



1. **ITEM NUMBER: 03SUB 26/09/2021**

2. **SUBJECT**

**APPLICATION FOR THE RENEWAL OF EXTENDED LIQUOR TRADING HOURS:
FOR OFF-CONSUMPTION PREMISES MONDAY TO SATURDAY (18:00 TO 20:00)
AND SUNDAY (11:00 – 18:00) TRADING IN RESPECT OF WARD 113: PICK 'N
PAY LIQUOR PARKLANDS – WCP/040631**

ISIHLOKO

**ISICELO SOKUHLAZIYWA NGOKUTSHA KWEYURE EZANDISIWEYO
ZOKUTHENGISWA KOTYWALA: KWIZAKHIWO EKUNGASELELWA KUZO
NGOMVULO UKUYA NGOMGQIBELO (18:00 UKUYA KU20:00) KUNYE
NOKUTHENGISA NGECAWE (11:00-18:00) NGOKUJOLISWE KWIWADI 113:
PICK 'N PAY LIQUOR PARKLANDS – WCP/040631**

ONDERWERP

**AANSOEK OM DIE HERNUWING VAN VERLENGDE DRANKHANDELSURE: VIR
BUITEVERBRUIKPERSEEL MAANDAG TOT SATERDAG (18:00 TOT 20:00) EN
SONDAGHANDEL (11:00 TOT 18:00) TEN OPSIGTE VAN WYK 113: PICK N PAY
LIQUOR PARKLANDS – WCP/040631**

3. **PURPOSE**

For the Subcouncil to approve the recommendation for an application for the 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 days and hours on premises where liquor licences have been granted in terms of Section 2 of the By-law: Control of Undertakings that Sell Liquor to the Public, 2013.

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 3 Manager, and was then circulated to abutting neighbours, all organisations included on the **Ward 113** 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.

(j) 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):

- **PICK 'N PAY LIQUOR - PARKLANDS**
- Liquor Licence No: **WCP/040631**
- Off-Consumption
- **Corner of Parklands Main Road, Raats Drive and St John's Wood Road, Parklands, 7441**
- Current trading hours: **Monday – Saturday 09:00 to 20:00 and Sundays 11:00 to 18:00** with extension granted.
- Proposed trading hours: **Monday – Saturday 18:00 – 20:00 and Sundays 11:00 - 18:00.**

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

- **Ward Councillor: Councillor Joy Solomon**
Application is supported.
- **Community Organisations:**
No comments received.
- **Other**
No comments received.

- **Ward Committee of Ward 113:**
No comments received
- **Other Subcouncil 3 Councillors:**
Councillor Nicky Rheeder – No objection, Supported.
Councillor Christiana Groenewoud - No objection, Supported.
- **Comments received from Applicant:**
None as there were no objections.
- **INTERNAL DEPARTMENT:**
 - ❖ **Safety & Security (Liquor Control):**
 - Pertaining to the mentioned premises, namely, Pick 'n Pay Liquor Parklands, situated at, corner of Parklands Main Road, Raats Drive and St John's Wood Road, Parklands. It was ascertained that the applicant did renew his liquor license 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 has been received due to the COVID-19 pandemic and the SAPS maintaining the lockdown regulations.

7. RECOMMENDATION

It is recommended that the Subcouncil **consider** the application for the renewal of extended trading hours (off-consumption) Monday to Saturday 18:00 to 20:00 and Sunday 11:00 to 18:00 trading submitted by Pick 'n Pay Liquor Parklands, Corner of Parklands Main Road, Raats Drive and St John's Wood Road, Parklands, subject to the following conditions:

- A. That the application for the renewal of extended trading hours (off-consumption) submitted by Pick 'n Pay Liquor Parklands, Corner of Parklands Main Road, Raats Drive and St John's Wood Road, Parklands, **be considered** as it complies with the criteria included in the City of Cape Town: Control of Undertakings that Sell Liquor to the Public By-Law, 2013.
- B. Should complaints be received concerning noise and/or unruly behaviour of patrons, these complaints will be investigated and may result in the extended trading hours being withdrawn and will also be referred to the Western Cape Liquor Authority which may jeopardise the renewal of the liquor licence.
- C. This application is also subject to compliance with all relevant by-laws of the City of Cape Town.

- D. This application will be valid for 12 months from the date of the decision subject to the possession of a valid liquor licence.
- E. That the extension granted is subject to the specific level of lockdown regulations applicable.

