

SHEBEEN POLICY FOR INFORMAL SETTLEMENTS

On 30 November 2006, Council approved a “Revised Policy” for regulating the registrations of Shebeens and Home Shops in Swakopmund. The purpose of the policy is to provide guidelines for operation of Shebeens and home shops according to the Liquor Act, Act 6 of 1998, the Town Planning Amendment Scheme No.12 under the Clause 8, Section 8.21., the General Health Regulations 121 of 1969, and National Building Regulations.

Presently, Shebeens in the DRC informal settlement are illegal and not complying with the stipulated standards and it is evident that the income generated to sustain a normal living standard associated with people living in an informal residential area is clearly insufficient to erect a structure as prescribed in the adopted Council Policy.

However the Liquor Act was amended in July 2006 in order to prescribe minimum standards for the construction and operation of a Shebeen. It must also be noted that final approval of an application to operate a Shebeen rests with the reigning Liquor Board and that Council’s responsibility is limited to the approval of the premises and any alterations/additions thereon.

Dwellings in DRC are mainly informal houses built with card boxes, plastic materials, wood etc. The building materials are fragile which creates vulnerability to fires and theft. If Shebeens are allowed in DRC, durable building materials must be used to minimise fire hazards as well as break-ins.

Shebeens are generally regarded as an affordable way to generate income that will safeguard the livelihood of the occupants of that property and often serve as a communal place for socializing and especially in the absence of any other formalized entertainment and organized sport facilities. It also contributes to the reduction of extreme poverty and often creates a sense of worth and ownership. Care should however be taken that organized businesses (Traders in Liquor) are not abusing the conditions for their own benefit to the detriment of the operators.

Contrary to the above one should also recognize the negative impact that the creation of Shebeens in an informal settlement will have on the social development in such an area. The criminal impact can not be wished away and often the extensive use of alcohol leads to domestic and other alcohol related violence and criminal activities. The youth in the area are subjected to alcohol related incidents and are often caught up in alcohol related violence and illegal activities such as the sale of liquor to under-aged children.

The reality however is that illegal Shebeens are operating in most of Namibia’s towns and are not regulated by the relevant authorities and Swakopmund is no exception to this unofficial rule.

It therefore stands to reason, to rather implement minimum requirements and have some control over the operation of Shebeens than to totally ignore the outcry of the affected residents.

Council extensively deliberated and consulted other stakeholders on this matter before approving the following minimum requirements for the operation of Shebeens in the DRC informal settlement:

- (i) The floor of the premises shall be constructed of material with a smooth finish that can be properly cleaned (e.g. concrete floor with steel troweled topping).*
 - (ii) Serving counters and seating arrangement for customers appropriate to the premises and to the maximum number of customers which may be served at any time must be provided.*
 - (iii) A Sketch of the premises concerned showing: the dimensions of each room on the premises must be submitted for approval.*
 - (iv) All doors, windows, and counters, if applicable, including places of entry into the premises and streets or other places from which the premises may be entered must be indicated on the sketch.*
 - (v) The Structure shall be constructed from material with a lower flammability quality. (i.e. Nutec Sheet, Gypsum Board or solid wood) and materials such as plastic, cardboard or carton structures will not be allowed and that the Health Services Department conduct an inspection prior to the approval of the applications.*
 - (vi) The minimum size of the premises to be used as a Shebeen shall be 6m² which area shall not be part of or be used as a dwelling or sleeping room.*
 - (vii) An approved toilet facility must be available onsite for the use of customers visiting the Shebeen in addition to the ones currently provided by Council and which is shared by two families.*
 - (viii) A receptacle/container with tight fitting lid for storage of clean water as well as a basin(bowl to wash your hands) must be provided on site.*
 - (ix) The tenant of the Erf must be the operator of the Shebeen and proof of the same must be obtained from the General Manager: Community Development Services and must be submitted attached to the application form.*
 - (x) The times of operation of the Shebeen must be displayed on the structure (Shebeen) i.e.*
 - ◆ *On any day, excluding a Sunday from 10h00 to 24h00*
 - ◆ *On a Sunday, from 10h00 to 14h30 and from 18h00 to 24h00;*
- **Council further resolved that all applicants apply for consent use as per Council's Homeshop and Shebeen policy and that Letter of Consent for the approval of the operation of a Shebeen be issued to successful applicants.**
- **Council reserves the right to withdraw consent use if valid objections and or complaints are received against the operation of the Shebeen.**
- **Applicants are required to pay an annual registration fee of N\$138.00 plus VAT with every application and as approved by Council from time to time.**