

SUBCOUNCIL 16

1. **ITEM NUMBER**: 16 SUB 29/06/2022

2. SUBJECT

APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS IN RESPECT OF GAME CANAL WALK, SHOP 549, UPPER LEVEL, CANAL WALK CENTRE, CENTURY BOULEVARD, CENTURY CITY: OFF CONSUMPTION SUNDAY 11:00-18:00

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 55 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):
 - Game Canal Walk
 - Liquor Licence No: WCP/038036
 - OFF Consumption Sunday trading 11h00 18h00
 - Shop 549, Upper Level, Canal Walk Centre, Century Boulevard, Century City
- 5.2.2 SubCouncil Manager confirmation: Advertising extent (Community participation) Notices served on and received the following Comments:
 - Ward Councillor: 2022/05/06: (See attached Annexure B)
 - Cllr Fabian Ah-Sing: Supported

- Abutting neighbours: <u>2022/05/09</u>:
 - No comments received.
- Community Organizations: 2022/05/06: (See attached Annexure B)
 - ❖ Patricia: Paarden Eiland CID: Supported
- Ward Committee of Ward 55: 2022/05/06:
 - ❖ No comments received.
- Internal departments:
 - Health Department: Compliant – see attached <u>Annexure A</u>
 - <u>Law Enforcement Squad</u>
 Compliant see attached <u>Annexure A</u>.

6. RECOMMENDATION

That Subcouncil 16 considers the application for the extension of liquor trading hours submitted by **Game Canal Walk**, Shop 549, Upper Level, Canal Walk Centre, Century Boulevard, Century City as well as the various comments received, and resolve to approve, refuse or vary the application for Sunday trading hours from 11:00-18:00.

ANNEXURES:

- A. Application submitted by **Game Canal Walk**, including comments by Health and Safety and Security.
- B. Comments from Ward Councillor and Community organisations in support of the application.

FOR FURTHER DETAILS CONTACT:

NAME	Girshwin Fouldien
CONTACT NUMBERS	021 487 2055
E-MAIL ADDRESS	Girshwin.Fouldien@capetown.gov.za
DIRECTORATE	Urban Management Area North

Grshvin Føuldien SUBCOUNCIL16 MANAGER	Comment:
DATE 06/06/2022	
Ald Matthew Kempthorne SUBCOUNCIL 16 CHAIRPERSON:	Comment:
Date $\frac{06/06/2022}{}$	

ANNEXURE A



CITY OF CAPE TOWN ISIXEKO SASEKAPA | STAD KAAPSTAD

THIS CITY WORKS FOR YOU

Name (printed) Portia Sibiva

CITY HEALTH

REF: 187 134

THIS CITY WC	JRKS FOR YOU	~ 1 ° .	•	\	
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DETAILS OF LICEN					
I. Liquor license number	WCP/038036				
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3. If the licensee is not a r	natural person, state the name, identity number and a	address of each shar	reholder, member or part	ner. (use an annexure	if required)
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Signature	Date 12 January 20	022			
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COMMENT ON LIQUOR LICENSE APPLICATION FORM

	COMMENT ON LIGOUR LICENSE AFFLICATION FORM	LICENSE	APPLICA	TON FORM
Please complete the In	nformation below and return to Subcouncil SCLS Pine Stephens Road Central Square, PINELANDS 7405	tum to Sub ral Square, I	Council SO	Please complete the Information below and return to Subcouncil SCLS Pinelands Training Centre, St Stephens Road, Central Square, PINELANDS 7405
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			NOS)	(SON 11H00-18H00)
APPLICATION	SUPPORTED	YES S	NOT SUPPORTED	
	Aged or Frail Care Centre	ON		
Please indicate whether the business is LOCATED	Rehab, Drugs / Alcohol Centre	NO		
	School(s)	NO	:	
	Other	N/A		
PARKING	N/A			
REASONS FOR NOT SUPPORTING	N/A			
NOTE: The detailed rea	NOTE: The detailed reasons for opposing an application should be sound town planning	application	should b	sound town planning
or community is	ssues and not moral opposition. See	SATION DET	Alls Sile	or community issues and not moral opposition. See Critical above to guidenines
NAME	W/O A.P STEYN	SIGNATURE	Si	Signed copy filed
DATE	2022-01-25	CONTACTN	UMBER 0	CONTACT NUMBER 021-5283010



Western Cape Liquor Authority

Massdiscounters (Pty) Ltd Massmart House 16 Peltier Drive Sunninghill X6 SUNNINGHILL Gauteng



FORM 21A

ANNUAL LICENCE RENEWAL NOTICE:

FEES PAYABLE IN RESPECT OF A LIQUOR LICENCE FOR:

