



1. ITEM NUMBER: 03SUB 22/11/19

2. SUBJECT

APPLICATION FOR THE RENEWAL OF THE EXTENSION OF LIQUOR TRADING HOURS: MONDAY TO SATURDAY- AND SUNDAY TRADING FOR OFF CONSUMPTION PREMISES IN RESPECT OF WARD 5: OK LIQUOR VILLAGE CENTRE, 173 VRYBURGER AVENUE, BOTHASIG, LICENCE NUMBER: WCP / 041523

ONDERWERP

AANSOEK OM DIE HERNUWING VAN DIE VERLENGING VAN DRANKHANDELSURE: MAANDAG TOT SATERDAG- EN SONDAG HANDEL VIR BUITEVERBRUIKPERSEEL TEN OPSIGTE VAN WARD 5: OK LIQUOR VILLAGE CENTRE, 173 VRYBURGER AVENUE, BOTHASIG, LICENCE NUMBER: WCP / 041523

ISIHLOKO

ISICELO SOKUHLAZIYWA NGOKUTSHA UKWANDISWA KWEYURE ZOKUTHENGISWA KOTYWALA: NGOMVULO UKUYA NGOMGQIBELO KUNYE NOKUTHENGISA NGECAWE KWIZAKHIWO EKUNGASELELWA KUZO NGOKUJOLISWE KWIWADI 5: OK LIQUOR VILLAGE CENTRE, 173 VRYBURGER AVENUE, BOTHASIG, LICENCE NUMBER: WCP / 041523

3. PURPOSE

For the Subcouncil to approve the recommendation for an application for the renewal of 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 licenses 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 5** 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):

- OK LIQUOR VILLAGE CENTRE,
- Liquor Licence No: **WCP/041523**
- OFF Consumption
- **173 VRYBURGER AVENUE, BOTHASIG**
- Current trading hours: Monday – Saturday 18:00 – 20:00 and Sundays 11:00 – 18:00 with extension granted.
- Proposed trading hours: Monday – Saturday: Monday – Saturdays 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 Helen Carstens
Supported
- Other comments received:
No comments from Ward Committee and Community Organisations
- **Internal departments:**
 - ❖ Safety & Security (Liquor Control):
 - Pertaining to the mentioned premises namely **OK LIQUOR VILLAGE CENTRE, 173 VRYBURGER AVENUE, BOTHASIG**, it was ascertained that the applicant did renew his Liquor Licence for 2019. No complaints were received by SAPS or the Liquor Unit with regard to this establishment. The application was submitted to the Provincial Office of SAPS' Liquor Control department for comments, however, no feedback has been received.

7. RECOMMENDATION

It is recommended that the application for the renewal of the extension of liquor trading hours (off-consumption) in respect of **OK LIQUOR VILLAGE CENTRE, 173 VRYBURGER AVENUE, BOTHASIG** – Mondays to Saturdays 09:00 – 20:00 and Sundays 11:00 - 18:00 be **approved** subject to the following conditions:

- (a) That the application for the renewal of the extension of liquor trading hours (off-consumption) submitted by **OK LIQUOR VILLAGE CENTRE, 173 VRYBURGER AVENUE, BOTHASIG** – 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) The applicant must ensure that no sale of liquor is made directly to or via a third party to unemployed and/or homeless persons occupying public open spaces in the vicinity of **OK LIQUOR VILLAGE CENTRE, 173 VRYBURGER AVENUE, BOTHASIG** – Mondays to Saturdays 18:00 – 20:00 and Sundays 11:00 - 18:00.
- (d) This approval is also subject to compliance with all relevant by-laws of the City of Cape Town.
- (e) This approval will be valid for 12 months from the date of the decision subject to the possession of a valid liquor licence.

