



## BROADER PUBLIC PARTICIPATION RELATED TO PETROL STATION APPLICATIONS

### 1. Purpose

To consolidate and summarise input received in response to a call for public comment in relation to liquor licence applications associated with service stations ('petrol station applications').

### 2. Background

Over the past year, the Western Cape Liquor Authority (WCLA) administration received and processed an increased number of applications associated with petrol stations. The WCLA also became aware of contestation on the matter in the public domain, with widespread media coverage<sup>1</sup> of public outcry in response to the launch of a multinational company's business strategy to offer alcohol sales at petrol stations in South Africa (Annexure A).<sup>2</sup>

In September 2021, the Liquor Licensing Tribunal (LLT) postponed the hearing of five such applications to incorporate broader public participation based on the nature of the application(s) at hand; requiring participation to extend beyond residents of the area where a licence is sought and to include traffic and commuters who may visit the service stations concerned. Sections 23(9) and 41(1) of the Western Cape Liquor Act, 4 of 2008 as amended, (the Act) enable the LLT in this regard.

The Act and Western Cape Liquor Regulations, 2011 as amended, provide for a 28-day public participation period to allow any interested and affected parties an opportunity to comment on a licence application. The target audience of this process is communities in the immediate vicinity of the proposed premises. The prescribed mechanisms for notifying the public of the application include a notice displayed at the premises, providing the application to the local SAPS and municipality, and advertising it in a local newspaper and the government gazette.

<sup>1</sup> <https://businesstech.co.za/news/lifestyle/517158/bp-is-the-first-petrol-station-in-south-africa-to-be-given-a-liquor-liscence-and-already-faces-calls-for-it-to-be-blocked/>  
<https://www.capetalk.co.za/articles/424102/why-alcohol-sales-at-petrol-stations-is-a-bad-idea>  
<https://www.news24.com/news24/southafrica/local/people-post/residents-object-to-a-liquor-liscence-20211101>  
<https://www.businessinsider.co.za/booze-sales-at-petrol-stations-must-be-halted-say-lobbyists-2021-8>  
<https://www.pressreader.com/south-africa/the-star-south-africa-late-edition/20210811/page/1>  
<https://www.thesouthafrican.com/news/bp-alcohol-at-petrol-station-protest-saapa-sa-2-september-2021/>

<sup>2</sup> Press Release, 17 June 2021, BP first petroleum company to market with wine offer in South Africa

Following the LLT's postponement of the relevant application hearings, a process to elicit input from a wider audience was conducted in addition to the 28-day public participation period of each individual application. Although general comments were sought on the principle of having liquor outlets located at petrol stations, each application has to be considered independently and without prejudice based on its own unique facts.

### **3. Methodology**

The Communication, Education and Stakeholder Relations (CES) component of the WCLA facilitated the broader public participation via a media campaign and collation of comments with the assistance of the Liquor Licensing Administration (LLA). The process aimed to ensure that the entire spectrum of views, comments and input could be captured.

It is important that the WCLA is not seen to be judging an application before it is considered by the LLT and prejudicing the Applicant. In seeking public comment from a wider audience, this matter was positioned as a new trend (based on the number of petrol station applications received) that is anticipated to develop throughout the province, and which could affect the broader public beyond the immediate vicinity of the proposed licences.

#### **3.1 Communication strategy**

- Objective: To provide the LLT with the additional public comments received on petrol station applications in general.
- Outcome: Public comments from across the Western Cape on the trend of 'petrol station applications.'
- Audience: Members of the public in the Western Cape.
- Channels: Regional newspapers, WCLA website and social media ('boosted' posts), and email to WCLA stakeholder list.
- Messaging: The following call for comments was disseminated via the channels, with a deliberately broad and neutral message inviting general input on the matter.

