



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Making progress possible. Together.

SUBCOUNCIL 16

1. **ITEM NUMBER : 16 SUB 25/02/2021**

2. **SUBJECT**

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF OK MINIMARK HOUT BAY, CELITA COURT, MAIN ROAD, HOUT BAY: OFF CONSUMPTION MONDAY – SATURDAY

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

3. **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.

4. **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 74 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.

5. DISCUSSION

5.1 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.

5.2 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

5.2.1 Details of application (see attached Annexure A):

- **OK Minimark Hout Bay**
- Liquor Licence No: WCP/018631
- OFF Consumption – 18:00– 20:00, Monday-Saturday
- Celita Court, Main Road, Hout Bay

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

- Ward Councillor: 2021/01/18: (See attached Annexure B)
 - ❖ Cllr Roberto Quintas: Application Supported

- Abutting neighbours: 2021/01/20:
 - ❖ No comments received.
- Community Organizations: 2021/01/18: (See attached Annexure B)
 - ❖ Hangberg PMF: Supported
- Ward Committee of Ward 74: 2021/01/18:
 - ❖ No comments received.
- **Internal departments:**
 - ❖ Health Department:
Compliant – see attached Annexure A
 - ❖ Law Enforcement Squad
Compliant – see attached Annexure A

6. RECOMMENDATION

That Subcouncil 16 considers the application for the extension of liquor trading hours submitted by **OK Minimark Hout Bay**, Celita Court, Main Road, Hout Bay as well as the various comments received, and resolve to approve, refuse or vary the application for extension of trading hours from 18:00-20:00, Monday to Saturday.

ANNEXURES:

- A. Application submitted by **OK Minimark Hout Bay** including comments by Health, and Safety and Security
- B. Comments from Ward Councillor and Community Organisation in support of the application

FOR FURTHER DETAILS CONTACT:

NAME	<i>Girshwin Fouldien</i>
CONTACT NUMBERS	<i>021 487 2055</i>
E-MAIL ADDRESS	<i>Girshwin.Fouldien@capetown.gov.za</i>
DIRECTORATE	<i>Urban Management – North</i>


Gershwin Fouldien
Subcouncil 16 Manager

Comment:

DATE

3/02/2021

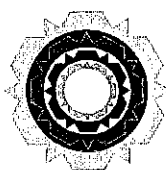

SUBCOUNCIL 16
CHAIRPERSON :
Cllr Matthew Kempthorne

Comment: _____

Date

8/02/2021

ANNEXURE A



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

CITY HEALTH

Colleen Heldsinger

T: 0214006513

F:

E: colleen.heldsinger@capetown.gov.za

13/12/2020

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: 186133
Liquor Licence Number: WCP/018631 Renewal 2020
Licensee Name: Oakhurst Retailers CC
Premises Name: OK Minimark Hout Bay
Premises Address: Celita Court, Main Road
Hout Bay
Hout Bay
7806

Date of Application Submission:

Date Application captured: 2020/12/11

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.

MONDAY TO SATURDAY EXTENDED OFF-CONSUMPTION TRADING HOURS

CITY HEALTH

CITY OF CAPE TOWN | ISIXEKO SASEKAPA | STAD KAAPSTAD

THIS CITY WORKS FOR YOU

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 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/018631

2. Full name of licensee OAKHURST RETAILERS 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)

PAUL PSAROS, ID 550315 5135 08 8 OF 4 URISIMA CLOSE, KRONENICHT ESTATE, HOUT BAY

CAROLINE PSAROS, ID 600307 0325 18 6 OF 4 URISIMA CLOSE, KRONENICHT ESTATE, HOUT BAY

4. Name and address of the licensed premises

OK MINIMARK HOUT BAY

ERF 4661, CELITA COURT, MAIN ROAD, HOUT BAY

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 4661

OK MINIMARK HOUT BAY, CELITA COURT, MAIN ROAD, HOUT BAY

6. Contact number

021 853 5785

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

PLEASE SEE WRITTEN REPRESENTATIONS

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

Signature *DM* Date 30.11.2020

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

Name (printed) DM HOOGENHOUT

Postal address PO Box, 721, Strand, 7139

Application prepared by DH MANAGEMENT SERVICES

Physical address Cortland Place, Room G03, 37 Main Road, Strand

Work tel: 021 8535785

Cell: 084511 6266

Fax:

E-mail: danelle@dhmanagement.co.za

Signature *DM* Date 30.11.2020

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

Name (printed) Danelle E for DM HOOGENHOUT

Liquor licence number

WCP/018631

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, OK MINIMARK HOUT BAY, SITUATED AT, CELITA COURT, MAIN ROAD,

HOUT BAY. IT WAS ASCERTAINED THAT THE APPLICANT DID RENEW HIS LIQUOR LICENSE FOR 2020. NO COMPLAINTS WERE

RECEIVED BY THE LIQUOR UNIT WITH REGARDS TO THIS ESTABLISHMENT. THIS APPLICATION IS RECOMMENDED BY THE SAPS.

