



## REPORT TO SUBCOUNCIL 7

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1. ITEM NUMBER : 07SUB 17/05/23

2. SUBJECT / ONDERWERP / ISIHLOKO

**NEW LIQUOR LICENCE APPLICATIONS: DECISIONS TAKEN UNDER  
SUBDELEGATED AUTHORITY FOR THE PERIOD: APRIL 2023**

**IZICELO ZEPHEPHAMVUME LOKUTHENGISWA KOTYWALA: IZIGQIBO  
EZITHATYATHWE PHANTSI KOGUNYANZISO OLUSEZANTSI  
KWISITHUBA: UTSHAZIMPUNZI 2023**

**NUWE AANSOEKE OM DRANKLISENSIES: BESLUITTE GENEEM ONDER  
GESUBDELEGEERDE MAGTIGING VIR DIE TYDPERK: APRIL 2023**

L1999

3. PURPOSE

The Subcouncil to note the exercising of subdelegated authority iro applications for new liquor licenses in terms of the Western Cape Liquor Act, 2008 as amended as listed above for the period: April 2023

- A. LLA23030027 – ROSENDAL WINES – WARD 21
- B. LLA23030028 - ROSENDAL WINES PTY LTD – WARD 21
- C. LLA2304002 – OK LIQUORS SONSTRAAL – WARD 21
- D. LLA23040004 – WIMPY GLEN GARRY – WARD 103

4. FOR DECISION BY

Resolution 07SUB8/2/2022 (IG) dated 16 February 2022 Sub-delegation of Subcouncil Delegations to the Subcouncil Manager and Acting Subcouncil Manager as revised vide item 07 SUB32/2/23 on 15 February 2023 resolved that:

- (a) That, due to time constraints and the financial impact on businesses which these applications may have, the Subcouncil Manager or Acting Subcouncil Manager BE AUTHORISED to deal with and finalise the following matters in consultation with the relevant ward councilor and Subcouncil Chairperson:

**Delegation 4(1):** In the event of subcouncil delegation 4 (1) which authorises the subcouncil to comment on applications for liquor licenses in terms of the Western Cape Liquor Act, 2008, as amended, and which, due to time constraints, cannot be submitted to one of the scheduled Subcouncil meetings for consideration, the subcouncil manager or acting manager, in consultation with the chairperson and the relevant ward councillor, be authorised to deal with and finalise such matter.

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## 5. EXECUTIVE SUMMARY

Due to time constraints and the financial impact that a delay in decision-making may have on the business of the applicant, delegated authority conferred vide 07SUB8/2/2022 (IG) as revised vide item 07SUB32/2/23 on 15 February 2023 wrt delegation 25.4 (2) have been exercised after following the prescribed public participation process and obtaining comment from Subcouncil 7's Chairperson and the relevant Ward Councillor wrt applications for extension of liquor trading hours.

Attached hereto as Annexure A is a schedule of the delegated decisions taken w r t the applications for new liquor licenses during the period: April 2023.

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## 6. RECOMMENDATIONS

That the decisions taken in terms of subdelegated authority ((07SUB8/2/2022 IG)) as revised vide item 07SUB32/2/23 on 15 February 2023 with respect to the applications for new liquor licences during the period: April 2023 **BE NOTED.**

### ISINDULULO

Ukuba **MAKUQWALASELWE** izigqibo ezithatyathiweyo ngokungqinelana nogunyaziso olusezantsi ((07SUB8/2/2022 (IG)) ngokujoliswe kwizicelo zokwandiswa kweeyure zokuthengiswa kotywala kwisithuba UTshazimpunzi 2023.

### AANBEVELING

Dat **DAAR KENNIS GENEEM WORD** van die besluite geneem ingevolge gesubdelegeerde magtiging ((07SUB8/2/2022 IG)) soos hersien vide item 07SUB32/2/23 op 15 Februarie 2023 ten opsigte van die aansoeke vir nuwe dranklisensies gedurende die tydperk: April 2023.