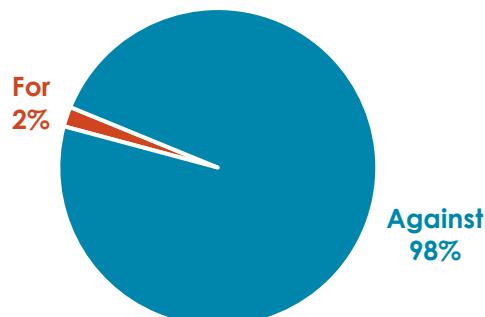


| CALL FOR PUBLIC COMMENT   | ISIMEMO SEZIMVO ZOLUNTU   | UITNODIGING VIR OPENBARE DEELNAME  |
|---|---|--|
| <p>LIQUOR LICENCE APPLICATIONS AT PETROL STATION CONVENIENCE STORES</p> <p>The Western Cape Liquor Authority has received several liquor licence applications for selling alcohol at petrol station convenience stores. Based on the nature of the proposed licences and potential impact beyond the immediate areas, the Liquor Licensing Tribunal requires broader public input for consideration of these applications.</p> <p>Members of the public in the Western Cape are invited to submit comments on this matter in general, with the subject 'Petrol Station Applications', via email to <a href="mailto:liquor.enquiries@wcla.gov.za">liquor.enquiries@wcla.gov.za</a> or via post/delivery to the Western Cape Liquor Authority, 3rd Floor Sunbel Building, 3 Old Paarl Road, Bellville, 7530. Call 021 204 9805 for queries. Comments must be submitted by Monday 8 November 2021.</p> | <p>IZICELO ZEEMPEPHA MVUME ZOKUTHENGISA UTYWALA KWIIVENKILE EZIKWIKHULULO SEPETROLI</p> <p>IGunya loTywala eNtshona Koloni lifumene izicelo zokuthengisa utsywala kwiivenkile ezikwizikhululo zepetroli. Ngokusekwe kubume beempepha mvume ezicyetwayo kunye nefuthe elinokubakho ngaphaya kwemimandla ekufutshane, iNkundla yemiCimbi yoTywala ifuna igalelo loluntu ngokubanzi ekuqwalaseleni ezi zicelo.</p> <p>Uluntu lwaseNtshona Koloni luyamenywa ukuba lungenise izimvo zalo ngalo mba ngokubanzi, ngesihloko esithi 'Izicelo zeSikhululo sePetroli', ngeimeyile ku-<br/> <a href="mailto:liquor.enquiries@wcla.gov.za">liquor.enquiries@wcla.gov.za</a> okanye ngeposi/uyise kwiGunya loTywala leNtshona Koloni, kumgangatho wesi3 weSakhiwo iSunbel, iNdlela i3 Old Paarl, eBellville, 7530. Stalely umnxeba kule nombolo 021 204 9805 xa unemibuzo. Izimvo mazingeniswe ngoMvulo umhla wesi8 kweyeNkanga 2021.</p> | <p>DRANKLISENSIE AANSOEKE BY VULSTASIE-GERIEFSWINKELS</p> <p>Die Wes-Kaapse Drankowerheid het verskeie aansoeke ontvang om dranklisensies vir die verkoop van alkohol by vulstasie-geriefswinkels. Op grond van die aard van die voorgestelde lisensies en moontlike impak buite die onmiddellike gebiede, benodig die Dranklisensietribunaal breër openbare insette vir die oorweging van hierdie aansoeke.</p> <p>Lede van die publiek in die Wes-Kaap word uitgenooi om oor hierdie aangeleentheid kommentaar te lewer. Kommentaar kan per e-pos met die onderwerp "Vulstasie Aansoeke", aan <a href="mailto:liquor.enquiries@wcla.gov.za">liquor.enquiries@wcla.gov.za</a> gestuur word, of per pos/aflewering aan die Wes-Kaapse Drank Owerheid, 3de Vloer Sunbel Gebou, 3 Old Paarl Pad, Bellville, 7530. Skakel 021 204 9805 vir navrae. Kommentaar moet teen Maandag, 8 November 2021 ingedien word.</p> |

#### 4. SUMMARY OF THE COMMENTS

A total of 344 comments were received (including a petition with 111 individual signatories). There are 7 comments 'for' and 337 comments 'against' petrol station applications.

Position of comments received



See Annexure B for a spreadsheet with all the comments in summarised form.

The comments received range from one-line emails sent by individuals to formal documents submitted by civic organisations. They include both objective/factual information and subjective opinion on the matter. They also reference both general alcohol-related harms and harms that can be associated with petrol stations specifically.

This summary of the comments focuses on the objective/factual information and the harms related specifically to petrol stations. Subjective opinions and concerns about general alcohol-related harms were largely not included.

#### **4.1 Thematic areas**

The issues raised in the comments were separated out in a matrix, and once all comments were captured these issues could be grouped in the following thematic areas in terms of the potential risks of petrol station applications as expressed in the comments.