THE YEAR 2022

(REG. 30(1))

LIQUOR AUTHORITY REFERENCE NUMBER: WCP/038036

Name of licensee: Massdiscounters (Pty) Ltd

Address of the licensed premises: Portion of Game Premises, Shop 549, Upper Level, Canal Walk Centre, Alongside Century Boulevard,

CENTURY CITY, 7441

(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 licence: Consumption Off

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

Annual: R 5,002, payable on or before 31 December 2021

Please Note:

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

Bank:

Account holder: Western Cape Liquor Authority

Account number:

Branch code:

Please use your licence number (WCP/038036) 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 feel is paid along with a penalty of 50% on or before 31 January, or with a penalty of 100% on or before the last day of February of the 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 21C) 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%. See section 68(4).



Licence number: WCP/038036 LMaTS number: 2010/1879

Representative: Emil Scheepers Attorneys Inc

086 1112 791

ANNEXURE

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

PLEASE COMPLETE IN BLOCK LE	TTERS		ļ		
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A licensee who intends Form 21B by no later t	s to subscribe to a biennial renew nan 30 November 2021.	al cycle, must lo	dge w	ith th	Authority a notice in the form of
	Signature of Licence Holder Date:	r/ Representative	•		2010/1879

1/31/22, 10:56 AM

Audit Trail

Create Transfer

27442 - MASSTORES PTV LTD T/A GAME AND Group

Operator 013 - BILKISH SHEIK Status Finally Approved

Captured

Operator Number

Operator Name BILKISH SHEIK

Approval Level

Date 2022/01/31

Time 09:41:11

Beneficiary Code

From Account Description

Your Account Number/Reference with the Institution

Your Account Name with the Institution

Date

MASSDISCOUNTERS

3 WCP/038036

20220131

Transaction Number 9999

To View Payment Confirmation Details click here.

First Approver Second Approver

Third Approver

511326 1 T/A GAME AND DION STORES - PAYMENTS ACCOUNT - 000000405 206088

Final Approver

MARION E BOND

2022/01/31

10:45:01

Frequency

Amount

Mon, Jan 31, 2022 at 10:53:53 AM

Transaction Status

Transaction Detail

Adhoc

13,282.00

Immediate Interbank Payment

No

ANNEXURE B

Shireen Maggott

From:

Cllr Fabian Ah Sing (DA)

Sent:

Friday, 06 May 2022 11:38 AM

To:

Shireen Maggott

Subject:

RE: GAME CANAL WALK: OFF CON: SUNDAY (W115 CLLR WC COD)

COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS

FORM

	Please complete the Subcouncil SC 16, 11TH					
Applicant Details	GAME CANAL WALK OFF CONSUMPTION (Sunday)					
APPLICATION	SUPPORTED	x	NOT SUPPORTED			
	Aged or Frail Care Centre		l			
Please indicate whether the business is LOCATED near	Rehab, Drugs / Alcohol Centre					
	School(s)					
	Other					
PARKING						
REASONS FOR NOT SUPPORTING						
the relevant decision may require the info	n-making process. Thi rmation to be shared a	s will involve and included	ocess the relevant appl the processing of such in public reports and do ng to further processing.	information and		
		TION/OBJECT	and the second of the second o			
NAME	Cllr Fabian Ah-Sing	I				
DATE	06 May 2022					

For ease of reference community organisations/residents may submit comments to this office, to aid in the decision taken by this Subcouncil. Written comment in respect of this notice(s) of application(s)

must reach this office before or on 20/05/2022 at close of business (16:30)

Shireen Maggott

From:

Patricia < cidmanager@paardeneilandcid.co.za>

Sent:

Friday, 06 May 2022 11:23 AM

To: Cc: Shireen Maggott les@unitprop.co.za

Subject:

RE: GAME CANAL WALK: OFF CON: SUNDAY (W115 CLLR WC COD)

COMMENT ON APPLICATION FOR EXTENSION OF LIQUOR TRADING HOURS

FORM

	Please complete the i						
Applicant Details	GAME CANAL WALK OFF CONSUMPTION (Sunday)						
APPLICATION	SUPPORTED	SUPPORTED	NOT SUPPORTED				
	Aged or Frail Care Centre	1		- 10			
the business is	Rehab, Drugs / Alcohol Centre						
	School(s)						
	Other						
PARKING							
REASONS FOR NOT SUPPORTING							
the relevant decision may require the info	d in the document will k n-making process. This rmation to be shared a n in this document, you	s will involve the pand included in pu	processing of such infoublic reports and docur	rmation and			
		ION/OBJECTOR DI					
NAME	Paarden Eiland City	Improvement [District				
DATE	06 May 2022						