AANBEVELING

Daar word aanbeveel dat die aansoek om die hernuwing van die verlenging van drankhandelsure (buiteverbruik) ten opsigte van **OK LIQUOR VILLAGE CENTRE, 173 VRYBURGER AVENUE, BOTHASIG** – Maandae tot Saterdag 18:00 – 20:00 Sondag 11:00 - 18:00, goedgekeur word onderworpe aan die volgende voorwaardes:

- (a) Dat die aansoek om die hernuwing van die verlenging van drankhandelsure (buiteverbruik) ingedien deur **OK LIQUOR VILLAGE CENTRE, 173 VRYBURGER AVENUE, BOTHASIG** – Maandae tot Saterdag 18:00 – 20:00 en Sondag 11:00 - 18:00, goedgekeur word aangesien dit voldoen aan die kriteria vervat in die Stad Kaapstad: Verordening op Beheer oor Ondernemings wat Drank aan die Publiek verkoop, 2013.
- (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 die aansoeker moet verseker dat geen drank direk of deur middel van 'n derde party verkoop word aan werkloses en/of haweloses wat die openbare oop ruimtes in die omgewing van **OK LIQUOR VILLAGE CENTRE, 173 VRYBURGER AVENUE, BOTHASIG** - Maandae tot Saterdag 18:00 – 20:00 en Sondag 11:00 - 18:00, beset nie.
- (d) Dat hierdie goedkeuring ook onderworpe is aan nakoming van alle toepaslike verordenings van die Stad Kaapstad.
- (e) Dat hierdie goedkeuring vir 12 maande vanaf die datum van die besluit geldig sal wees, onderworpe aan die besit van 'n geldige dranklisensie.

ISINDULULO

Kundululwe ukuba makuphunyezwe isicelo sokuhlaziywa ngokutsha ukwandiswa kweeyure zokuthengiswa kotywala (obuselelwa ngaphandle) ngokujoliswe kwabakwa- **OK LIQUOR VILLAGE CENTRE, 173 VRYBURGER AVENUE, BOTHASIG** – Mondays to Saturdays 18:00 – 20:00 and Sundays 11:00 - 18:00, ngoMvulo ukuya ngoMgqibelo ukususela ngentsimbi ye-09:00 ukuya kweye-20:00 nangeCawe ukususela kweye-11:00 ukuya kweye-18:00 ngokuxhomekeke kule miqathango:

- (a) Ukuba makuphunyezwe isicelo sokuhlaziywa ngokutsha ukwandiswa kweeyure zokuthengiswa kotywala (obuselelwa ngaphandle) esingeniswe ngabakwa- **OK LIQUOR VILLAGE CENTRE, 173 VRYBURGER AVENUE, BOTHASIG** – Mondays to Saturdays 18:00 – 20:00 and Sundays 11:00 - 18:00, njengoko sithobela ummiselo oqukwe kuMthetho kaMasipala ongoLawulo lweMigaqo yokuThengiswa koTywala eLuntwini kwiSixeko saseKapa wango-2013.
- (b) Ukuba kuthe kwafumaneka izikhalazo ngokuphathelene nengxolo okanye indlela engamkelekanga yokuziphatha kwabathengi, oku kuyakuthi kuphandwe kwaye umphumela woku ungabangela ukuba kurhoxiswe isicelo sokwandiswa kweeyure zokuthengiswa kotywala kwaye ziyakuthi zidluliselwe kuGunyaziwe ongezoTywala eNtshona Koloni ongathi acuthe amathuba okuba kuhlaziywe isicelo sephepha-mvume lokuthengisa utywala.
- (c) Umfaki-sicelo kufuneka aqinisekise ukuba akukho butywala buthengiselwa abantu abangenamisebenzi kunye/okanye nabantu abangenamakhaya abahlala kwiindawo ezivulelekileyo kummandla onakwa **OK LIQUOR VILLAGE CENTRE, 173 VRYBURGER AVENUE, BOTHASIG** - Mondays to Saturdays 18:00 – 20:00 and Sundays 11:00 - 18:00.

- (d) Esi siphumezo kwakhona sixhomeke ekuthotyelweni kwayo yonke imithetho kamasipala weSixeko saseKapa efanelekileyo.
- (e) Esi siphumezo sizakuthatha isithuba esizinyanga ezili-12 ukususela ngomhla wesigqibo kuxhomekeke ekubeni unayo na ilayisenisi esemthethweni yokuthengisa utywala.

