



# LOCATION OF LIQUOR OUTLETS & TRADING HOURS

Liquor Regulation Convention: Gallagher Convention Centre

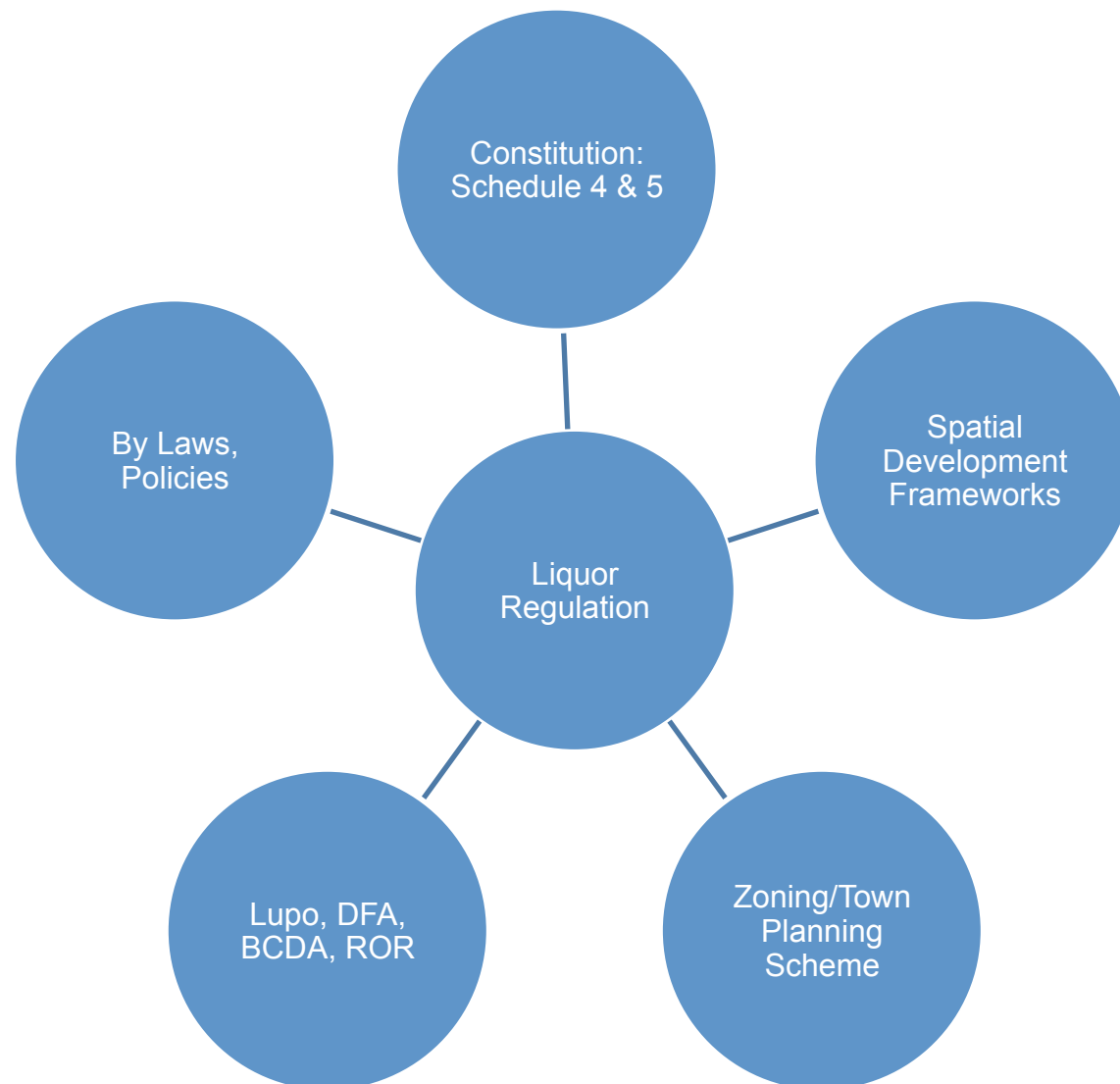
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# Presentation Overview