## 7. DISCUSSION/CONTENTS

Kindly refer to the contents of the executive summary reflected in item 5 above.

### a. Constitutional and Policy Implications

None

### b. Sustainability implications

Does the activity in this report have any sustainability implications for the City?
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No <input checked="" type="checkbox"/>
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Yes <input type="checkbox"/>
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### c. Legal Implications

Section 63 of the Municipal Systems Act 32 of 2000 relating to Duty to Report to delegating authorities.

**d. Staff Implications**

Does your report impact on staff resources or result in any additional staffing resources being required?

No ☒

Yes ☐

**e. POPIA Compliance**

☒ It is confirmed that this report has been checked and considered for POPIA Compliance.

**e. Other Services Consulted**

None

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**ANNEXURES**

**Annexure A:** Schedule of the delegated decisions taken w r t the applications for new liquor licence applications during the period: April 2023.

The applications are filed at Durbanville Registry and are available on request.

**FOR FURTHER DETAILS CONTACT:**

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<b>DIRECTORATE</b>	Corporate Services
<b>REF</b>	Sc7-T17/1/2/1

  
**ACTING MANAGER: SUBCOUNCIL 7**  
**JOHANNES BRAND**

Comment:

DATE

4/5/2023

## NEW LIQUOR LICENCE APPLICATIONS APRIL 2023

Ward	Application No	Business	Address	Date Delegated Meeting	Comment to Liquor Authority
21	LLA23030027	Rosendal Wines (OFF)	Erf: 32144 , 76 , Edward Street Edward Building Office 201, Bo Oakdale Bellville	14/04/23	<p>SubCouncil 07 recommends that the application for a liquor licence received from Rosendal Wines (Off) for the sale of liquor for Consumption OFF Premises, Reference No LLA23030027 CONDITIONALLY SUPPORTED subject to:</p> <ol style="list-style-type: none"> <li>1. The premises must comply with the National Building Regulations &amp; Building Standards Act (Act 103 of 1977) and SANS 10400 of 2011. In this regard building plans must be submitted for approval for all additions and alterations to the building.</li> <li>Note: Adequate toilet facilities must be provided to all patrons and staff. Sanitary facilities must also be provided for disabled persons that comply with the requirements of SANS 10400-S: 2011 Edition 3. This includes ramps/walkways, toilet facilities and removal of obstructions in the path of travel for disabled persons.</li> <li>2. The applicant must at all times be in possession of 1) a valid Certificate of Acceptability in terms of the Regulations governing General Hygiene requirements for Food Premises, the Transport of Food and related matters: R638 dated 22 June 2018 as promulgated under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972).</li> <li>3. The premises must comply with the Tobacco Products Control Amendment Act No. 83 of 1993 and the Notice Relating to Smoking of Tobacco Products in public places, Regulation No R975 dated 29 September 2000</li> <li>4. At no time may a noise nuisance or a disturbing noise, as defined in the Western Cape Noise Control Regulations P. N. 200/2013 as promulgated under the Environmental Conservation Act, 1989 (Act 73 of 1989), be created to surrounding property owners.</li> <li>5. The Environmental Health Department reserves the right to call for any additional requirements should it be deemed necessary.</li> <li>6. This application is for telesales only and further, that the sampling or tasting of any products are not permitted on the premises.</li> <li>7. Proposed Trading Hours 11:00-02:00 to accommodate International Marketing opportunity.</li> </ol>

