

**CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD**

*Making progress possible. Together.*

## **SUBCOUNCIL 16**

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**1. ITEM NUMBER : 16 SUB 62/10/2022**

**2. SUBJECT**

**APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF: THE VILLAGE IDIOT, 80 STRAND STREET-32 LOOP STREET, C/O LOOP & WATERKANT STREETS, CAPE TOWN, ON CONSUMPTION: 02:00-04:00**

**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 4(2)

To approve, refuse or vary applications for extension of trading hours on premises where liquor licences 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 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 115 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.

## 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):

- **THE VILLAGE IDIOT**
- Liquor Licence No: WCP/033066
- ON Consumption
- 80 Strand Str-32 Loop Str, Cnr Loop & Waterkant Streets, Cape Town
- Extension of trading hours: 02:00 until 04:00.

#### 6.2.2 SubCouncil Manager confirmation: Advertising extent (Community participation) - Notices served on and received the following Comments/Concerns:

- Ward Councillor: 2022/09/21  
No response received.
- Abutting Neighbours: 2022/09/26: (See attached Annexure B)
  - ❖ Simon Riley: EMIRA: Supported
  - ❖ John Papadakis: Vermouth Bar: Supported
  - ❖ Jean-Pierre Moggee: Not Supported
  - ❖ J. Cesswell: Resident: Not Supported
- Community Organizations: 2022/09/21: (See attached Annexure B)
  - ❖ CT CCID: Muneeb Hendricks: Supported
- **Internal departments:**
  - ❖ Town Planning:  
Compliant – see attached Annexure A.
  - ❖ Health Department:  
Compliant – see attached Annexure A
  - ❖ Law Enforcement Squad  
Compliance Notice for noise issued on 22 January 2022  
Spot Fine issued for failing to maintain the fire extinguisher

## RECOMMENDATION

That Subcouncil 16 considers the application for the extension of liquor trading hours submitted by **THE VILLAGE IDIOT**, as well as the various comments received, and resolve to approve, refuse or vary the application for extension of trading hours until 04:00.


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## ANNEXURES:

- A. Application submitted by **THE VILLAGE IDIOT**, including comments by Health, Planning and Safety and Security
- B. Comments from Abutting neighbours and Community Organisation in support; and objections received from residents
- C. Rebuttal on objections received

## FOR FURTHER DETAILS CONTACT:

<b>NAME</b>	<i>Girshwin Fouldien</i>
<b>CONTACT NUMBERS</b>	<i>021 487 2055</i>
<b>E-MAIL ADDRESS</b>	<i>Gershwin. Fouldien@capetown.gov.za</i>
<b>DIRECTORATE</b>	<b>Corporate Services</b>

  
SUBCOUNCIL 16  
MANAGER  
Girshwin Fouldien

Comment:

DATE

11/10/2022

Alderman  
Matthew  
Kempthorne

Digitally signed by  
Alderman Matthew  
Kempthorne  
Date: 2022.10.12 11:45:08  
+02'00'

Comment: \_\_\_\_\_

SUBCOUNCIL 16  
CHAIRPERSON :  
Ald Matthew Kempthorne

Date \_\_\_\_\_

# ANNEXURE A



**CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD**

**CITY HEALTH**

**Colleen Heldsinger**

T: 0214006513

F:

E: [colleen.heldsinger@capetown.gov.za](mailto:colleen.heldsinger@capetown.gov.za)

**19/09/2022**

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

**Liquor Licence Reference Number:** 187645  
**Liquor Licence Number:** WCP/033066 .  
**Licensee Name:** Reg Macdonald  
**Premises Name:** The Village Idiot  
**Premises Address:** 80 Strand Street-32 Loop  
Street  
C/O Loop & Waterkant Street  
Cape Town CBD  
8001

**Date of Application Submission:**

**Date Application captured:** 2022/09/16

**Disclaimer**

1. Submission of this application does not grant the right to extend liquor trading hours. Approval to be first obtained from the relevant Sub-Council.
2. The application fee is non-refundable.



