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1. **ITEM NUMBER: 03SUB 15/08/2021**

2. **SUBJECT**

**DECISION TAKEN UNDER SUBDELEGATED AUTHORITY BY THE CHAIRPERSON, WARD COUNCILLOR AND SUBCOUNCIL MANAGER IN RESPECT OF: - APPLICATION FOR THE RENEWAL OF EXTENDED LIQUOR TRADING HOURS: MONDAY TO SATURDAY- AND TRADING FOR OFF CONSUMPTION PREMISES IN RESPECT OF WARD 107: DIAMONDS DISCOUNT LIQUORS - WCP/030074**

**ISIHLOKO**

**ISIGQIBO ESITHATYATHWE PHANTSI KWESIGUNYAZISO ESINGEZANTSI KWESINYE NGUSIHLALO, UCEBA WEWADI NOMPHATHI WEBHUNGANA NGOKUJOLISWE: - ISICELO SOKWANDISWA KWEYURE ZOKUTHENGISWA KOTYWALA UKUSUSELA NGOMVULO UKUYA NGOMGQIBELO NOKUTHENGISA NGECAWE KWISAKHIWO EKUNGASELELWA KUSO NGOKUJOLISWE KWIWADI 107: SABAKWADIAMONDS DISCOUNT LIQUOR WCP/030074**

**ONDERWERP**

**BESLUIT GENEEM KRAGTENS GESUBDELEGEERDE BEVOEGDHEID DEUR DIE VOORSITTER, WYKSRAADSLID EN SUBRAADSBESTUURDER TEN OPSIGTE VAN: - AANSOEK OM HERNUWING VAN VERLENGDE DRANKHANDELSURE: MAANDAG TOT SATERDAG EN SONDAE VIR BUITEVERBRUIK TEN OPSIGTE VAN WYK 107: DIAMONDS DISCOUNT LIQUORS - WCP/030074**

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, 2012

## 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 107** 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):

- **DIAMONDS DISCOUNT LIQUORS - PARKLANDS**

- Liquor Licence No: WCP/030074
- Off Consumption
- Erf 28289, corner of Link and Ravenscourt Roads, Parklands, 7441
- Current trading hours: Monday – Saturday 09:00 – 20:00 and Sundays 11:00-18:00 with extension granted.
- Proposed trading hours: Monday – Saturday: 18:00 – 20:00 and Sundays 11:00 - 18:00.
- Business Licence – in order

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

- **Ward Councillor: Councillor Nicky Rheeder**  
Supported.

- **Community Organisations of Ward 107:**  
No comments received.

- **Ward Committee of Ward 107:**  
No comments received.

- **Other Subcouncil 3 Councillors:**

No comments received.

- **INTERNAL DEPARTMENT:**

- ❖ **Safety & Security (Liquor Control):**

Pertaining to the mentioned premises, namely, Diamonds Discount Liquors, situated at corner of Link and Ravenscourt Roads, Parklands. 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 is recommended by SAPS.

## **RECOMMENDATION**

It is recommended that it be **NOTED** that an application for the renewal of extended liquor trading hours (off-consumption) in respect of , Diamonds Discount Liquors, situated at corner of Link and Ravenscourt Roads, Parklands for trading Mondays to Saturdays 18:00 – 20:00 and Sundays 11:00 - 18:00 was considered under sub delegated authority by the Subcouncil Manager, in consultation with the Chairperson of Subcouncil 3 and Ward Councillor and that the following decision was taken on the 1<sup>st</sup> of July 2021:

- A. That the application for the renewal of extended trading hours (off-consumption) submitted by Diamonds Discount Liquors situated at corner of Link and Ravenscourt Roads, Parklands for trading on Mondays to Saturdays 18:00 – 20:00 and Sundays 11:00 - 18:00 **BE APPROVED** 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 approval is also subject to compliance with all relevant by-laws of the City of Cape Town.
- D. This approval 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

Kundululwe ukuba **MAKUQATSHELWE** ukuba kuye kwathathela ingqalelo phantsi kwesigunyaziso esisezantsi nguMphathi weBhungana ecebisana noSihlalo weBhungana noCeba weWadi isicelo sokuhlaziywa kokwandiswa kweeyure zokuthengiswa kotywala (izakhiwo ekungaselelwa kuzo) ngokujoliswe kwabakwa-Diamonds Discount Liquors, c/o Link and Ravenscourt Roads, Parklands – kulungiselelwa ukuthengisa ngoMivulo ukuya ngeMigqibelo ukususela ngeye18:00 ukuya ngeye20:00 nokurhweba ngeeCawe ukususela kweye11:00 ukuya kweye18:00 kwaye kwakhona kwagqitywa ezi zigqibo zilandelayo ngomhla wo1 kweyeKhala (Julayi) 2021:

- A. Ukuba **MAKUPHUNYEZWE** isicelo sokwandiswa kweeyure zokuthengiswa kotywala (izakhiwo ekungaselelwa kuzo) esingeniswe ngabakwaDiamonds Discount Liquors, c/o Link and Ravenscourt Roads, Parklands, Table View, 7441 – ukurhweba ngeMivulo ukuya ngeMigqibelo ukususela ngeye18: 00 – 20:00 nangeeCawe ukususela ngeye11:00 - 18:00, njengoko sithobela ummiselo othe waqukwa kuMthetho kaMasipala weSixeko saseKapa ongoLawulo leMigaqo yokuthengiswa koTywala kuLuntu wango2013.
- B. Ukuba kuye kwafunyanwa izikhalazo ngokumalunga nengxolo okanye indlela engamkelekanga yokuziphatha kwabathengi, ezi zikhalazo ziyakuthi ziphandwe kwaye oku kungangumphumela wokuba kurhoxiswe iiyure zokuthengisa ezandisiweyo kwakhona ziyakuthi zigqithiselwe kuGunyaziwe wePhondo ongokuThengiswa koTywala apho kungathi oku kusengele phantsi ukuhlaziywa kwephephamvume lotywala.
- C. Esi siphumezo kwakhona sixhomekeke ekuthotyelweni kwayo yonke imithetho efanelekileyo kamasipala weSixeko saseKapa.
- D. Esi siphumezo siyakuthi sibesemthethweni kangangethuba leenyanga ezili12 ukususela kumhla wesigqibo, ngokuxhomekeke ekufumanekeni kwephephamvume elisemthethweni lokuthengisa utywala.
- E. Ulwandiso oluvunyelweyo, luxhomekeke kwinqanaba elimiselweyo elithile lemigaqo engokuvaleleka ngendlu efanelekileyo.

## AANBEVELING

Daar word aanbeveel dat daar **KENNIS GENEEM** word dat 'n aansoek om die hernuwing van verlengde drankhandelsure (buiteverbruik) van Maandag tot Saterdag 18:00 tot 20:00 en Sondag 11:00 tot 18:00 ten opsigte van Diamonds Discount Liquors, geleë op die hoek van Link- en Ravenscourtweg, Parklands kragtens gesubdelegeerde bevoegdheid deur die subraadsbestuurder in oorleg met die voorsitter van subraad 3 en die wyksraadslid oorweeg is, en die volgende besluit op 1 Julie 2021 geneem is:

- A. Dat die aansoek om hernuwing van verlengde drankhandelsure (buiteverbruik) van Maandag tot Saterdag van 18:00-20:00 en Sondag van 11:00-18:00, ingedien deur Diamonds Discount Liquors geleë op die hoek van Link- en Ravenscourtweg, Parklands, **GOEDGEKEUR WORD** aangesien dit voldoen aan die kriteria vervat in die Stad Kaapstad: Verordening op die Beheer van Ondernemings wat Drank aan die Publiek Verkoop, 2013.
- B. Indien klagtes oor geraas en/of wilde gedrag van klante ontvang word, dit ondersoek sal word en tot die herroeping van die verlengde handelsure kan lei en ook na die Wes-Kaapse drankowerheid verwys sal word wat die hernuwing van die dranklisensie in gedrang kan bring.
- C. Hierdie goedkeuring ook onderworpe is aan die nakoming van alle toepaslike verordeninge van die Stad Kaapstad.
- D. Hierdie goedkeuring vir 12 maande geldig sal wees vanaf die datum van die besluit onderworpe aan die besit van 'n geldige dranklisensie.
- E. Dat die verlenging onderworpe is aan die spesifieke vlak inperkingsregulasies wat van toepassing is.

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## ANNEXURES:

A - Application submitted by Diamonds Discount Liquors, situated at corner of Link and Ravenscourt Roads, Parklands, – Mondays to Saturdays 18:00 – 20:00 and Sundays 11:00 - 18:00.