Name of Official

Marilyn Holding**Assistant Chief****LAW ENFORCEMENT****10001005**

Signature

M. Holding

Date

06 DEC 2020

Safety and Security

LAW ENFORCEMENT

This applicant must now hand the application form in at the designated Environment Health Office. Please note: As from 01 July 2020 a non-refundable Application fee of R4 428.00 (Vat inclusive) is payable into Profit centre 18070172 G/L 810400. Payment can be made at any cash office of the City. Proof of payment must from 1 July 2019 accompany the application when handing it in at the designated Environmental Health Office

Application Fee

Receipt number

payment date

**NEDBANK****Once-off payment notification**

Date: 30/11/2020 Time: 9:53 AM

From account details:	SAVINGS AC
My statement description:	Form2 018631 OKMinimHoutBay
Beneficiary statement description:	192131688
To account number:	0000007938
Branch:	198765
Amount:	R 4,428.00
Payment capture date:	30/11/2020
Reference number:	20201130/NEDBANK/002818217968

Please note: Payments to other banks, including Nedbank branches outside South Africa, may take up to three business days.

Nedbank Limited, Reg No 1951/000009/06, VAT Reg No 4320116074, 135 Rivonia Road, Sandown, Sandton, 2196, South Africa.

Illona Haarhoff


From: Hout Bay SAPS <HoutBaySAPS@saps.gov.za>
Sent: Thursday, December 3, 2020 10:58 AM
To: Illona Haarhoff
Subject: FW: Extended Trading Hours

CAUTION: This email originated outside of the City of Cape Town's network. Please do not click on any links or open attachments unless you know and trust the source. **STOP. THINK. VERIFY.**

Att Illona

This office has no objection with the application for extended trading hours in OK Mini Market, Hout Bay.

Thank You

Regards 

Sgt TJ Lockem
DPO: Hout Bay SAPS



Tel: (021) 791 8660
Fax: (021) 791 8661
Cell: 082 522 2652
Email: houtbaysaps@saps.gov.za

From: WC:FLASH Liquor Control <SoutheyS@saps.gov.za>
Sent: Thursday, 03 December 2020 07:40
To: Hout Bay SAPS <HoutBaySAPS@saps.gov.za>; Gordons Bay SAPS <GordonsBaySAPS@saps.gov.za>; Milnerton SAPS <MilnertonSAPS@saps.gov.za>; Milnerton DFO <MilnertonDFO@saps.org.za>
Subject: FW: Extended Trading Hours

Attention: All DLO's

Herewith please find correspondence received from City Of Cape for your compliance please.

The following premises applied for extension of trading hours

Kindly ensure that the report reaches this office **on or before Friday, 2020-12-04 by 12:00.**

Kind regards.



**BESTUURSDIENSTE
MANAGEMENT SERVICES**

30 November 2020

Safety and Security Directorate's
Law Enforcement Offices
Cnr Old Paarl & Paradys Roads
Brackenfell

REFERENCE : WCP/018631

Sir/Madam

**APPLICATION FOR RENEWAL IN TERMS OF SECTION 6 OF CONTROL OF
UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC, 2013, FOR MONDAY TO
SATURDAY EXTENDED OFF-CONSUMPTION TRADING HOURS**

OAKHURST RETAILERS CC T/A OK MINIMARK HOUT BAY, WCP/018631

Attached hereto please find completed application form and attachments for **Monday to Saturday extended off-consumption trading hours** for the abovementioned licensed premises.

As you are aware this premises has been enjoying extended trading hours on weekdays since it was granted in 2018, without having a negative impact on the surrounding environment and also without complaints to your department.

It is therefore respectfully requested that the section on the back of the application form once again be completed by your good selves so that it can be forwarded to the relevant Sub Council for further processing.

We trust that you will find the above in order.

Kindly contact us when the application is ready for collection.