ISINDULULO

ISICELO SOKUHLAZIYWA NGOKUTSHA KWEYURE EZANDISIWEYO ZOKUTHENGISWA KOTYWALA: KWIZAKHIWO EKUNGASELELWA KUZO NGOMVULO UKUYA NGOMGQIBELO (18:00 UKUYA KU20:00) KUNYE NOKUTHENGISA NGECAWE (11:00-18:00) NGOKUJOLISWE KWIWADI 113: PICK 'N PAY LIQUOR PARKLANDS – WCP/040631

Kundululwe ukuba iBhungana **malithathele ingqalelo** isicelo sokuhlaziywa ngokutsha kweeyure ezandisiweyo zokuthengiswa kotywala (obuselelwa ngaphandle) ngoMvulo ukuya ngoMgqibelo ngeye18:00 ukuya kweye20:00 kunye nokuthengisa ngeCawe ngeye11:00 ukuya kweye18:00 esingeniswe ngabePick 'n Pay Liquor Parklands, kwikona yeParklands Main Road, Raats Drive neSt John's Wood Road, eParklands, ngokuxhomekeke kule miqathango ilandelayo:

- A. Ukuba **makuthathelwe ingqalelo** isicelo sokuhlaziywa ngokutsha kweeyure ezandisiweyo zokuthengiswa kotywala (obuselelwa ngaphandle) esingeniswe ngabakwaPick 'n Pay Liquor Parklands, abakwikona yeParklands Main Road, Raats Drive neSt John's Wood Road, Parklands, njengoko sithobela imiqathango ebandakanywe ongoLawulo lweMigaqo yokuThengiswa koTywala eLuntwini kwiSixeko saseKapa wango2013;
- B. Ukuba kuthe kwafumaneka izikhalazo ngokuphathelene nengxolo okanye indlela engamkelekanga yokuziphatha kwabathengi, ezo zikhalazo zikuphandwa kwaye umphumela woku ungabangela ukuba kurhoxiswe isicelo sokwandiswa kweeyure zokuthengiswa kotywala kwaye ziyakuthi zidluliselwe kuGunyaziwe ongezoTywala eNtshona Koloni kwaye oko kungakhokhelela ekubeni lingahlaziywa iphephamvume lokuthengisa utywala.
- C. Esi sicelo kwakhona sixhomekeke ekuthotyelweni kwayo yonke imithetho kamasipala weSixeko saseKapa efanelekileyo.
- D. Esi sicelo sizakuthatha isithuba esizinyanga ezili12 ukususela ngomhla wokuthathwa kwesigqibo ngokuxhomekeke ekubeni unayo na ilayisenisi esemthethweni yokuthengisa utywala.

- E. Ukuba ukwandiswa kweeyure okunikezelweyo kuxhomekeke kwinqanaba elithile lemigaqo esebenzayo yommiselo wokuhlala ezindlini.

AANBEVELING

Daar word aanbeveel dat die subraad **oorweging skenk** aan die hernuwing van verlengde handelsure (buiteverbruik) vir handel van Maandag tot Saterdag van 18:00 tot 20:00 en Sondag van 11:00 tot 18:00, ingedien deur Pick n Pay Liquor Parklands, h.v. Parklandshoofweg, Raatsrylaan en St John's Wood-weg, Parklands, onderworpe aan die volgende voorwaardes:

- A. Dat die aansoek om die hernuwing van verlengde handelsure (buiteverbruik), ingedien deur Pick n Pay Liquor Parklands, h.v. Parklandshoofweg, Raatsrylaan en St John's Wood-weg, Parklands, **oorweeg word** aangesien dit aan die kriteria in die Stad Kaapstad: Verordening op Beheer oor Ondernemings wat Drank aan die Publiek verkoop, 2013, voldoen.
- B. Dat sou klagtes oor geraas en/of wilde gedrag van kliënte ontvang word, dit ondersoek sal word en daartoe kan lei dat die verlengde handelsure teruggetrek word, en dit ook na die Wes-Kaapse drankowerheid verwys sal word wat die hernuwing van die dranklisensie in gevaar kan stel.
- C. Dat hierdie aansoek ook onderworpe is aan nakoming van alle toepaslike verordenings van die Stad Kaapstad.
- D. Dat hierdie aansoek vir 12 maande vanaf die datum van die besluit geldig sal wees, onderworpe aan die besit van 'n geldige dranklisensie.
- E. Dat die verlenging toegestaan word onderworpe aan die spesifieke inperkingsregulasievlak wat geld.