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## FOR FURTHER DETAILS, CONTACT:

<b>NAME</b>	<i>Deidre Julia Prinsloo</i>
<b>CONTACT NUMBERS</b>	<i>021 444-4864</i>
<b>E-MAIL ADDRESS</b>	<i>Deidre.Prinsloo@capetown.gov.za</i>
<b>DIRECTORATE</b>	<i>Urban Management – Area North</i>

Comment:

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**GIRSHWIN FOULDIEN**  
**ACTING SUBCOUNCIL 3 MANAGER**

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DATE

Nicolette  
Rheeder

Digitally signed by  
Nicolette Rheeder  
Date: 2021.08.19 14:05:21  
+02'00'

**CLLR NICKY RHEEDER**  
**SUBCOUNCIL 3**  
**CHAIRPERSON**

Date



CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD

Form 2  
MONDAY TO SATURDAY EXTENDED OFF-CONSUMPTION TRADING HOURS

# CITY HEALTH

REF: 186253

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

2. Full name of licensee

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)

DETAIL AS PER ANNEXURE "G"

4. Name and address of the licensed premises

DIAMONDS DISCOUNT LIQUORS (PARKLANDS)  
ERF 28289  
C/O LINK & RAVENSCOURT ROADS  
PARKLANDS, 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.   
DIAMONDS DISCOUNT LIQUORS (PARKLANDS)  
SHOP 21 & 22 THE EMPORIUM  
C/O LINK & RAVENSCOURT ROADS  
PARKLANDS, 7441

6. Contact number

Office: 021 9138545, Fax: 086 660 8933, Email: [admin@alfiecrous.co.za](mailto:admin@alfiecrous.co.za) / [liquor@alfiecrous.co.za](mailto:liquor@alfiecrous.co.za)

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

DETAIL AS PER ANNEXURE "A"

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

Signature  Date

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

Name (printed)  Application prepared by

Postal address  Physical address

LOEVENSTEIN

7530

Worktel:  Cell:

Fax:  Email: [admin@alfiecrous.co.za](mailto:admin@alfiecrous.co.za) / [liquor@alfiecrous.co.za](mailto:liquor@alfiecrous.co.za)

Signature  Date

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



Form 2

Liquor licence number WCP/030074**OFFICE USE ONLY****SAFETY AND SECURITY**

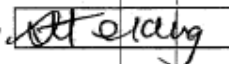
Comment or state history of nuisance(s) and/or any complaints received or action taken in respect of the premises or licensee

PERTAINING TO THE MENTIONED PREMISES, NAMELY, DIAMONDS DISCOUNT LIQUORS (PARKLANDS), SITAUTED AT, C/O LINK& RAVENSCOURT ROADS, 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 ISRECOMMENDED BY THE SAPS.


Name of Official

**Marilyn Holding**  
**Assistant Chief**

Signature



Date

20 APR 2021**LAW ENFORCEMENT**  
**10001005**

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



CITY HEALTH  
Ref: 186254

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/030074
2. Full name of licensee	CHANGHUA TRADING CC, REGISTRATION NUMBER: 2006/054165/23
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)	DETAIL AS PER ANNEXURE "G"
4. Name and address of the licensed premises	DIAMONDS DISCOUNT LIQUORS (PARKLANDS) ERF 28289 C/O LINK & RAVENSCOURT ROADS PARKLANDS, 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. 28289 DIAMONDS DISCOUNT LIQUORS (PARKLANDS) ERF 28289 C/O LINK & RAVENSCOURT ROADS PARKLANDS, 7441
6. Contact number	Office: 021 9138545, Fax: 086 660 8933, Email: admin@alfiecrous.co.za / liquor@alfiecrous.co.za
7. State reason(s) why licensee is applying for extension of trading hours (use an annexure if required)	DETAIL AS PER ANNEXURE "A"

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

Signature	[Signature]	Date	12/04/2021
(written authorization to sign on behalf of licensee to be attached)			
Name (printed)	ALFRED CROUS	Application prepared by	ALFRED CROUS
Postal address	35 ALLEN DRIVE LOEVENSTEIN 7530	Physical address	35 ALLEN DRIVE LOEVENSTEIN 7530
Worktell:	021 913 8545	Cell:	082 577 1893
Fax:	086 660 8933	Email:	admin@alfiecrous.co.za / liquor@alfiecrous.co.za
Signature	[Signature]	Date	12/04/2021
(written authorization to sign on behalf of licensee to be attached)			

Form 3

Liquor licence number WCP/030074

## 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, DIAMONDS DISCOUNT LIQUORS (PARKLANDS), SITAUTED AT, C/O LINK

&amp; RAVENSCOURT ROADS, 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 IS

RECOMMENDED BY THE SAPS.

Name of Official

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

Signature

*M Holding*

Date

20 APR 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 R3 855.00 (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 2019 accompany the application when handing it in at the designated Environmental Health Office.

Application Fee

Receipt number

payment date