Yours faithfully


DM HOOZENHOUT



Western Cape Liquor Authority

WESTERN CAPE
LIQUOR AUTHORITY

Oakhurst Retailers CC
P.O. Box 26563
HOUT BAY
7612



WESTERN CAPE
LIQUOR AUTHORITY

Licence number: WCP018631
LMATS number: 2013681
Representative: Mr P Psaros
021 7900711

ANNEXURE

PLEASE CORRECT IN THE PROVIDED BOX ON THE RIGHT HAND SIDE, AND RETURN THIS FORM BY
EMAIL: LIQUORLENQUIRIES@WCLA.GOV.ZA

PLEASE COMPLETE IN BLOCK LETTERS

Licence holder	
On record	New details
Full Name:	Oakhurst Retailers CC
Mobile No:	
Email Address:	ioakhurst@telkomsa.net
Postal Address:	P.O. Box 26563 HOUT BAY 7612
Identity Number:	
Registration Number:	2003006389/23

Licence details	
On record	New details
Licence Type:	Consumption Off
Trading As:	OK MiniMark Hout Bay
Licensed Premises:	Celia Court Main Road HOUT BAY 7606

Licence representative	
On record	New details
Full Name:	Mr P Psaros
Mobile No:	063 6507170
Email Address:	2430@ok.co.za
Postal Address:	P.O. Box 26563 HOUT BAY 7612
Identity Number:	5503155135088
Registration Number:	

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 2019.

FORM 21A

ANNUAL LICENCE RENEWAL NOTICE: FEES PAYABLE IN RESPECT OF A LIQUOR LICENCE FOR: THE YEAR 2020 (REG. 30(1))

LIQUOR AUTHORITY REFERENCE NUMBER: WCP018631

Name of licensee: Oakhurst Retailers CC

Address of the licensed premises: Celia Court, Main Road, HOUT BAY, 7606

(If the residential or postal address has changed, please also supply the new address to the following e-mail address:
liquor.enquiries@wcla.gov.za)

Category of licensee: Consumption Off

You are hereby notified that the total renewal fees payable to the Western Cape Liquor Authority are:

Annual: R 4,585, payable on or before 31 December 2019

Please Note:

1. Payment must be made by direct deposit into the following bank account of the Authority:

Bank: Nedbank
Account holder: Western Cape Liquor Authority
Account number: 145 206 9883
Branch code: 138 765

Please use your licence number (WCP018631) as the reference on the deposit slip.

Kindly email proof of payment to Finance@wcla.gov.za

2. A licence lapses on 1 January of the year in respect of which the applicable renewal fee is not paid on or before 31 December of the preceding year. See section 62(2)(b).

3. A licence that has lapsed in this way becomes valid again only if the applicable renewal fee is paid along with a penalty of 50% of the fee on or before 31 January, or with a penalty of 100% of the fee on or before the last day of February of this year in respect of which the renewal fees had to be paid. See section 62(3)(a)(i) and (ii).

4. A licensee who has failed to pay the prescribed renewal fee on or before the last day of February of the year in respect of which the renewal fee had to be paid may, on or before 31 March of that year, apply in writing (on Form 23) to the Chief Executive Officer for condonation of such failure, and the Chief Executive Officer may condone the failure and allow the late payment of the prescribed fee by a date to be determined by the Authority, subject to the payment of the renewal fee plus a penalty of 150% of the fee. See section 63(4).



2013681

Signature of Licence Holder / Representative
Date:



Absa Online: Notice of Payment

03 November 2019

Dear OAKHURST RETAILERS CC

Subject: Notice Of Payment: Western Cape Liquor

Please be advised that you made a payment to Western Cape Liquor as indicated below.

Transaction number:	806068347C-1
Payment date:	2019-11-03
Payment made from:	Current account
Payment made to:	Western Cape Liquor
Beneficiary bank name:	NEDBANK
Beneficiary account number:	1452069883
Bank branch code:	198765
For the amount of:	4,585.00
Immediate interbank payment :	N
Reference on beneficiary statement:	WCP/018631
Additional comments by payer:	

Please remember that the following apply to Absa Online payments to non-ABSA bank accounts.

- Payments made on weekdays before 15:30 will be credited to the receiving bank account by midnight of the same day but may not be credited to the beneficiary's bank account at the same time.
- Payments made on weekdays after 15:30 will be credited by midnight of the following day.
- Payments made on a Saturday, Sunday or Public holiday will be credited to the account by midnight of the 1st following weekday.

If you need more information or assistance, please call us on 08600 08600 or +27 11 501 5110 (International calls).

If you have made an incorrect internet banking payment, please send an email to digital@absa.co.za

Yours sincerely

General Manager: Digital Channels

This document is intended for use by the addressee and is privileged and confidential. If the transmission has been misdirected to you, please contact us immediately. Thank you.



Colleen Heldinger
Senior Clerk
Business Licence Desk
Western Sub District
Media City 7th Floor
Forshore
Cape Town
8001

Tel: 021 400 6513

Colleen.Heldinger@capetown.gov.za

2018-09-14

Halliburton Markets PTY (Ltd)
1/a Ok Minimark Hout Bay
Cellita Court, Main Road
Hout Bay
7806

Dear Sir/Madam

APPLICATION FOR EXTENDED LIQUOR TRADING HOURS - MONDAY TO SATURDAY 18:00 TO 20:00 OFF CONSUMPTION: OK MINIMARK HOUT BAY: CELLITA COURT, MAIN ROAD, HOUT BAY 7806: ERF 4661

Reference WCP/018631

Your application for extended off consumption liquor trading hours from **Monday to Saturday 18:00 to 20:00** was approved by the General Appeals Committee on **29 November 2019**. Please note that this approval for extended liquor trading hours is valid from **29 November 2019 until 28 November 2020** and remains subject to possession of a valid liquor licence. Please note that extended liquor trading hours cannot be exercised where no valid liquor licence exists.