ANNEXURES:

- A Application submitted by Pick 'n Pay Liquor Parklands - Corner of Parklands Main Road, Raats Drive and St John's Wood Road, Parklands

FOR FURTHER DETAILS, CONTACT:

NAME	Yolandie Louwrens
CONTACT NUMBERS	021 444-4866
E-MAIL ADDRESS	Yolande.Louwrens@capetown.gov.za
DIRECTORATE	Urban Management

ROXANNE MOSES
MANAGER SUBCOUNCIL 3
Tel no: 021 444-4862

Comment:

COUNCILLOR NICOLETTE RHEEDER
SUBCOUNCIL 3 CHAIRPERSON
Tel no: 021 444-4871

Comment:

RECEIVED: 12/01/2021



CITY OF CAPE TOWN | IIZERHO SASEKAPA | STAD KAAPSTAD

THIS CITY WORKS FOR YOU

Form 2
MONDAY TO SATURDAY EXTENDED OFF-CONSUMPTION TRADING HOURS

CITY HEALTH

RENEWAL

REF: 186396

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/040631**
2. Full name of licensee **Pick 'n Pay Retailers (Pty) Ltd**
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)

Annexure A

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

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. [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

6. Contact number [Redacted]
7. State reason(s) why licensee is applying for extension of trading hours (use an annexure if required)

Annexure B

[Redacted]

[Redacted]

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

Signature **D.L. Cronje** Date **17/01/2021**
 (written authorisation to sign on behalf of licensee to be attached)

Name (printed) [Redacted] Application prepared by [Redacted]
 Postal address [Redacted] Physical address [Redacted]
 [Redacted] [Redacted]
 [Redacted] [Redacted]
 Cell: [Redacted]
 E-mail: [Redacted]

Signature **D.L. Cronje** Date **17/01/2021**
 (written authorisation to sign on behalf of licensee to be attached)
 Name (printed) **D.L. Cronje**

Liquor licence number WCP/040631

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, PICK N PAY LIQUOR (PARKLANDS), SITUATED AT, CNR PARKLANDS MAIN ROAD, RAATS DRIVE & ST JOHN'S WOOD ROAD, PARKLANDS. IT WAS ASCERTAINED THAT THE APPLICANT DID RENEW HIS LIQUOR LICENSE FOR 2021. NO 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 COMMENTS, HOWEVER, NO FEEDBACK HAS BEEN RECEIVED DUE TO THE COVID-19 PANDEMIC AND THE SAPS MAINTAINING THE LOCKDOWN REGULATIONS.

Name of Official **Marilyn Holding**
Assistant Chief
LAW ENFORCEMENT
10001005

Signature *M. Holding*

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 610400. Payment can be made at any cash office of the City. Proof of payment must from 1 July 2020 accompany the application when handing it in at the designated Environmental Health Office.

Application Fee

Receipt number

payment date

RECEIVED: 12/11/2021



CITY OF CAPE TOWN | ISIZO SOGOKAPA | STAD KAAPSTAD

THIS CITY WORKS FOR YOU

CITY HEALTH

Form 3
SUNDAY OFF-CONSUMPTION TRADING

RENEWAL

REF: 186397

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/040631**

2. Full name of licensee **Pick 'n Pay Retailers (Pty) Ltd**

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)

Annexure A

4. Name and address of the licensed premises

Pick 'n Pay Liquor (Parklands)

Cnr Parklands Main Road

Raats Drive & St John's Wood Road

Parklands

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 28295**

Muizenberg

6. Contact number

Danie Cronje : 021-883 3906

7. State reason(s) why licensee is applying for trading on Sundays (use an annexure if required)

Annexure B

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

Signature **D.L. Cronje** Date **19/11/2021**

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

Name (printed) **D.L. Cronje**

Application prepared by **Danie Cronje Attorneys**

Postal address **P.O. Box 621**

Physical address **1 Andringa Street**

Stellenbosch

Stellenbosch

7599

7600

Work tel: **021-883 3906**

Cell: **082 772 3517**

Fax: **086 552 5884**

E-mail: **danie@daniecronje.com**

Signature **D.L. Cronje** Date **19/11/2021**

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

Name (printed) **D.L. Cronje**

SAFETY AND SECURITY

PERTAINING TO THE MENTIONED PREMISES, NAMELY, PICK N PAY LIQUOR (PARKLANDS), SITUATED AT, CNR PARKLANDS MAIN

ROAD, RAATS DRIVE & ST JOHN'S WOOD ROAD, PARADISE. IT WAS ASCERTAINED THAT THE APPLICANT DID RENEW HIS

LIQUOR LICENSE FOR 2021. NO 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 COMMENTS, HOWEVER, NO

FEEDBACK HAS BEEN RECEIVED DUE TO THE COVID-19 PANDEMIC AND THE SAPS MAINTAINING THE LOCKDOWN

REGULATIONS.

REGULATIONS.	

City of Cape Town

Standing

City of Cape Town
Date: 08 JUL 2021
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 R8 855.00 (Vat Inclusive) is payable into Profit centre 19070172 GIL 810400. Payment can be made at any cash office of the City. Proof of payment must from 1 July 2020 accompany the application when handing it in at the designated Environment Health Office.

Application Fee

Receipt number

payment date