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 FOR ON-CONSUMPTION PREMISES

All fields must be filled in

DETAILS OF LICENCEE

1. Liquor license number WCP/033086

2. Full name of licensee REG MACDONALD

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)

N/A

4. Name and address of the licensed premises

THE VILLAGE IDIOT

80 STRAND STREET, 32 LOOP STREET

CNR LOOP & WATERKANT STREET

CAPE TOWN, 8001

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. 146708

80 STRAND STREET, 32 LOOP STREET

CNR LOOP & WATERKANT STREET

CAPE TOWN, 8001

6. Daytime contact number

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

REFER TO ANNEXURE

8. What is the licensee's current permitted hours of trading

11H00 - 02H00

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

Signature [Signature] Date 02/06/2022

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

Name (printed) SACARO MOTTO

Application prepared by SAUNDERS ATTORNEYS

Postal address PO BOX 1742

Physical address 2ND FLOOR, WAALBURG BUILDING

CAPE TOWN

28 WALE STREET, CAPE TOWN

8000

8001

Work tel: [Redacted]

Cell: [Redacted]

Fax: N/A

E-mail: [Redacted]

Signature [Signature] Date 02/06/2022

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

Name (printed) SACARO MOTTO

Liquor licence number

WCP/033066

**FOR OFFICIAL USE ONLY  
LAND USE**

To certify valid category

Category 3 yes ☒ no ☐  
 Category 4 yes ☐ no ☐  
 Category 5 yes ☐ no ☐

Name of official

CR Bester

Signature

Date

03/06/2022

(If the premises does not fall into one of these three categories, the application will not be considered any further)

**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, THE VILLAGE IDIOT,  
 SITUATED AT 80 STRAND STREET, 32 LOOP STREET, CNR LOOP &  
 WATERKANT STREET, CAPE TOWN. IT WAS ASCERTAINED THAT THE  
 APPLICANT DID RENEW HIS LIQUOR LICENSE FOR 2022. A COMPLAINT  
 WAS RECEIVED BY THE LIQUOR UNIT WITH REGARD TO THIS  
 ESTABLISHMENT AND, ON THE 22nd JANUARY 2022, A COMPLIANCE  
 NOTICE WAS ISSUED FOR NOISE AS WELL AS A SPOT FINE FOR  
 FAILING TO MAINTAIN THE FIRE EXTINGUISHER. THIS APPLICATION  
 WAS SUBMITTED TO THE PROVINCIAL OFFICE OF SAPS LIQUOR CONTROL  
 FOR COMMENTS, HOWEVER, NO FEEDBACK HAVE BEEN RECEIVED

Name of official

J. Mampoh

Signature

Jol

Date

22 JUN 2022

Safety and Security

LAW ENFORCEMENT

(The applicant must now pay a non-refundable application fee and hand in the application and receipt, or proof of payment, at the designated Environmental Health Office. The fee is payable at any cash office into Profit Centre 18070172). Alternatively, an EFT payment can be made into the City's Nedbank account. Under 'Benefit type' select the bank-listed beneficiary and under 'Benefit Name' type 'City' and a drop-down menu will appear. Select 'City of Cape Town Municipality'. In the 'Beneficiary Reference' field enter the nine-digit number: 192131688. [View the City Health tariffs](#)

Application fee

Receipt number

Payment date





Internet Banking  
Standard Bank Centre  
5 Simmonds Street, Johannesburg, 2001



Dear CITY OF CAPE TOWN MU

We confirm that the following payment has been made into your account from user:

<b>Reference number</b>	[REDACTED]
<b>Listed company name</b>	CITY OF CAPE TOWN MU
<b>Bank name</b>	NEDBANK LIMITED
<b>Listed company number</b>	XXXXXXXXXXXX3370
<b>Listed company branch number</b>	000000
<b>Beneficiary reference</b>	192131688
<b>Amount</b>	R8855.00
<b>Payment date and time</b>	2022-09-14 16h28

If you need more information or have any questions about this payment, please contact:  
**user**

Payments to Standard Bank accounts may take up to one business day to reflect.  
Payments to other banks may take up to three business days.

Please check your account to confirm you have received this payment.

Yours sincerely,  
The Internet Banking Team

The Standard Bank of South Africa Limited (Reg. No. 1962/000735/06) Authorised financial services provider and registered credit provider (NCRCP15)

Directors: NMC Nyembezi (Chairman) L Fuzile\* (Chief Executive) PLH Cook A Daehnke\* GJ Fraser-Moleketi Xueqing Guan1 GMB Kennealy BJ Kruger LI LI1 JH Maree NNA Matyumza KD Moroka ML Oduor-Otieno2 ANA Peterside CON3 MJD Ruck SK Tshabalala\* JM Vice

