

SUBCOUNCIL 16

1. ITEM NUMBER: 16 SUB 12/12/2022

2. SUBJECT

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF CHECKERS CENTURY CITY, SHOP 11 CANAL WALK, SABLE ROAD, CENTURY CITY: OFF CONSUMPTION MONDAY – SATURDAY 18:00-20:00

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

3. FOR DECISION BY

SubCouncil in terms of Delegation 4(2)

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

4. 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 16 Manager, and was then circulated to abutting neighbours, all organisations included on the Ward 55 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.
- (10) The basis and rationale behind all decision-making must be recorded.

5. DISCUSSION

- 5.1 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.
- 5.2 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
- 5.2.1 Details of application (see attached Annexure A):
 - Checkers Century City
 - Liquor Licence No: WCP/030170
 - OFF Consumption 18:00– 20:00, Monday-Saturday
 - Shop 11 Canal Walk, Sable Road, Century City
- 5.2.2 SubCouncil Manager confirmation: Advertising extent (Community participation) Notices served on and received the following Comments:
 - Ward Councillor: 2022/10/24: (See attached Annexure B)
 - Cllr Fabian Ah-Sing: Supported
 - Abutting neighbours: 2022/11/16:
 - No comments received.

- Community Organizations: 2022/10/24: (See attached Annexure B)
 - ❖ Patricia: Paarden Eiland CID: Supported
 - ❖ Christiana Groenewoud: Milnerton Central Ratepayers: Supported
- Ward Committee of Ward 55: 2022/10/24:
 - No comments received.
- Internal departments:
 - Health Department:
 Compliant see attached Annexure A
 - <u>Law Enforcement Squad</u>
 Compliant see attached <u>Annexure A</u>

6. RECOMMENDATION

That Subcouncil 16 considers the application for the extension of liquor trading hours submitted by **CHECKERS CENTURY CITY**, Shop 11 Canal Walk, Sable Road, Century City as well as the various comments received, and resolve to approve, refuse or vary the application for extension of trading hours from 18:00-20:00, Monday to Saturday.

ANNEXURES:

- A. Application submitted by **Checkers Century City** including comments by Health, and Safety and Security
- B. Comments received from Ward Councillor and Community Organisations in support of the application.

POPIA DISCLAIMER:

The City of Cape Town is committed to respecting the privacy and personal rights of everyone who uses or enquires about our services. Protecting your privacy and personal information, as defined in the Protection of Personal Information Act, Act 4 of 2013, will be respected.

Please note that the information provided in the document will be used to process the relevant application/input into the relevant decision-making process. This will involve the processing of such information and may require the information to be shared and included in public reports and documents. By providing information in this document, you have agreed to such further processing of the information provided.

FOR FURTHER DETAILS CONTACT:

	Girshwin Fouldien
NAME CONTACT NUMBERS	021 487 2055
8	Girshwin.Fouldien@capetown.gov.za
E-MAIL ADDITE	Urban Management Area North
DIRECTORATE	and the state of t

SUBCOUNCIL 16	Comment:
MANAGER Girshwin Fouldien	
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DATE 5/12/02/	
	Comment:
SUBCOUNCIL 16 CHAIRPERSON Ald Matthew Kempthorne	
Date 5/12/2022	_

ANNEXURE A



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 FOR EXTENSION OF LIQUOR TRADING HOURS FROM 18:00 TO 20:00, MONDAY TO SATURDAY FOR OFF-CONSUMPTION PREMISES	, 2013,
All fields must be filled in	_
DETAILS OF LICENCEE	
1. Liquor license number WCP / 030170	
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	
	\equiv
4. Name and address of the licensed premises	
CHECKERS CENTURY CITY	
SHOP 11 CANAL WALK	
SABLE ROAD)
CENTURT CITY 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. (5021	
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6. Contact number	
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 mation furnished in this application and in any documents attached to it, is true.	
Signature (12/09/2022)	
(written authorisation to sign on behalf of licensee to be attached)	
Name (printed) IAN THOMSON Application prepared by IAN THOMSON	
Postal address SHOPRITE CHECKERS (PTY) LTD	
	\equiv
Work tel: Cell:	\equiv
Env. (B)	=
Signature Date 12/09/2022 E-mail: (ithomson@shoprite.co.za	
(written authorisation to sign on behalf of licensee to be attached)	
Name (printed) IAN THOMSON	

