

SUBCOUNCIL 2

1. **ITEM NUMBER: 02SUB28/09/2021**

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 ELTO OK LIQUORS, KUILSRIVER (REFERENCE NO. 186546) WARD 8: CNR VAN RIEBEECK ROAD, BOTHA, VLEI & MABILLE STREETS, KUILSRIVER

HERNUWING AANSOEK OM VERLENGING VAN DRANKHANDELSURE VIR SONDAE, 11:00 TOT 18:00 VIR BUITEVERBRUIKPERSEEL TEN OPSIGTE VAN ELTO OK LIQUORS, KUILSRIVER, (VERWYSINGS NO. 186546) WYK 8: CNR VAN RIEBEECK WEG, BOTHA, VLEI & MABILLE STRATE, KUILSRIVER

U KU HLAULWA ISICELO SOKWANDISWA KWEYURE ZOKUTHENGISWA KOTYWALA UKUSUSELA KWEYE-11:00 UKUYA KWEYE-18:00 NGOKORHWEBO LANGECAWE KWIZAKHIWO EKUNGASELELWA KUZO NGOKUJOLISWE ELTO OK LIQUORS, KUILSRIVER, (INOMBOLO YESALATHISO. 186546) IWARDI 8: CNR VAN RIEBEECK ROAD, BOTHA, VLEI & MABILLE STREETS, KUILSRIVER

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:

ELTO OK LIQUORS KUILSRIVER

6.2.1 Details of application: **Annexure A**

- **ELTO OK LIQUORS KUILSRIVER**
- Liquor Licence No: WCP//024455
- OFF Consumption
- Cnr Van Riebeeck Road, Botha, Vlei & Mabile Streets, Kuilsriver
- 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: 10/09/2021
No comment received yet.
- Community Organizations: 10/09/2021: As per CBO Database:
No comment received.
- Ward Committee of Ward 08: 10/09/2021
No comment received.
- Comments by Internal Department:
- Pertaining to the mentioned premises, namely, Elto Ok Liquors Kuilsriver, situated, Cnr Van Riebeeck Raods, Botha, Vlei & Mabile Streets, Kuilsriver. It was ascertained that the applicant did renew his liquor licence 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 had been received due to the Covid-19 pandemic and the SAPS maintaining the lockdown

RECOMMENDATION

That Subcouncil 2 considers the application for the extension of liquor trading hours submitted by **ELTO OK LIQUORS KUILSRIVER**.

AANBEVELING

Dat subraad 2 die aansoek om die verlenging van drankhandelsure ingedien deur **ELTO OK LIQUORS KUILSRIVER** oorweeg.

IZINDULULO

Ukuba iBhungana 2 maliqwalasele isicelo sokwandiswa kwamaxesha okuthengisa utywala esingeniswe ngabe **ELTO OK LIQUORS KUILSRIVER**.

ANNEXURES:

A. Application submitted by **ELTO OK LIQUORS KUILSRIVER**

FOR FURTHER DETAILS, CONTACT:

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DIRECTORATE	<i>Urban Management: Area 1</i>

AMELIA VAN RHYN
SUBCOUNCIL 2 MANAGER

DATE 02/09/2021

B Hansen

CLLR BRENDA HANSEN
SUBCOUNCIL 2 CHAIRPERSON

DATE 02/09/2021

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.