Company Secretary: Z Stephen - 2022/06/06

\*Executive Director 1Chinese 2Kenyan 3Nigerian

## ANNEXURE A

**APPLICATION IN TERMS OF SECTION 6 (1) OF THE CITY OF CAPE TOWN  
CONTROL OF UNDERTAKING THAT SELL LIQUOR TO THE PUBLIC BY-LAW, 2013,  
AS AMENDED IN 2012, FOR THE EXTENSION OF TRADING HOURS TO 04:00.**

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### REASONS / REPRESENTATIONS

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#### THE APPLICANT

1. The applicant is Reg MacDonald, a natural person with limited liability, duly incorporated in accordance with the laws of the Republic of South Africa with I.D. number 7 [REDACTED] having his principal place of business at 80 Strand Street, 32 Loop Street, Cnr Loop & Waterkant Street, Cape Town, 8001.
2. The applicant is the holder of an on-consumption licence issued under Western Cape Liquor Authority reference WCP/033066 in respect of a business conducted under the name and style of The Village Idiot.
3. The said licence is in terms of Section 89(2)(d) of the Western Cape Liquor Act, Act 4 of 2008 (as amended) (hereinafter referred to as "The Act") deemed to be a licence for the sale of liquor for consumption on the licensed premises.
4. The renewal fees for 2022 were duly paid and the Applicant is thus the holder of a valid liquor licence. A copy of the annual renewal for 2022 is annexed hereto as **Annexure B**.

### **THE APPLICATION**

5. Application is made by the Applicant in terms of the Control of Undertakings to Sell Liquor to the Public By-Law, 2013, for the extension of its liquor trading hours from **11H00 to 04H00** the following day as envisaged in Section 6 of the By-Law.
6. The City Of Cape Town deemed it fit to determine the trading days and hours in the schedule to the By-Law restricting the trading hours between 11H00 to 02H00 the following day with the provision in Section 6(1) of the By-Law that a licensee of the premises contained in categories (3), (4) and (5) of the Schedule to the By-Law, may submit an application to the Council for an extension of hours during which they may trade. The applicant is a licensee of the premises as contemplated in category (3) of the Schedule to the By-Law.

### **CONCLUSION**

7. The Applicant has traded strictly in terms of its existing licence conditions and trading hours. The business forms an integral part of the Cape Town entertainment precinct, where any number of competing businesses are in operation, some of which enjoy trading hours until 04H00.
8. The applicant has also been issued with the appropriate business licence for its premises by the City of Cape Town, and as evidenced from a copy of the said business licence annexed hereto marked **Annexure C**.
9. Given the existing on-consumption liquor licence and the business licence, it is clear that the premises are correctly zoned for their ongoing usage as a licensed venue.
10. The request to extend the trading hours is a commercial one, driven by competition from commercial neighbours, and the demands from the many tourists and visitors to the Cape Town area who recognise and enjoy the facilities on offer in the area known as one of Cape Town's best entertainment precincts.
11. It is therefore requested that this application be granted at the first available opportunity, that the applicant may extend the service offering to patrons, and compete on an equal footing with other similar licensed businesses in the surrounding area.



**WESTERN CAPE  
LIQUOR AUTHORITY**

Licence number: WCP/033066

LMaTS number: 2009/440

Representative: Saunders Attorneys

## ANNEXURE

PLEASE CORRECT IN THE PROVIDED BOX ON THE RIGHT HAND SIDE, AND RETURN THIS FORM BY  
EMAIL: [LIQUOR.ENQUIRIES@WCLA.GOV.ZA](mailto:LIQUOR.ENQUIRIES@WCLA.GOV.ZA)

PLEASE COMPLETE IN BLOCK LETTERS

### Licence holder

	On record	New details
Full Name:	Mr R MacDonald	
Mobile No:	073 4269700	
Email Address:		
Postal Address:	C/o Saunders Attorneys P.O. Box 1742 CAPE TOWN 8000	
Identity Number:		
Registration Number:		

### Licence details

	On record	New details
Licence Type:	Consumption On	
Trading As:	The Village Idiot	
Licensed Premises:	80 Strand Street 32 Loop Street Cnr Loop & Waterkant Street CAPE TOWN 8001	

### Licence representative

	On record	New details
Full Name:	Saunders Attorneys	
Mobile No:		
Email Address:		
Postal Address:		
Identity Number:		
Registration Number:	9672	

#### Please Note:

A licensee who intends to subscribe to a biennial renewal cycle, must lodge with the Authority a notice in the form of Form 21B by no later than 30 November 2021.