1. Should complaints be received concerning noise and/or unruly behaviour of patrons, these will be investigated and may result in the extended trading hours being withdrawn.
2. Any complaints received concerning noise and/or unruly behaviour of patrons would also be referred to the Western Cape Liquor Authority and may jeopardise the renewal of the liquor licence.
3. This approval is also subject to compliance with all relevant by-laws of the City of Cape Town

Yours faithfully

WESTERN SUB DISTRICT
Cape Town

AREA 1
Sub Council 16

CIVIC CENTRE **IBIKO LENKONZO TOLUNTU** **BURGERSENTRUM**
7th Floor, 100, Main Road, Cape Town, 8001
www.capetown.gov.za

Making progress possible. Together.



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Alt: 021 400 6513
Tel: 021 400 6513
Via Fax: Colleen Heldinger
Unneba: 021 400 6513
Tel: 021 400 6513

Make progress possible together.

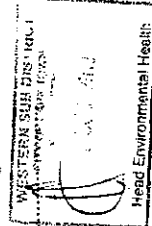
EXTENSION OF LIQUOR TRADING HOURS FOR OFF CONSUMPTION LIQUOR - Monday to Saturday

Approval in terms of Section 61(1A) of the City of Cape Town: Control of undertakings that sell liquor to the public, By-law 2013 as amended.

Extended liquor trading hours reference number	185126
	SPGENAP 06/11/2019
Liquor Licence number	WCP/018631
Full name of Licensee	Okhurst Retailers CC
Name/designation or title under which the business is carried on	Ok Minimark Hout Bay
Address of the licensed premises	Cellita Court, Main Road Hout Bay 7806
Extended liquor trading hours permitted for off consumption	Monday to Saturday 18:00 to 20:00hrs

Please note that this approval for extended liquor trading hours is valid from 29 November 2019 to 28 November 2020 and remains subject to possession of a valid Liquor Licence.

Extension of Liquor Trading Hours to be displayed together with Liquor Licence



AREA 1
Sub Council 16
Head Environmental Health

RESOLUTION

**AT A MEETING OF THE MEMBERS OF OAKHURST RETAILERS CC,
REGISTRATION NUMBER : 2003/006389/23, HELD ON 8 SEPTEMBER
2020, IT WAS RESOLVED THAT:**

The members hereby appoint Daniel Marais Hoogenhout t/a DH Management Services (Sole Proprietor) or Danelle van der Merwe or René Ras as my authorised agent to prepare and sign on my behalf and/or to appear before the City of Cape Town's Council and to do whatever is necessary to be done in connection with the undermentioned application, as well to withdraw it :

*Application in terms of Section 6 of the City of Cape Town : Control of Undertakings that Sell Liquor to the Public, 2013, for **extension of off-consumption trading hours from Monday to Saturday**, in respect of a premises situated at Erf 4661, Cellita Court, Main Road, Hout Bay, City of Cape Town, Sub Council 16, Ward 74, known as **OK MiniMark Hout Bay**, (WCP/018631).*

This resolution is irrevocable and will remain in power until the application is finalised and the competent authority has considered the application.



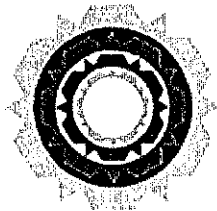
**P PSAROS
MEMBER**

ANNEXURE B

From: Cllr Roberto Quintas (DA)
Sent: 19 January 2021 05:12 PM
To: Shireen Maggott;
Subject: RE: OK MIMIMARK HOUT BAY - OFF CON: Mon-Sat (W74 CLLR WC COD)

Supported.

Cllr Roberto Quintas
Ward 74 Hout Bay & Llandudno
Environment & Spatial Planning Committee
Homelessness Agency Committee
Cell: 082 042 3502
Office: 021 400 2643
Email: Roberto.Quintas@capetown.gov.za



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

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From: Peace and Mediation Forum [mailto:hangbergpmf@gmail.com]
Sent: 19 January 2021 09:56 PM
To: Shireen Maggott; Cllr Roberto Quintas (DA);
Subject: Re: OK MIMIMARK HOUT BAY - OFF CON: Mon-Sat (W74 CLLR WC COD)

Supported

HANGBERG MPF

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