21	LLA23030028	Rosendal Wines PTY LTD (Micro Manufacturer	Erf: 32144 , 76 , Edward Street Edward Building Office 201, Bo Oakdale Bellville	14/04/23	<p>SubCouncil 07 recommends that the application for a liquor licence received from Rosendal Wines for the sale of liquor for Micro Manufacturer Off Consumption, Reference No LLA23030028 CONDITIONALLY SUPPORTED subject to :</p> <p>1. The premises must comply with the National Building Regulations &amp; Building Standards Act (Act 103 of 1977) and SANS 10400 of 2011. In this regard building plans must be submitted for approval for all additions and alterations to the building.</p> <p>Note: Adequate toilet facilities must be provided to all patrons and staff. Sanitary facilities must also be provided for disabled persons that comply with the requirements of SANS 10400-S: 2011 Edition 3. This includes ramps/walkways, toilet facilities and removal of obstructions in the path of travel for disabled persons.</p> <p>2. The applicant must at all times be in possession of 1) a valid Certificate of Acceptability in terms of the Regulations governing General Hygiene requirements for Food Premises, the Transport of Food and related matters: R638 dated 22 June 2018 as promulgated under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972).</p> <p>3. The premises must comply with the Tobacco Products Control Amendment Act No. 83 of 1993 and the Notice Relating to Smoking of Tobacco Products in public places, Regulation No R975 dated 29 September 2000.</p> <p>4. At no time may a noise nuisance or a disturbing noise, as defined in the Western Cape Noise Control Regulations P. N. 200/2013 as promulgated under the Environmental Conservation Act, 1989 (Act 73 of 1989), be created to surrounding property owners.</p> <p>5. The Environmental Health Department reserves the right to call for any additional requirements should it be deemed necessary.</p> <p>6. That it be noted that this is a Micro Manufacturing and considering the zoning in terms of Town Planning the operating times can be from 11:00-02:00, and that it further be noted that this is in the CBD and close to residential housing and that the odour from the manufacturing could become a problem and therefore we propose the operating hours to be from 06:00-21:00.</p>
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21	LLA23040002	OK Liquors Sonstraal	Erf 2949, 6 Fisant Street, Sonstraal Centre, Amanda Glen, Eversdal, Durbanville	25/04/23	<p>SubCouncil 07 recommends that the application for a liquor licence received from OK Liquors Sonstraal for the sale of liquor for Off Consumption, Reference No LLA23040002 CONDITIONALLY SUPPORTED subject to :</p> <ol style="list-style-type: none"> <li>1. A LUM application has to be submitted in terms of Section 42 (n) of the MPBL for the determination of a non-conforming use or alternately a consent use in terms of Section 42 (i) of the MPBL to permit the sale of alcoholic beverage.</li> <li>2. Complaints on the illegal drinking of alcohol in public to be reported to Law Enforcement.</li> <li>3. The Ward Councillor indicated not to comment on the application.</li> <li>4. Proposed trading hours : 11:00 – 18:00</li> </ol>
103	LLA23040004	Wimpy Glengarry	Erf 17167, 10 De Bron Crescent, c/o De Bron Road & Fairtrees Road, Glengarry Shopping Centre, Vredekoof, Brackenfell	25/04/23	<p>SubCouncil 07 recommends that the application for a liquor licence received from Wimpy (Glengarry) for the sale of liquor for Off Consumption, Reference No LLA23040004 CONDITIONALLY SUPPORTED subject to :</p> <ol style="list-style-type: none"> <li>1. This is an existing premises trading as a restaurant and is compliant with all the conditions and requirements of the City of Cape Town Line Departments.</li> <li>2. The premises is in possession of a valid Business Licence (Licence number: 491661) and a valid Certificate of Acceptability (COA number: H/S/2023/N/HK/06) issued by the Health Department on 21/02/2023.</li> <li>3. The premises must comply with the Tobacco Products Control Amendment Act No. 83 of 1993.</li> <li>4. The premises must comply with the Western Cape Noise Control Regulations, R200 of 20 June 2013. Should complaints regarding noise emanating from the premises be received, Council reserves the right to withdraw any approval granted in terms of a Business licence.</li> <li>5. The premises must comply with the City of Cape Town Control of Undertakings that sell Liquor to the Public By-Law of 2014.</li> <li>6. The Directorate: City Health reserves the right to call for any additional requirements should it be deemed necessary.</li> <li>7. Proposed trading hours 11:00 – 23:00</li> </ol>