



1. ITEM NUMBER: 03SUB 35/09/2021

2. SUBJECT

APPLICATION FOR THE RENEWAL OF EXTENDED LIQUOR TRADING HOURS: FOR OFF-CONSUMPTION PREMISES MONDAY TO SATURDAY (18:00 TO 20:00) AND SUNDAY (11:00 – 18:00) TRADING IN RESPECT OF WARD 107: PICK N PAY LIQUORS, SUNNINGDALE, WEST COAST VILLAGE SHOPPING CENTRE, WEST COAST & SANDOWN ROAD: WCP/039960

ONDERWERP

AANSOEK OM HERNUWING VAN VERLENGDE DRANKHANDELSURE: VIR BUITEVERBRUIKPERSEEL VIR DRANKHANDEL VAN MAANDAG TOT SATERDAG (18:00 TOT 20:00) EN SONDAG (11:00 – 18:00) TEN OPSIGTE VAN WYK 107: PICK N PAY LIQUORS, SUNNINGDALE, WEST COAST VILLAGE-WINKELSENTRUM, WESKUSPAD EN SANDOWNWEG, SUNNINGDALE: WCP/039960

ISIHLOKO

ISICELO SOKUHLAZIYWA NGOKUTSHA KWEYURE EZANDISIWEYO ZOKUTHENGISWA KOTYWALA: KWIZAKHIWO EKUNGASELELWA KUZO NGOMVULO UKUYA NGOMGQIBELO (NGEYE18:00 UKUYA KWEYE20:00) KUNYE NOKUTHENGISA NGECAWE (NGEYE11:00 UKUYA KWEYE18:00) NGOKUJOLISWE KWIWADI 107: PICK N PAY LIQUORS, SUNNINGDALE, WEST COAST VILLAGE SHOPPING CENTRE, WEST COAST & SANDOWN ROAD: WCP/039960

3. 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

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 107** 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):

- **PICK N PAY LIQUORS, SUNNINGDALE - SUNNINGDALE**
- Liquor Licence No: **WCP/039960**
- Off-Consumption
- **WEST COAST & SANDOWN ROAD, SUNNINGDALE** Current trading hours: **Monday – Saturday 09:00 to 20:00 and Sundays 11:00 to 18:00** with extension granted.
- Proposed trading hours: Monday – Saturday 18:00 – 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: Councillor Nicky Rheeder
Supported.
- Community Organisations:
No comments received.
- Other
No comments received.
- Ward Committee of Ward 107:
No comments received
- Other Subcouncil 3 Councillors:
Councillor Christiana Groenewoud - Supported.

- INTERNAL DEPARTMENT:

- ❖ Safety & Security (Liquor Control):

- Pertaining to the mentioned premises, namely, Pick n Pay Liquors, Sunningdale, situated at, Shop1, West Coast Village Shopping Centre, West Coast & Sandown Road, Sunningdale. It was ascertained that the applicant did renew his liquor license for 2021. 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 due to the covid-19 pandemic and the SAPS maintaining the lockdown regulations.

7. 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 **WARD 107: PICK N PAY LIQUORS, SUNNINGDALE, WEST COAST VILLAGE SHOPPING CENTRE, WEST COAST & SANDOWN ROAD**, subject to the following conditions:

- a) That the application for the renewal of extended trading hours (off-consumption) submitted by **WARD 107: PICK N PAY LIQUORS, SUNNINGDALE, WEST COAST VILLAGE SHOPPING CENTRE, WEST COAST & SANDOWN ROAD**, **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) This application is also subject to compliance with all relevant by-laws of the City of Cape Town.
- d) This application will be valid for 12 months from the date of the decision subject to the possession of a valid liquor licence.
- e) That the extension granted is subject to the specific level of lockdown regulations applicable.

AANBEVELING

Daar word aanbeveel dat die subraad oorweging skenk aan die aansoek om die hernuwing van die verlenging van drankhandelsure (buiteverbruik) van Maandag tot Saterdag 18:00 tot 20:00 en Sondag 11:00 tot 18:00 ingedien deur **WYK 107: PICK N PAY LIQUORS SUNNINGDALE, WEST COAST VILLAGE-WINKELSENTRUM, WESKUSPAD EN SANDOWNWEG, SUNNINGDALE**, onderworpe aan die volgende voorwaardes:

- a) Dat die aansoek om hernuwing van verlengde drankhandelsure (buiteverbruik) ingedien deur **WYK 107: PICK N PAY LIQUORS, SUNNINGDALE, WEST COAST VILLAGE-WINKELSENTRUM, WESKUSPAD EN SANDOWNWEG, SUNNINGDALE** van Maandag tot Saterdag van 18:00-20:00 en Sondag van 11:00-18:00 oorweeg word aangesien dit voldoen aan die kriteria vervat in die Stad Kaapstad: Verordening op die Beheer van Ondernemings wat Drank aan die Publiek Verkoop, 2013.
- b) Indien klagtes oor geraas en/of wilde gedrag van klante ontvang word, dit ondersoek sal word en tot die herroeping van die verlengde handelsure kan lei en ook na die Wes-Kaapse drankowerheid verwys sal word wat die hernuwing van die dranklisensie in gedrang kan bring.
- c) Hierdie aansoek is ook onderworpe aan die nakoming van alle toepaslike verordeninge van die Stad Kaapstad.
- d) Hierdie aansoek is vir 12 maande geldig vanaf die datum van die besluit onderworpe aan die besit van 'n geldige dranklisensie.
- e) Die verlenging onderworpe is aan die spesifieke vlak inperkingsregulasies wat van toepassing is.

ISINDULULO

Kundululwe ukuba iBhungana **malithathele ingqalelo** isicelo sokuhlaziywa ngokutsha kweeyure zokuthengiswa kotywala ezandisiweyo (obuselelwa ngaphandle) ngoMvulo ukuya ngoMgqibelo (ngeye18:00 ukuya kweye20:00) kunye nokuthengisa ngeCawe (ngeye11:00 ukuya kweye18:00) esingeniswe **YIWADI 107: PICK N PAY LIQUORS, SUNNINGDALE, WEST COAST VILLAGE SHOPPING CENTRE, WEST COAST & SANDOWN ROAD, ,** ngokuxhomekeke kule miqathango ilandelayo:

- a) Ukuba makuthathelwe ingqalelo isicelo sokuhlaziywa ngokutsha kweeyure ezandisiweyo zokuthengiswa kotywala (obuselelwa ngaphandle) esingeniswe **YIWADI 107: PICK N PAY LIQUORS, SUNNINGDALE, WEST COAST VILLAGE SHOPPING CENTRE, WEST COAST & SANDOWN ROAD**, nanjengoko sithobela uluhlu lwemiqathango oluqukwe kuMthetho kaMasipala ongoLawulo lweMigaqo yokuThengiswa koTywala eLuntwini kwiSixeko saseKapa, wango2013.

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 kuhlaziye isicelo sephephamvume lokuthengisa utywala.

c) Esi sicelo kwakhona sixhomekeke ekuthotyelweni kwayo yonke imithetho kamasipala weSixeko saseKapa efanelekileyo.

d) Esi sicelo sizakuthatha isithuba esizinyanga ezili12 ukususela ngomhla wokuthathwa kwesigqibo ngokuxhomekeke ekubeni unayo na ilayisenisi esemthethweni yokuthengisa utywala.

e) Ukuba ukwandiswa kweeyure okunikezelweyo kuxhomekeke kwin-qanaba elithile lemigaqo esebenzayo yommiselo wokuhlala ezindlini.

ANNEXURES:

A. Application submitted by Pick n Pay Liquors, Sunningdale, West Coast Village Shopping Centre, West Coast & Sandown Road, Sunningdale.

FOR FURTHER DETAILS, CONTACT:

| | |
|------------------------|--|
| NAME | <i>Deidre Prinsloo</i> |
| CONTACT NUMBERS | <i>021 444-4864</i> |
| E-MAIL ADDRESS | <i>Deidre.Prinsloo@capetown.gov.za</i> |
| DIRECTORATE | <i>Urban Management</i> |

ROXANNE MOSES
SUBCOUNCIL 3: MANAGER

DATE _____

Comment: _____

CLLR NICKY RHEEDER
SUBCOUNCIL 3
CHAIRPERSON

Date _____

Comment: _____

ANNEXURE A

RECEIVED: 12/07/2021



CITY OF CAPE TOWN | ECONOMIC DEVELOPMENT | ROAD EXPANSION

CITY HEALTH

Form 3
SUNDAY OFF-CONSUMPTION TRADING

THIS CITY WORKS FOR YOU

RENEWAL

REF: 186401

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/039960

2. Full name of licensee: Pick 'n Pay Retailers (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)

Annexure A

4. Name and address of the licensed premises

Pick 'n Pay Liquor (Sunningdale)
Shop 1, West Coast Village Shopping Centre
West Coast and Sundown Road
Sunningdale