Liquor licence number	MCP/030170
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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

PERTAINING TO	THE MENTIONED PREMISES,	NAMELY, CHECKERS	CENTURY CITY, SITUA	TED AT, SHOP11	, CANAL WALK, SABLE
SHOPPING CEN	TRE, MELKHOUT CRESCENT, F	IOUT BAY. IT WAS AS	CERTAINED THAT THE	APPLICANT DID	RENEW HIS LIQUOR
LICENSE FOR 20	22. NO COMPLAINTS WERE R	ECEIVED BY THE LIQU	JOR UNIT WITH REGA	RD TO THIS ESTA	ABLISHMENT. THE
REPORT RECEIV	ED FROM THE DESIGNATED S	APS STATION SUPPO	RTS THE APPLICATION	FOR THE EXTER	ISION OF LIQUOR
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oplication Fee		Receipt number		payment date	The second secon

SHOPRITE/CHECKERS HEAD OFFICE CREDITORS PAYMENT ADVICE

ZAPR PAYMENT ADVICE CMPF RUN ON 13/09/2022 at 11:01 PAGE 1 PAGE 1 of 1

997 - SHOPRITE CHECKERS PTY LTD - SOUTH AFRICA

7100092753 PO BOX 655 CAPE TOWN 8000	CITY OF	Cape Town			Terms:	т	000		· · · · · · · · · · · · · · · · · · ·	_
DESCRIPTION	OUR DOCUMENT	YOUR DATE	YOUR DOCUMENT	BRANCH CODE	BRANCH NAME	ORDER / GRV	DISC AMOUNT	DISC %	AMOUNT	(+/-)
**START OF & IDENTIFICAT		/ 13.09	. 2022			EF	T No: 23000	14003		
COMPANY CO	E: 997									
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Discount Split :
Settlement : 0.00%
Rebate : 0.00%
Adspent : 0.00%
W/House Allowance : 0.00%
END OF SUPPLIER



NOTIFICATION OF PAYMENT

To whom it may concern:

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

Date Actioned

: 2022-09-13

Time Actioned

: 09:25:52

Trace Id

: VODSL2XZ3PXJ

Payer Details

Payment From

: Shoprite/checkers (pty) Ltd

Amount

: 199245.00

Payee Details

Recipient/Account no

Recipient Name

Bank

Branch Code

Recipient Reference

Channel

: CITY OF CAPE TO

Nedhank Limited

: 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 First National Bank Limited to send this notification of payment to you. Should you have any queries regarding the contents of this notice, please contact the payer. First National Bank Limited does not guarantee or warrant the accuracy and integrity of the information and data transmitted electronically and we accept 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 BankA division of FirstRand Bank Limited. An Authorised Financial Services and Credit Provider (NCRCP20). An Authorised Financial Services and Credit Provider (NCRCP20).



Western Cape Liquor Authority

Shoprite Checkers (Pty) Ltd' P.O. Box 1618 BRACKENFELL 7561



FORM 21A

adaminaken intermentari mengahakan dan mengahakan birangan bangan pengangan pengangan mengangan pengangan pengang

BIENNIAL LICENCE RENEWAL NOTICE:

FEES PAYABLE IN RESPECT OF A LIQUOR LICENCE FOR:

THE TWO YEARS 2022 AND 2023

(REG. 30(1))

Central

LIQUOR AUTHORITY REFERENCE NUMBER: WCP/030170

Name of licensee: Shaprite Checkers (Pty) Ltd'

Address of the licensed premises: Shop 11, Sable Road, Montague Gardens, CENTURY CITY, 7441

(If the residential or postal address has changed, please also supply the new address to the following e-mail address: liquor.enquiries@wcla.gov.za.)

