hlakula; Raquel Tahnee Harrison; Simon Liell-Cock; 'accastro.001@gmail.com'; Eileen Heywood; Cilla Bromley; Johann Kikillus (johann@soteriaministries.org.za)  
**Cc:** Desiree Mentor; Michaela Carla Williams; Zikhona Makinana  
**Subject:** RE: 18 June 2019: GLENCARIN KWIKSPAR: WCP/019267: EXTENDED LIQUOR APPLICATION FOR MONDAY TO SUNDAY TRADING

I have no objection

Regards

**Cllr Patricia Francke**  
Chairperson: Subcouncil 19

Fish Hoek Admin Offices, Recreation Road, Fish Hoek  
Tel: 021 444 1711 | Cell: 079 588 2305 | Email: [patricia.francke@capetown.gov.za](mailto:patricia.francke@capetown.gov.za) | Web: [www.capetown.gov.za](http://www.capetown.gov.za)

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**From:** Madoda Hlakula <Madoda.Hlakula@capetown.gov.za>  
**Sent:** Tuesday, 18 June 2019 12:38 PM  
**To:** Raquel Tahnee Harrison <RaquelTahnee.Harrison@capetown.gov.za>; Simon Liell-Cock <Simon.LiellCock@capetown.gov.za>; Patricia Francke <Patricia.Francke@capetown.gov.za>; 'accastro.001@gmail.com' <accastro.001@gmail.com>; Eileen Heywood <ehey212@gmail.com>; Cilla Bromley <cilla@bromley.co.za>; Johann Kikillus (johann@soteriaministries.org.za) <johann@soteriaministries.org.za>  
**Cc:** Desiree Mentor <Desiree.Mentor@capetown.gov.za>; Michaela Carla Williams <Michaela.Williams@capetown.gov.za>; Zikhona Makinana <Zikhona.Makinana@capetown.gov.za>  
**Subject:** RE: 18 June 2019: GLENCARIN KWIKSPAR: WCP/019267: EXTENDED LIQUOR APPLICATION FOR MONDAY TO SUNDAY TRADING

I have no objection with this application.

**From:** Raquel Tahnee Harrison <RaquelTahnee.Harrison@capetown.gov.za>  
**Sent:** Tuesday, June 18, 2019 10:22 AM  
**To:** Simon Liell-Cock <Simon.LiellCock@capetown.gov.za>; Patricia Francke <Patricia.Francke@capetown.gov.za>; 'accastro.001@gmail.com' <accastro.001@gmail.com>; Eileen Heywood <ehey212@gmail.com>; Cilla Bromley <cilla@bromley.co.za>; Johann Kikillus (johann@soteriaministries.org.za) <johann@soteriaministries.org.za>; Madoda Hlakula <Madoda.Hlakula@capetown.gov.za>  
**Cc:** Desiree Mentor <Desiree.Mentor@capetown.gov.za>; Michaela Carla Williams <Michaela.Williams@capetown.gov.za>; Zikhona Makinana <Zikhona.Makinana@capetown.gov.za>  
**Subject:** 18 June 2019: GLENCARIN KWIKSPAR: WCP/019267: EXTENDED LIQUOR APPLICATION FOR MONDAY TO SUNDAY TRADING

**From:** Eileen Heywood <ehey212@gmail.com>  
**Sent:** Tuesday, 18 June 2019 13:13  
**To:** Raquel Tahnee Harrison  
**Subject:** Re: 18 June 2019: GLENCARIN KWIKSPAR: WCP/019267: EXTENDED LIQUOR APPLICATION FOR MONDAY TO SUNDAY TRADING

No objection

On Tue, Jun 18, 2019 at 10:23 AM Raquel Tahnee Harrison <[RaquelTahnee.Harrison@capetown.gov.za](mailto:RaquelTahnee.Harrison@capetown.gov.za)> wrote:

Good day All

This mail is for your attention – please can you submit your comments by **Tuesday, 02 July 2019**.

Regards

**Raquel Tahnee Harrison**  
Admin Officer: Subcouncil 19 – Area South

Urban Management

Fish Hoek Admin Offices, Recreation Road, Fish Hoek

**Tel:** 021 444 9503 | **Email:** [Raquel.harrison@capetown.gov.za](mailto:Raquel.harrison@capetown.gov.za) | **Web:** [www.capetown.gov.za](http://www.capetown.gov.za)

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