- ☐ Policy and legislative framework
- ☐ Classification of liquor outlets
  - Residentially zoned areas
  - Neighbourhood business nodes
  - Central business district
  - Industrial areas
  - Agricultural/Rural areas
  - Short term ad-hoc locations
- ☐ Location and trading hours
- ☐ Challenges of regulation and control
- ☐ Conclusion

# Policy and Legislative Framework





## Policy and Legislative Framework.....

- ❑ Schedule 4 and 5 of the Constitution of the Republic assign:
  - The regulation of trading and the control of undertakings that sell liquor to the public, to the sphere of local government
- ❑ Further regulation with regard to location criteria and trading times also dealt with through:
  - Applicable town planning legislation (e.g. LUPO, DFA, BCDA) which:
    - Set criteria for consideration of land development applications (including liquor outlets)
    - Exclude certain considerations when assessing land development applications (e.g. trade competition)
  - Spatial development frameworks at various levels (provincial, municipal and area specific)
  - The provisions of zoning/town planning schemes
  - Conditions of title deeds
  - Municipal by laws and policies



## Classification of liquor outlets

- ❑ Location and trading hours for liquor outlets is largely a function of the classification and associated impact of the liquor outlet.
- ❑ Approaches in the City of Cape Town, Nelson Mandela Bay, Ekurhuleni, George and Mangaung municipalities tend to broadly categorize liquor outlets into the following locations:
  - Residentially zoned areas
  - Neighbourhood business nodes
  - Central business district
  - Industrial areas
  - Agricultural or rural areas
  - Short term ad-hoc locations



## Residentially Zoned Areas

These establishments tend to take the form of;

- House shops (off site consumption) and are permitted either as of right in residential areas or with the consent of council
- Taverns/shebeens permitting both on and off site consumption and usually require the consent of council
- Guest houses and bed and breakfast establishments (may permit the sale of liquor only to guests)
- Hotels (usually allow the sale of alcohol for on site consumption)
- Restaurants (limited to on site consumption)



## Neighborhood Business Nodes

These establishments tend to take the form of:

- All the categories identified in residentially zoned properties
- Bottle stores
- Place of entertainment (night club)
- Supermarkets
- Retail food shops



## Central Business District

Predominantly comprise of:

- Residential establishments (hotel, guest house, bed and breakfast)
- Restaurants
- Place of entertainment (night club, pub, amusement arcades, theatre)
- Supermarkets
- Bottle store



# Industrial Areas

Liquor outlets mainly comprise of:

- Restaurants
- Place of entertainment (night club, pub, amusement arcades, theatre)
- Supermarkets
- Retail food stores
- Bottle store



## Agricultural/Rural Areas

Liquor outlets include:

- Accommodation establishments (guest houses and bed and breakfast)
- Wine farms and tourist establishments
- Farm stalls
- Wine shops



## Short Term Ad-Hoc Locations

- Short term special events and community fund raising initiatives
- Sports clubs and community centre
- Mobile establishments (vehicles for promotions and general entertainment)



## Location and Trading Hours

- There is no one size fits all
- The location of liquor outlets is largely influenced by:
  - The type of liquor outlet
  - Existing land use rights (Zoning and title deeds)
  - Specific Council policies (permissive or prohibitive)
  - Impact of type of establishment to the surrounding land uses (noise littering, parking)
  - Community views (proximity to school, place of worship, parks and community centres)
  - Traffic impact
  - Suitability of physical structure
- Due to the impact of liquor outlets and diversity of communities, location criteria and hours of operation is determined at municipal level through by laws and municipal policies

# Challenges of regulation and control



## Conclusion

- Different liquor outlets have different impacts in different environs
- The determination of what type of liquor outlets can be located in what areas is a complex process that takes into account not only the impact of the liquor outlets to the immediate environs, but also the existing land use rights
- Noise, litter, parking, size of delivery trucks, signage are municipal regulatory functions
- Trading hours for liquor outlets is also a function of the type of the outlet and its location
- Given the local sensitivity of liquor establishments, municipal policies/ by-laws should regulate both the location and trading hours for liquor outlets.