Category of licence: Consumption Off

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

Biennial: R 10,004, payable on or before 31 December 2021

Please Note:

1. Payment must be made by direct deposit into the following bank account of the Authority:

Bank: Nedbank

Account holder: Western Cane Liquor Authority

Account number

Branch code:

Please use your licence number (WCP/030170) as the reference on the deposit slip.

Kindly email proof of payment to Finance@wcla.gov.za

- 2. A licence tapses on 1 January of the year in respect of which the applicable renewal fee is not paid on or before 31 December of the preceding year. See section 62(2)(b).
- 3. A licence that has lapsed in this way becomes valid again only if the applicable renewal fee is paid along with a penalty of 50% on or before 31 January, or with a penalty of 100% on or before the last day of February of the year in respect of which the renewal fees had to be paid. See section 62(3)(a)(i) and (ii).
- 4. A licensee who has falled 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 21C) to the Chief Executive Officer for condonation of such failure, and the Chief Executive Officer may condone the failure and allow the late payment of the prescribed fee by a date to be determined by the Authority, subject to the payment of the renewal fee plus a penalty of 150%. See section 63(4).

SHOPRITE/CHECKERS HEAD OFFICE CREDITORS PAYMENT ADVICE

ZAPR PAYMENT ADVICE CMPF RUN ON 03/12/2021 at 13:55 PAGE 1 PAGE 1 of 2

997 - SHOPRITE CHECKERS PTY LTD - SOUTH AFRICA

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			WCP/028214	872 2599	CS TABLE VIEW	i	0.00	0.000		0,004.00
			WCP/028327 WCP/028402	1569	CC SOMERSET WEST	1	0.00	0.000		0,004.00
			WCP/028499	1844	CC SEA POINT		0.00	0.000		0,004.00
			WCP/028560	2183	CS EIKESTAD MALL	İ	0.00	0.000		0,004.0
			WCP/028652	343	CS BOTHASIG	1	0.00	0.000		0,004.0
			WCP/028707	6462	CS MALMESBURY	İ	0.00	0.000	ינ	0,004.0
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			WCP/033601	45078	CC MOUNTAIN MILL	ļ	0.00	0.000		0,004.0
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			WCP/036357 WCP/036530	55160	CC DE GRENDEL	1	0.00	0.000		0,004.0
			WCP/036698	1103	CS MEADOWRIDGE		0,00	0.000		0,004.0
			WCP/036796	54952	CC VAN DER LINGEN	1	0.00	0.000		0,004.0
			WCP/037420	57798	CC BREDASDORP		0.00	0.000		0,004.0
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			WCP/039083	30732	HC PARKLANDS (SANDOW	rį	0.00	0.000		0,004.0
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NOTIFICATION OF PAYMENT

To whom it may concern:

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

Date Actioned

: 2021-12-03

Time Actioned

: 10:46:42

Trace Id

: VOD\$GN7WDTZH

Payer Details

Payment From

: Shoprite/checkers (pty) Ltd

Amount

: 490196.00

Payee Details

Recipient/Account no Recipient Name

Bank

Branch Code

Recipient Reference

Channel



: WESTERN CAPE LI

: Nedbank Limited

: SHOPRITE-7100103513

: 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 First National Bank Limited to send this notification of payment to you. Should you have any queries regarding the contents of this notice, please contact the payer. First National Bank Limited does not guarantee or warrant the accuracy and integrity of the information and data transmitted electronically and we accept 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 BankA division of FirstRand Bank Limited. An Authorised Financial Services and Credit Provider (NCRCP20). An Authorised Financial Services and Credit Provider (NCRCP20).

