



1. ITEM NUMBER : 01SUB 29/09/2021

2. SUBJECT

**APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT
OF: WOOLWORTHS BIRKENHEAD (SUNDAY) 11h00 – 18h00**

**AANSOEK OM VERLENGING VAN DRANKHANDELSURE TEN OPSIGTE:
WOOLWORTHS BIRKENHEAD (SONDAG) 11h00 – 18h00**

**ISICELO SOKWANDISWA KWAMAXESHA OKUTHENGISA UTYWALA
NGOKUPHATHELELE KWABE: WOOLWORTHS BIRKENHEAD (NGECAWA)
11h00 – 18h00**

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 25. 5(1)

To approve, refuse or vary applications for extension of trading hours on premises where liquor licences 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: SubCouncils and SubCouncil 1

Manager, and was then circulated to all organisations included on the Ward 23 database and ward committee members for comment. The Ward Councillor was asked to obtain comments from the abutting neighbours if she felt it relevant.

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.

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):

- WOOLWORTHS BIRKENHEAD
- Liquor Licence No: WCP/043084
- Off Consumption
- Shop 40 The Birkenhead Shopping Centre Melkbosstrand
- Current trading hours: No trading
- Business Licence – in order

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

- Ward Councillor: Nora Grose:

Supported

- Abutting neighbours:

No comments received.

- Community Organizations: : As per CBO Database:

No comments received

- Ward Committee of Ward 23 :

No comment received

Comments by applicant on objection

Not applicable

- **Internal departments:**

- ❖ Town Planning:

Kindly note that P&BDM provide a zoning comment upon receipt of an application for a liquor licence; but once that licence is approved by the Liquor Board and a subsequent application for an extension of time of Trading Hours is submitted there is no zoning development parameter that regulates this aspect and therefore no further comment is required.

❖ Health Department:

No comment required.

❖ Law Enforcement Squad:

See comments appended to attached application (Annexure A)

7. RECOMMENDATION

- That Subcouncil 1 considers the application for the extension of liquor trading hours submitted by WOOLWORTHS BIRKENHEAD as well as the various comments received, and resolve to approve, refuse or vary the application for extension of trading hours from 11h00 – 18h00 on a Sunday.

AANBEVELING

- Dat Subraad 1 die aansoek om die verlenging van drankhandelsure ingedien deur WOOLWORTHS BIRKENHEAD asook die verskillende kommentaar ontvang, oorweeg en besluit om die aansoek om die verlenging van handelsure van 11h00 tot 18h00 op n Sondag goed te keur, van die hand te wys of te verander.

IZINDULULO

- Ukuba iBhungana 1 maliqwalasele isicelo sokwandiswa kwamaxesha okuthengisa utywala esingeniswe ngabe- WOOLWORTHS BIRKENHEAD kwanezimvo ezininzi ezifunyenweyo, lize lenze isigqibo sokuphumeza, sokukhaba okanye lohlule isicelo sokwandiswa kwamaxesha okuthengisa utywala kude kube yintsimbi ye-11h00 – 18h00 Lwesine.

ANNEXURES:

- A Application submitted by, WOOLWORTHS BIRKENHEAD including comments by Safety and Security

FOR FURTHER DETAILS CONTACT:

NAME	<i>W van der Westhuizen</i>
CONTACT NUMBERS	<i>021 444 6037</i>
E-MAIL ADDRESS	<i>wessievanderwesthuizen@capetown.gov.za</i>
DIRECTORATE	<i>Urban Management</i>

Comment:

W van der Westhuizen
SUBCOUNCIL1 MANAGER

DATE _____

Comment: _____

Cllr N Grose
Chairperson

Date _____



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

CITY HEALTH

Rochelle Jones

06-07-2021

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: 186321
Liquor Licence Number: WCP/042084 S RENEWAL 2021
Licensee Name: WOOLWORTHS (PTY) LTD
Premises Name: WOOLWORTHS THE BIRKENHEAD
Premises Address: SHOP 40, THE BIRKENHEAD SHOPPING CENTRE, CNR BIRKENHEAD & OTTO DU PLESSIS
MELKBOSSTRAND
MELKBOSSTRAND
7441

Date of Application Submission:

Date Application captured: 2021/07/05

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.

RECEIVED 05/07/2021



CITY HEALTH

Form 3
SUNDAY OFF-CONSUMPTION TRADING

CITY OF CAPE TOWN | ISIXENQ BASEKAPA | STAD KAAPSTAD

THIS CITY WORKS FOR YOU

REF: 186321

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/042084**
2. Full name of licensee **Woolworths (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

Woolworths (The Birkenhead)
Shop 40, The Birkenhead Shopping Centre
Cnr Birkenhead & Otto du Plessis
Melkbosstrand, 7441

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 3846**
Melkbosstrand
7441

6. Contact number

Danie Cronje

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 **18/5/2021**

(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 **Stellenbosch**

7599 **7600**

Work tel: Cell:

Fax: E-mail:

Signature **D.L. Cronje** Date **18/5/2021**

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

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



MR W V/D WESTHUIZEN
Subcouncil 1 Manager

☐

DATE 20.08.2021



MR N GROSE
Chairperson Subcouncil 1

☐

DATE 20.08.2021
