



## SUBCOUNCIL 2

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1. ITEM NUMBER: **02SUB22/05/2023**
2. SUBJECT

RENEWAL APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS FROM 11:00 TO 18:00 FOR SUNDAYS TRADING FOR OFF-CONSUMPTION PREMISES IN RESPECT OF TOPS AT KRAAIFONTEIN (REFERENCE NO. 188122) WARD 102: BRIGHTON SQUARE, CNR BRIGHTON ROAD & KIPLING ROADS, KRAAIFONTEIN

HERNUWING AANSOEK OM VERLENGING VAN DRANKHANDELSURE VIR SONDAE, 11:00 TOT 18:00 VIR BUITEVERBRUIKPERSEEL TEN OPSIGTE VAN TOPS AT KRAAIFONTEIN, (VERWYSINGS NO. 188122) WYK 102: BRIGHTON SQUARE, CNR BRIGHTON ROAD & KIPLING ROADS, KRAAIFONTEIN

U KU HLAUWUWA ISICELO SOKWANDISWA KWEYURE ZOKUTHENGISWA KOTYWALA UKUSUSELA KWEYE-11:00 UKUYA KWEYE-18:00 NGOKORHWEBO LANGECAWE KWIZAKHIWO EKUNGASELELWA KUZO NGOKUJOLISWE TOPS AT KRAAIFONTEIN (INOMBOLO YESALATHISO. 188122) IWADI 102: BRIGHTON SQUARE, CNR BRIGHTON ROAD & KIPLING ROADS, KRAAIFONTEIN

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 licenses have been granted.

## 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 Manager Subcouncil 2 and was then circulated to abutting neighbours, all organisations 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.

(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:

### TOPS AT KRAAIFONTEIN

6.2.1 Details of application: **Annexure A**

- **TOPS AT KRAAIFONTEIN**
- Liquor Licence No: WCP/029534
- OFF Consumption
- Brighton Square, Cnr Brighton & Kipling Roads, Kraaifontein
- Current trading hours: 11:00 until 18:00
- Business License

6.2.2 Subcouncil Manager confirmation: Advertising extent (Community participation) - Notices served on and received the following Comments:

- Ward Councillor: 14/04/2023  
No comment received yet.
- Community Organizations: 14/04/2023: As per CBO Database:  
No comment received.
- Ward Committee of Ward 102: 14/04/2023  
No comment received.
- Comments by Internal Department:  
Pertaining to the mentioned premises, namely, Tops at Kraaifontein, fsituated at Brighton Square, Brighton Square, Cnr Brighton and Kipling Roads, Kraaifontein. It was ascertained the applicant did renew his liquor licence 2023. No complaints were received by the Liquor Unit with regard to this establishment. The report received from the designated SAPS station has no objection against the application for the extension of Liquor Trading Hours.

## RECOMMENDATION

That Subcouncil 2 considers the application for the extension of liquor trading hours submitted by **TOPS AT KRAAIFONTIEN**.

## AANBEVELING

Dat subraad 2 die aansoek om die verlenging van drankhandelsure ingedien deur **TOPS AT KRAAIFONTEIN**, oorweeg.

## IZINDULULO

Ukuba iBhungana 2 maliqwalasele isicelo sokwandiswa kwamaxesha okuthengisa utywala esingeniswe ngabe **TOPS AT KRAAIFONTEIN**.

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## ANNEXURES:

Application submitted by **TOPS AT KRAAIFONTEIN**

## FOR FURTHER DETAILS, CONTACT:

<b>NAME</b>	<i>Monique Bending</i>
<b>CONTACT NUMBERS</b>	<i>021 444 1135</i>
<b>E-MAIL ADDRESS</b>	<i>Monique.Bending @capetown.gov.za</i>
<b>DIRECTORATE</b>	<i>Corporate Services: Area North (1)</i>

Wessie van  
der  
Westhuizen

Digitally signed  
by Wessie van  
der Westhuizen  
Date: 2023.05.11  
09:36:03 +02'00'

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**WESSIE VAN DER WESTHUIZEN**  
**ACTING SUBCOUNCIL 2 MANAGER**

DATE 05/05/2023

**POPIA**

*We respect the privacy rights of everyone who uses or enquires about our services. Protecting your personal information, as defined in the Protection of Personal Information Act, Act 4 of 2013, will be respected.*

*Personal information will only be shared for purposes of resolving customer enquiries, providing customer services or for any other legitimate purpose relating to City functions.*



CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD

CITY HEALTH

Davina Williams

T: 0214446738

F:

E: DavinaC.Williams@capetown.gov.za

05/05/2023

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: 188122  
Liquor Licence Number: WCP/038178 (SUN)  
Licensee Name: HE [REDACTED] DS cc  
Premises Name: TC [REDACTED] TEIN  
Premises Address: BR [REDACTED]  
Cnr [REDACTED] LING  
P [REDACTED]

Date of Application Submission:

Date Application captured: 2023/05/05

**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.

(SUN)

Liquor licence number **WCP/038178****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

RESPECTING TO THE MENTIONED PREMISES, NAMELY, T [REDACTED] STEIN, SITUATED AT, CN [REDACTED] ROAD

[REDACTED] N. IT WAS ASCERTAINED THAT THE APPLICANT [REDACTED] HIS LIQUOR LICENSE FOR 2023 [REDACTED] COMPLAINTS

WERE RECEIVED BY THE LIQUOR UNIT WITH REGARD TO THIS ESTABLISHMENT. THIS APPLICATION WAS SUBMITTED TO THE

PROVINCIAL OFFICE OF SAPS' LIQUOR CONTROL FOR COMMENTARY FROM THE DESIGNATED SAPS STATION; HOWEVER, NO

FEEDBACK HAS BEEN RECEIVED.

**Marilyn Holding**  
 Name of Official **Assistant Chief** Signature *[Signature]*  
**LAW ENFORCEMENT**  
**10001005**



(The applicant must now pay the non-refundable application fee of R4428.00 (Vat inclusive) and hand the application and receipt in at the designated Environmental Health Office. The fee is payable at any cash office into Profit Centre 18070172)

Application Fee

Receipt number

payment date



CITY OF CAPE TOWN | ISIXEKO SASEMAPA | STAD KAAPSTAD

THIS CITY WORKS FOR YOU

Form 3  
SUNDAY OFF-CONSUMPTION TRADING  
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 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/038178

2. Full name of licensee HELSHOOGTE FOODS CC

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 ATTACHED DOCUMENT

4. Name and address of the

5. Provide details of the premises where the licensed business is conducted with reference to the number of the erf, street(s), apartment or farm, as the case may be

ERF No.

6. Contact number

why licensee is applying for trading on Sundays (use an annexure if required)

SEE ANNEXURE

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

Signature [Signature] Date 14-4-2023

(written authorisation of licensee to be attached)

Name (printed) [Name] Application [Name] SERVICES

Postal address [Address] 139 Physical address [Address] Medical

Work tel: [Number]

Fax: [Number]

Signature [Signature] 23

(written authorisation)

Name (printed)