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

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 for and on behalf of the Company to undertake and 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:

- DIRECTOR

JVR BRÖM

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 end

June

Main Business/Main Object

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

Postal address

P O BOX 215 BRACKENFELL 7561

Address of registered office

WILLIAM DABS AND OLD PAARL ROAD

BRACKENFELL

7560



The Companies and Intellectual Property Commission of South Africa

P.O. BOX 429, PRETORIA, 0001, Republic of South Africa Docex 256, PRETORIA

Ceil Centre Tel 986 100 2472, Website www.cipc.co.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				
Surname and first names	ID number or date of birth	Director type	Appoint- ment date	Addresses
SHOPRITE HOLDINGS, as a secretary of M1929001817		Secretary (Companies and CC's)	02/11/1998	Postal:
		401 ,		Residential:
BOSMAN, MARIUS		Director	17/06/1999	Postali
				Preservation
NEL, ETIENNE LOURENS		Director	17/06/1999	Dontal
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				Reasonation
VAN DER MERWE, PHILIP BAUKE		rector	17/06/1999	Postal: B
				F
HARISUNKER, BHIKRAM		Director	17/06/1999	Postal:
		,		residentials



The Companies and intellectual Property Commission of South Africa

P O BOX 429, PRETORIA, 0001, Republic of South Africa Docex 256, PRETORIA

Cell Centre Tel 086 100 2472, Website www.cipc.co.za



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

Registered Financial Service Provider : Reg. no. 7732

Annexure B

City of Cape Town

Application for extension of trading hours:

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



REGISTERED OFFICE: CNR WILLIAM DARS & OLD BAARL BOARS BO BOX 215. BRACKENFELL, 7561. SOUTH AFRICA

ANNEXURE B

Shireen Maggott

From:

Cllr Fabian Ah Sing

Sent:

Tuesday, 25 October 2022 13:50

To:

Shireen Maggott

Subject:

RE: CHECKERS CENTURY CITY - OFF CON: Mon-Sat (W55 CLLR WC COD)

Kind regards,

Councillor Fabian Ah-Sing (Ward 55)

Chairperson: Corporate Services Portfolio Committee

COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FORM

P Su	Please complete the information below and return to Subcouncil SC 16, 11 th Floor, 44 Wale Street, Cape Town									
Applicant Details	CHECKERS CENTURY CITY OFF CON (MON-SAT)									
APPLICATION	SUPPORTED	x	NOT SUPPORTED							
	Aged or Frail Care Centre									
Please indicate whether the	Rehab, Drugs / Alcohol Centre									
business is LOCATED near	School(s)									
	Other									
PARKING										
REASONS FOR NOT SUPPORTING										
	ORGANISATION/OB	JECTOR	DETAILS							
NAME	Cllr Fabian Ah-Sing									
DATE	25 October 2022									

Shireen Maggott

From:

Patricia < cidmanager@paardeneilandcid.co.za>

Sent:

Monday, 31 October 2022 17:03

To: Subject: Shireen Maggott

RE: CHECKERS CENTURY CITY - OFF CON: Mon-Sat (W55 CLLR WC COD)

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

Please complete the information below and return to Subcouncil SC 16, 11 th Floor, 44 Wale Street, Cape Town							
Applicant Details			S CENTURY CITY N (MON-SAT)				
APPLICATION	SUPPORTED	YES	NOT SUPPORTED				
Please indicate whether the	Aged or Frail Care Centre						
	Rehab, Drugs / Alcohol Centre						
business is LOCATED near	School(s)						
	Other						
PARKING							
REASONS FOR NOT SUPPORTING							
	ORGANISATIO	ON/OBJECTO	R DETAILS				
NAME	Paarden Eiland City Imp	orovement I	District				
DATE	31 October 2022						

Shireen Maggott

From:

Christiana Groenewoud < cgroenewoud 23@gmail.com>

Sent:

Thursday, 17 November 2022 09:48

To: Subject: bouwe@diemoot.net; Shireen Maggott RE: CHECKERS CENTURY CITY - OFF CON: Mon-Sat (W55 CLLR WC COD)

CAUTION: This email catellitated outside outline Clyvor Cope Town's Inclinent, Please do not click an any Inks. or openial telephone and unless you know did strust the source. STOP, THINK: VERIEV

Dear Shireen

The Milnerton Central Ratepayers Association has no objection to the granting of the extension.

Kind regards Christiana Groenewoud

Sent from Mail for Windows