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. Erf 32704
Sunningdale

6. Contact number

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

Annexure B

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

Signature: [Signature] Date: 19/5/2021

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

Name (printed): [Redacted]

Postal address: [Redacted]

[Redacted]

[Redacted]

Work tel: [Redacted]

Fax: [Redacted]

Signature: [Signature] Date: 19/5/2021

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

Name (printed): [Redacted]

Liquor licence number WOP/338960

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, PICK N PAY LIQUOR (SUNNINGDALE), SITUATED AT, SHOP 1, WEST COAST VILLAGE SHOPPING CENTRE, WEST ROAD AND SUNDOWN ROAD, SUNNINGDALE, IT WAS ASCERTAINED THAT THE APPLICANT DID RENEW HIS LIQUOR LICENSE FOR 2021. NO COMPLAINTS WERE RECEIVED BY THE LIQUOR UNIT WITH TO THIS ESTABLISHMENT. THIS APPLICATION WAS SUBMITTED TO THE PROVINCIAL OFFICE OF SAPS' LIQUOR CONTROL FOR COMMENTS, HOWEVER, NO FEEDBACK HAS BEEN RECEIVED DUE TO THE COVID-19 PANDEMIC AND THE SAPS MAINTAINING THE LOCKDOWN REGULATIONS.

Marilyn Holding
 Assistant Chief
LAW ENFORCEMENT
10001005

Name of Official

Signature

Date

03 JUL 2021

Deliver and keep in

LAW ENFORCEMENT

This applicant must now hand the application form in at the designated Environmental Health Office. Please note: As from 01 July 2020 a non-refundable Application fee of R60 000.00 (Vat inclusive) is payable into Profit centre 10270173 DAL 810400. Payment can be made at any cash office of the City. Proof of payment must from 1 July 2020 accompany the application when handing it in at the designated Environmental Health Office.

Application Fee

Receipt number

payment date

RECEIVED: 12/07/2021



CITY OF CAPE TOWN | FORTIFIED SOCIETIES | ROAD SAFETY

Form 2
MONDAY TO SATURDAY EXTENDED OFF-CONSUMPTION TRADING HOURS

CITY HEALTH

RENEWAL

THIS CITY WORKS FOR YOU

REF: 186400

APPLICATION IN TERMS OF SECTION 8 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/039960**

2. Full name of licensee **Pick'n Pay Retailers (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)

Annexure A

4. Name and address of the licensed premises

Pick'n Pay Liquor (Sunningdale)

Shop 1, West Coast Village Shopping Centre

West Coast and Sundown Road

Sunningdale

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. **Erf 32704**

Sunningdale

6. Contact number

[Redacted]

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

Annexure B

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

Signature **[Signature]** Date **17/5/2021**

(written authorisation is given on behalf of licensee to be attached)

Name (printed) [Redacted] Application prepared by [Redacted]

Postal address [Redacted] Physical address [Redacted]

[Redacted] [Redacted]

[Redacted] [Redacted]

Work tel: [Redacted] Cell: [Redacted]

Fax: [Redacted] E-mail: [Redacted]

Signature **[Signature]** Date **17/5/2021**

(written authorisation is given on behalf of licensee to be attached)

Name (printed) [Redacted]

Liquor licence number WCP039360

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, PICK N PAY LIQUOR (SUNNINGDALE), SITUATED AT, SHOP 1, WEST

COAST VILLAGE SHOPPING CENTRE, WEST ROAD AND SUNDOWN ROAD, SUNNINGDALE. IT WAS ASCERTAINED THAT THE

APPLICANT DID RENEW HIS LIQUOR LICENSE FOR 2021. 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 DUE TO THE COVID-19 PANDEMIC AND THE SAPS MAINTAINING

THE LOCKDOWN REGULATIONS.

Marilyn Holding
Assistant Chief
LAW ENFORCEMENT
10001005

Name of Official

Signature

Steinang

Date

01 JUL 2021

Chief and Deputy

LAW ENFORCEMENT

This applicant must have paid the application fee in at the designated Enforcement Health Office. Please note: As from 01 July 2020 a non-refundable Application fee of R4 426.00 (Vat inclusive) is payable into Profit centre 18078173 (S/L 848488). Payment can be made at any cash office of the City. Proof of payment must form 1 July 2020 accompany the application when handing it in at the designated Enforcement Health Office.

Application Fee

Receipt number

payment date