Signature of Licence Holder / Representative  
Date:



2009/440



**Standard Bank**

Internet Banking  
Standard Bank Centre

Dear WESTERN CAPE LIQUOR

We confirm that the following payment has been made into your account from User:

Reference number	[REDACTED]
Beneficiary name	WESTERN CAPE LIQUOR
Bank name	NEDBANK LIMITED
Beneficiary account number	XXXXXXXXXXXX9883
Beneficiary branch number	[REDACTED]
Beneficiary reference	WCP/033066
Amount	R5002.00
Payment date and time	2021-11-09 14h42

If you need more information or have any questions about this payment, please contact:  
User

Payments to Standard Bank accounts may take up to one business day to reflect.  
Payments to other banks may take up to three business days.

Please check your account to confirm you have received this payment.

Yours sincerely,  
The Internet Banking Team

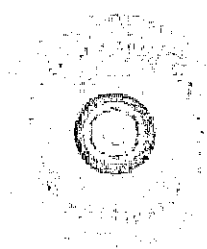
The Standard Bank of South Africa Limited (Reg. No. 1962/000738/06) Authorised financial services provider and registered credit provider (NCRCP15)

Directors: TS Gcabashe (Chairman) L Fuzile\* (Chief Executive) PLH Cook A Dabhu\* MA Erasmus<sup>1</sup> GJ Fraser-Moleketi X Guan<sup>2</sup> GMB Kennealy JH Maroe NNA Matyemza KD Moroka NMC Nyembazi ML Oduor-Otieno<sup>3</sup> ANA Peterside CDN<sup>4</sup> MJD Ruck SK Tshabalala\* JM Vica Lubin Wang<sup>2</sup>

Company Secretary: Z Stephen - 2021/05/26

\*Executive Director 1British 2Chinese 3Kenyan 4Nigerian

"C"



Inquiries: Colleen Headley, 021 400 6513  
Telephone: Colleen.Headley@legislation.wa.gov.au  
Email: Colleen.Headley@legislation.wa.gov.au

# LICENCE TO CARRY ON BUSINESS IN TERMS OF THE BUSINESS ACT 1991

LICENCE NUMBER: 17/1/1/1- 322956  
FILE NUMBER: 17/1/1/1- 322956  
NAME / DESIGNATION OR TITLE UNDER WHICH BUSINESS IS TO BE CARRIED ON: Reg MacDonald T/A The Village Idiot  
TYPE OF BUSINESS: 7000 - SALE AND SUPPLY OF MEALS  
Foodstuff that is handled or prepared in the form of a meal  
FULL NAMES OF HOLDER/PARTNERS/DIRECTORS/PRINCIPAL (AS PER ATTACHED ID/PASSPORT DOCUMENT): Reg MacDonald  
FULL NAME OF MANAGER/ESS (AS PER ATTACHED ID/PASSPORT DOCUMENT): Reg MacDonald  
BUSINESS ADDRESS: 80 Street Street, 32 Loop Street  
Cnr Loop & Waterkant Street, Cape Town - 8001  
EAF:  
POSTAL ADDRESS:  
CONDITIONS WHICH APPLY TO THIS LICENCE:

## ENDORSEMENT:

GENERIC ENDORSEMENTS TO APPLY TO ALL LICENSE CATEGORIES

APPLICATION FOR SALE OR SUPPLY OF MEALS OR PERISHABLE FOODSTUFFS (RESTAURANTS)

## CONDITIONS:

Regulation 83B, the regulations governing the general business endorsement for food premises, shall be complied with as if it were a condition of this licence.  
The licensee shall ensure the continuously deployment of competent persons in respect of persons to be in the premises to protect the public and to ensure safety at all times.  
The premises to comply with the requirements of the National Health Act 1912, Part 6A, 1991 at all times.  
The premises to comply with the requirements of the Food Safety and Inspection Act 2003, 2003 at all times.  
The licensee shall ensure the continuous deployment of competent persons in respect of persons to be in the premises to protect the public and to ensure safety at all times.  
The licensee shall ensure the continuous deployment of competent persons in respect of persons to be in the premises to protect the public and to ensure safety at all times.  
The licensee shall ensure the continuous deployment of competent persons in respect of persons to be in the premises to protect the public and to ensure safety at all times.  
The licensee shall ensure the continuous deployment of competent persons in respect of persons to be in the premises to protect the public and to ensure safety at all times.

22/02/2021  
H:00, Environmental Health Western

This licence is not valid unless the licensee complies with the conditions of this licence and the provisions of the Business Act 1991.