- Risk of increase in antisocial behaviour in vicinity of the petrol station**

Concerns that existing off-consumption liquor outlets often attract loitering and drinking in public outside the premises, which lead to noise pollution, interpersonal violence and other drunken behaviour. This would have a negative impact on the area surrounding the liquor outlet and is a particular concern for applications in residential areas.

- Risk of increase in drinking and driving**

Concerns that easy access and availability of liquor for motorists would lead to an increase in drinking and driving. The consequences of this would be increased road accidents, trauma admissions at hospitals and loss of life; all of which are already considered serious challenges burdening South Africa's health system and society.

- Risk of increase in crime in the vicinity of the petrol station**

Concerns about consequences for security at petrol stations, with alcohol attracting petty theft, as well as potential criminal behaviour related to excessive drinking.

- Risk of increased availability of alcohol**

Concerns that service station convenience stores often have extended trading hours or operate 24/7, so any alcohol sold at these outlets would be available for longer hours than other liquor outlets. Another contributing factor for a significant increase in the availability of alcohol would be the potential for liquor trading to become the norm at petrol stations, of which there are many in the province. To remain competitive, even those service stations not interested in a liquor licence may be compelled to pursue one.

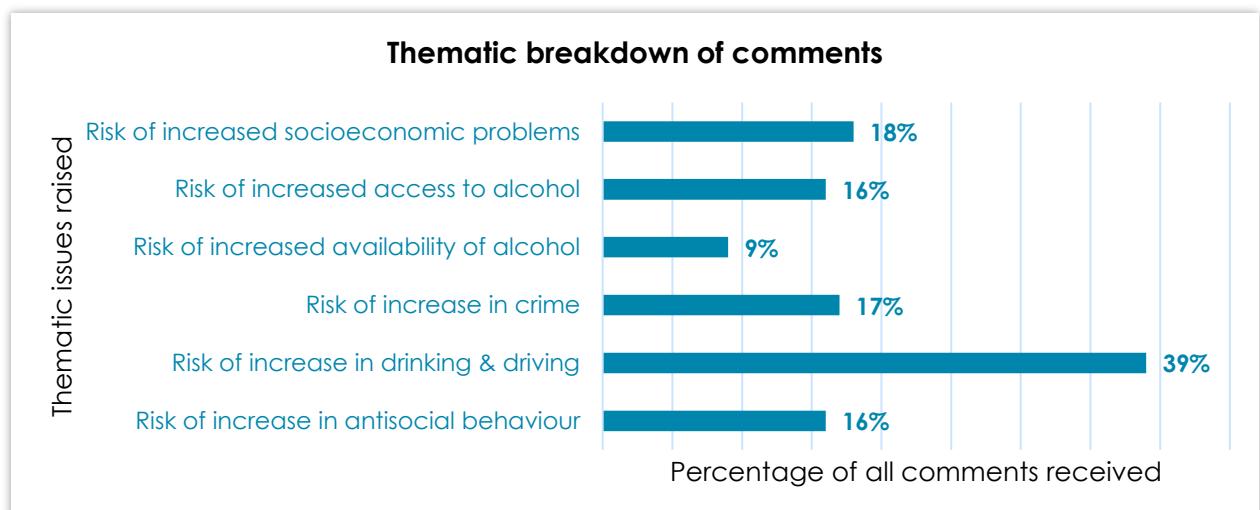
- **Risk of increased access to alcohol**

Concerns that the prevalence of service stations, especially in residential areas, will lead to easier access to alcohol for children and other members of the public vulnerable to the harmful use of liquor. It is also envisaged that liquor sales at service station convenience stores would be difficult to control (e.g. measures to prevent under-age sales), resulting in increased accessibility of alcohol.

- **Risk of increased socioeconomic problems**

Concerns that the availability of alcohol will lead to an increase in alcohol-related harms such as interpersonal or gender-based violence, suicide, Foetal Alcohol Syndrome, loss of household income, and broader economic burden, amongst others.

The following chart illustrates the prevalence of these themes in all of the comments received, with non-mutually exclusive percentages for each thematic issue.



In addition to these themes, which represent the most commonly mentioned issues, the following concerns raised in the comments are noteworthy.

- There would be an **increase in liquor outlets in residential areas**.
- Licence applications by large franchise companies would have an **adverse economic impact on smaller, local liquor stores** in the area.
- People would be **enticed to buy alcohol** when this was not the intention of their visit to the petrol station.