ANNEXURES:

A - Application submitted by OK LIQUOR VILLAGE CENTRE, 173 VRYBURGER AVENUE, BOTHASIG – Mondays to Saturdays 18:00 – 20:00 and Sundays 11:00 - 18:00

FOR FURTHER DETAILS, CONTACT:

NAME	Catherine Law
CONTACT NUMBERS	021 444-4864
E-MAIL ADDRESS	Catherine.law@capetown.gov.za
DIRECTORATE	Area-Based Management

Comment:

22 OCT 2019


JDJA BRAND
SUBCOUNCIL 3 MANAGER

DATE

8/11/2019


CLLR HELEN CARSTENS
SUBCOUNCIL 3
CHAIRPERSON

Comment:

Date

8/11/2019

MON-SAT

18:00 - 20:00

Form 2

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/041523

2. Full name of licensee PAMBILI CONSULTING 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)

SEE ATTACHED CK2 DOCUMENT

4. Name and address of the licensed premises

OK LIQUOR VILLAGE CENTRE

ERF 7325, SHOP 5, 173 VRYBURGER AVENUE, BOTHASIG

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 7325

SHOP 5, 173 VRYBURGER AVENUE, BOTHASIG

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 [Signature] Date AUG 13 2019

(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: 0845116266

Fax: [Blank]

E-mail: danelle.vdm@dhm.co.za

Signature [Signature] Date AUG 13 2019

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

Name (printed) DM HOOGENHOUT

Liquor licence number WCP/041523**FOR OFFICIAL 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 LIQUOR VILLAGE CENTRE, SITUATED AT, SHOP 53, 173 VETBURGER AVENUE, BOTHASIG. IT WAS ASCERTAINED THAT THE APPLICANT DID RENEW HIS LIQUOR LICENSE FOR 2019. 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.

Name of official Marilyn Holding
10001005

Signature

M Holding

Date

20 SEP 2019

Safety and Security

LAW ENFORCEMENT

(The applicant must now hand the application form in at the designated Environmental Health office. Please note: As from 1 July 2014 a non-refundable application fee of R4 217.00 (Vat. inclusive) is payable into Profit centre 18070172. Payment can be made at any cash office of the City. Proof of payment must from 1 July 2014 accompany the application when handing it in at the designated Environmental Health Office.

Application fee

Receipt number

Payment date

SUN: 11:00 - 18:00



CITY OF CAPE TOWN | ISIXEKO SASEKAPA | STAD KAAPSTAD

THIS CITY WORKS FOR YOU

Form 3
SUNDAY OFF-CONSUMPTION TRADING
CITY HEALTH

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/041523

2. Full name of licensee PAMBILI CONSULTING 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)

SEE ATTACHED CK2 DOCUMENT

4. Name and address of the licensed premises

OK LIQUOR VILLAGE CENTRE

ERF 7325, SHOP 5, 173 VRYBURGER AVENUE, BOTHASIG

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 7325

SHOP 5, 173 VRYBURGER AVENUE, BOTHASIG

6. Contact number

021 853 5785

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

PLEASE SEE ANNEXURE

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

Signature [Signature] Date AUG 13 2019

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

Name (printed) DM HOOGENHOUT

Application prepared by DH MANAGEMENT SERVICES

Postal address PO Box 721, Strand, 7139

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

Work tel: 021-8535785

Cell: 9845116266

Fax:

E-mail: dane@eddm133@gmail.com

Signature [Signature] Date AUG 13 2019

Liquor licence number

WCP/04/523

FOR OFFICIAL 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 LIQUOR VILLAGE CENTRE, SITUATED AT, SHOP 53, 173 NYMBURGER AVENUE, BOTHAASIG. IT WAS ASCERTAINED THAT THE APPLICANT DID RENEW HIS LIQUOR LICENSE FOR 2019. NO COMPLAINTS WERE RECEIVED BY THE LIQUOR UNIT WITH REGARDS TO THIS ESTABLISHMENT. THIS APPLICATION WAS SUBMITTED TO THE PROVINCIAL OFFICE OF SAPS LIQUOR FOR COMMENTS, HOWEVER, NO FEEDBACK HAS BEEN RECEIVED

Name of official **Marilyn Holding**
10001005

Signature



Date

29 SEP 2013

City of Cape Town
Safety and Security
LAW ENFORCEMENT

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Application fee

Receipt number

Payment date