CITY OF CAPE TOWN  
ISIREKO SASAKAPA  
STAD KAAPSTAD

Wesley 2001, 2015, 2016, 2017, 2018, 2019, 2020, 2021

**CITY HEALTH**

Colleen Heldinger  
T 021 400 6513

E Colleen.Heldinger@cityofcape.gov.za

**DIRECTORATE HEALTH SERVICES**

City Health Environmental Health - Western Sub-District

Western Office, Berkley Road, Maitland

Date 21-01-2021  
Applicant Reg MacDonald  
Business Address 80 Street Street, 32 Loop Street,  
Cnr Loop & Waterkant Street  
Cape Town  
8001

**APPLICATION FOR A BUSINESS LICENCE:**

Dear Sir/Madam

I refer to your application dated 4/23/2015 1:59:54 PM for the following licence/s.

**7003 - SALE OR SUPPLY OF MEALS:**

Foodstuff that is handled or prepared in the form of a meal  
and have the pleasure of enclosing your Business Licence reference number/s

17.1/1/1 - 322956 (Address Correction)

The Business License must be displayed in a conspicuous place where the business is being conducted.

Yours faithfully

22/01/2021

HEALTH ENVIRONMENTAL HEALTH - WESTERN

# ANNEXURE B



**Shireen Maggott**

**From:** Reg MacDonald <reg@thefirmct.co.za>  
**Sent:** Tuesday, 27 September 2022 12:25  
**To:** Simon Riley  
**Cc:** Shireen Maggott  
**Subject:** Re: THE VILLAGE IDIOT: Extended Trading Hours: (ON CON): (NEIGHBOUR)

Applicant Details		THE VILLAGE IDIOT (ON CON)	
APPLICATION	SUPPORTED	X	NOT SUPPORTED
Please indicate whether the business is LOCATED near	Aged or Frail Care Centre		
	Rehab, Drugs / Alcohol Centre		
	School(s)		
	Other		
PARKING			
REASONS FOR NOT SUPPORTING	HAPPY TO SUPPORT		
Detailed reasons for opposing an application should be sound town planning or community issues and not moral opposition. See Criteria above for guidelines			
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 are agreeing to further processing.			
<b>ORGANISATION DETAILS</b>			
NAME	Simon Riley (EMIRA)		
DATE	27-09-2022	CONTACT NUMBER 083 287 6268	

# Vermouth Bar

(REG. NO.2021/995344/07 )

78 Strand Street Cape Town 8000

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**City of Cape Town**  
**Attention: Shireen Maggoff**  
**Secretary**  
**Good Hope Sub Council 16**

Date: 29/09/2022

**RE: THE VILLAGE IDIOT – EXTENDED TRADING HOURS**

I hereby confirm that we are aware of the abovementioned premises applying for extended trading hours and have no objections thereto.

Regards,


John Papadakis



Owner

OBJECTION 2: THE VILLAGE IDIOT (Jean-Pierre Moggee)

**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				
<b>Applicant Details</b>		<b>THE VILLAGE IDIOT (ON CON)</b>		
<b>APPLICATION</b>	<b>SUPPORTED</b>		<b>NOT SUPPORTED</b>	<b>NOT SUPPORTED</b>
Please indicate whether the business is LOCATED near	Aged or Frail Care Centre			
	Rehab, Drugs / Alcohol Centre			
	School(s)			
	Other	Hotel		
<b>PARKING</b>	Very limited street parking only			
<b>REASONS FOR NOT SUPPORTING</b>	The Cresta Grande Cape Town Hotel is 242 Bedroom Hotel situated opposite the Village Idiot. We are receiving constant guest complaints regarding the current noise levels until the early morning hours, which is having a negative impact on our operations and guest experience. This is a common complaint from our rooms facing Loop Street, resulting in negative guest reviews.			
Detailed reasons for opposing an application should be sound town planning or community issues and not moral opposition. See Criteria above for guidelines				
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 are agreeing to further processing.				
<b>ORGANISATION DETAILS</b>				
<b>NAME</b>	Jean-Pierre Moggee		<b>SIGNATURE</b> 	
<b>DATE</b>	03 October 2022		<b>CONTACT NUMBER</b> +27 21 431 7500	

# 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

THE VILLAGE IDIOT  
(ON CON)

Applicant Details

APPLICATION

SUPPORTED

NOT SUPPORTED



Aged or Frail  
Care Centre

Rehab, Drugs / Alcohol Centre

School(s)

Other

Residential.

PARKING

REASONS FOR NOT SUPPORTING

Village Idiot has large balconies for patrons. The noise is therefore not contained in the premises.

Detailed reasons for opposing an application should be sound town planning or community issues and not moral opposition. See Criteria above for guidelines

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 are agreeing to further processing.

## ORGANISATION DETAILS

NAME

J Gesswell

SIGNATURE

DATE

22 Sep 2022

CONTACT NUMBER

083 636 1754

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

2022/10/05 [16h30].

## Shireen Maggott

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**From:** Muneeb Hendricks <mo@capetownccid.org>  
**Sent:** Wednesday, 21 September 2022 14:39  
**To:** Shireen Maggott  
**Subject:** RE: THE VILLAGE IDIOT: Extended Trading Hours: (ON CON): W115 CLLR, WC COD

No objection from CCID

Regards,



**Muneeb Hendricks**

Manager: Safety & Security

Cape Town Central City Improvement District (CCID)

13<sup>th</sup> floor, 1 Thibault Square, cnr Long St & Hans Strijdom Ave, Cape Town 8001



# ANNEXURE C

# SAUNDERS ATTORNEYS

LIQUOR LAW CONSULTANTS

P O Box 1742  
Cape Town  
8000

2<sup>nd</sup> Floor  
Waalburg Building  
28 Wale Street  
Cape Town

info@saundersattorneys.co.za

Tel: (27) (21) 4221108

Fax: (27) (21) 4221109

Your Reference: WCP/033066  
Our Reference: AWS/

7 October 2022

The City of Cape Town  
Email: [Shireen.Maggot@capetown.gov.za](mailto:Shireen.Maggot@capetown.gov.za)

Dear Shireen,

## **APPLICATION FOR EXTENDED TRADING HOURS: THE VILLAGE IDIOT, (WCP/033066)**

We refer to your email enclosing two objections and the licence holder replies thereto as follows;

### **OBJECTION BY J CESSWELL**

The objector makes mention that "*Village Idiot has large balconies for patrons, the noise level is therefore not contained in the premises*".

### **OBJECTION BY JEAN-PIERRE MOGEE**

The objector is from Cresta Grande Cape Town Hotel and states there were complaints received from a guest with regards to noise.

The applicant has no knowledge of the objections and confirms that he has not received any complaints from the City of Cape Town with regards to noise.

It is also to be noted that regular/routine inspections from the City of Cape Town Law Officials, the Western Cape Liquor Authority and South African Police Services are conducted at the premises.

Mr Mac Donald, the owner of the business, has engaged an acoustical consultant to seek advice on the City By-Law on Noise regulations, and the licence holder has arranged for remedial measures to be implemented at the premises so as to ensure that they are fully compliant in this regard.

The business is located in the Cape Town Central Business District with various other competitor businesses which have been granted extended trading hours until 04H00 operating in the surrounding area, which results in the applicant's patrons leaving the premises at 13H30 to attend on other licensed establishments, which remain trading.

This anti-competitive trading environment is unfair to the applicant, as he has taken all the necessary steps on the advice of City of Cape Town officials to ensure that his business operates in a compliant manner, and yet he is not in a position to compete fairly and equally with other similar establishments, which is obviously damaging to the reputation of his business.

It is submitted that there also needs to be an appreciation for the catastrophic effects which the recent lockdown regulations had on on-consumption establishments, and an opportunity should be given to compliant establishments such as the applicant's to recover from the pandemic, rebuild their businesses, and ensure continued job creation as a result thereof. 2 single objections which are also not supported by any evidence or substance, can hardly, with respect, serve to restrict an established and popular business which has been trading in the same location for years.

In conclusion, the business is deserving of being granted the opportunity to compete fairly with other similar businesses in the surrounding area, with the extended hours approvals in any event providing for the withdrawal thereof by the City in appropriate circumstances.

However, the owner is a responsible businessperson who has operated the business in it's current location since 2009, in other words for the past 13 years, which is long before the hotel which mentions a guest complaint which only commenced trading as recently as 15 April 2021. Despite this trading history, the applicant is prepared to accept a condition being imposed upon the extended hours approval that the balcony is to be locked and closed to patrons by 2am.

With this concession by the licence holder there is no reason for the application to not be approved, and we await confirmation of the approval as soon as possible, and thank you for your assistance herein.

Regards,

  
**ALLAN SAUNDERS**