



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

**REPORT OF THE AD HOC COMMITTEE ON
COORDINATED OVERSIGHT ON SERVICE DELIVERY**

8 SEPTEMBER 2010

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FOREWORD

This oversight process has been very useful in enabling us to work together in ways we haven't done before. Given that the PC on Cooperative Governance and Traditional Affairs was the core and members of the Portfolio Committees of Transport, Energy, Human Settlement, Health, Social Development, added important value through which we witnessed the realities on the ground.

This exercise we started once we thought the timing was correct. We decided it would be appropriate to initiate the public hearings and oversight visits once the Department of Cooperative Governance and Traditional Affairs had completed and submitted their draft Turn Around Strategy to Parliament. It would in that way enable us to follow up and check the state of readiness of municipalities to initiate and formulate their specific and peculiar Turn Around Strategies using the national one as a guide.

Even as we set out to hear stakeholders in Parliament and in the Provinces in the few municipalities we chose to visit, we understood that the reasons for protests were many and complex and that we did not expect to get easy answers. Our recommendations must be understood therefore, as only partial in their potential to resolve issues about which people were concerned. We were outspoken in painting what we thought was detracting from our developmental path but did not give the impression we had all answers.

It is the political issues that require urgent attention. The interface of politics and administration, the quality and frequency of public participation, responsiveness to citizens override all other factors we raised in the report as factors that partly explain the protests as well as what we need to urgently attend to going forward.

We thank Ministers Sonjica, Nkwinti, Peters, Doidge and Deputy Minister Carrim for finding time to lead their teams to the Ad Hoc Committee and to brief them of their planned interventions to improve service delivery. We also thank officials of Parliament who provided valuable backup to the committee in its interaction with all key stakeholders who responded enthusiastically to the invitations.

We also fully thank officials on public representatives (MPL's and councilors) who were able to join us and share their own insights and support to what we came to learn.

We finally also appreciate the foresight of the Presiding Officers for initiating a useful framework for conducting oversight in an inclusive, cooperative manner in line with the mandate from the people that we work together! Members, thank you – this is your report.

Mr S.L. Tsenoli (Chairperson: Ad Hoc Committee on Coordinated Service Delivery)

EXECUTIVE SUMMARY

The Ad Hoc Committee on Coordinated Oversight on Service Delivery was initiated by a National Assembly resolution of 22 September 2009 to specifically investigate the underlying reasons for the often violent protests for services. In undertaking this task the Ad Hoc Committee invited national sector departments, statutory bodies, professional associations, Non-Governmental Organisations, Business Organisations and labour unions. Subsequently the multi-party, multi-sectoral Ad Hoc Committee divided itself into three groups which conducted public hearings and oversight in at least two municipalities in all nine provinces. In an attempt to get the objective picture, the public hearings were open to members of the public, community organizations, stakeholders, government departments and entities.

Local government is confronted by a litany of challenges from governance, service delivery backlogs, spatial disparities, capacity constraints and financial mismanagement. These challenges need to be overcome and the Local Government Turn Around Strategy is a suitable effort to ameliorate these challenges. However, it is abundantly clear that the whole system of governance needs to “turn around” to work better at improving service delivery through synchronization of government development plans in the form of the municipal Integrated Development Plans (IDPs). Equally the daunting task of long-term planning to integrate economic development and reverse structural and spatial distortions is extremely important to ensure a developmental state facilitated by an integrated economy. Local government needs to be the epicenter of this development through its Local Economic Development strategies.

In the area of governance, there is a greater need to entrench stability in the local sphere through role clarification between Mayor, Speaker and Chief Whip. At the leadership level where there is no understanding this has resulted in the governance paralysis which extends to the administration of the municipality as officials side with this or that office bearer. This has created paralysis in service provision in municipalities as is the case in Buffalo City and Mkhondo Municipalities. The role of ward committees and interaction with the council also needs to be strengthened with clear accountability lines. There is necessity to improve communication and interface between municipalities and communities and also build complaints response or management mechanisms. Inter-Governmental Relations need to be strengthened particularly by ensuring that there is joint planning and intergovernmental debt is settled timeously before court interventions. There are good examples of healthy IGR such the secondment of a Chief Financial Officer (CFO) by Ehlanzeni District to Thaba Chweu Local Municipality. Another critical example which enforces coordinated planning is the decision by the KwaZulu Natal Premier to deploy MECs to coordinate IDPs in all districts in the province.

Some of the issues raised by communities relate to services or functions that fall outside the scope of local municipalities particularly provision of housing; bulk services such as water, and electricity; roads and employment creation. Some of these functions are concurrent but others are provincial and national competencies. This is primarily the reason why the term “municipal service delivery protests” is a misnomer. The background to the work of the Ad Hoc Committee was informed by research work which concluded that local government was confronted with systemic, structural and governance or community interface. Indeed the signs of distress relate to the systemic features ie weaknesses in the intergovernmental processes,

procurement and compliance with Supply Chain Regulations and lack of monitoring and evaluation. There are structural weaknesses such as lack of capacity, unemployment, unavailability of land and inadequate bulk services supply. Overwhelmingly there is a particularly greater weakness of lack of responsiveness as well as clarification of roles between the troika +1 as well as the relationship between politicians and officials on one hand and ward committees and ward councillors on the other.

In line with the Millennium Development Goals (MDGs) municipalities are charged with the responsibility to provide basic services to improve the livelihood of communities. However, there are policies on Free Basic Water and Electricity but there is none for Sanitation in order to provide national standards hence some municipalities are still struggling with bucket system eradication. In addition, provision of basic services in informal settlements is very problematic particularly permanent services infrastructure like electricity. The other challenging issue is the reality that some communities settle in private land and thus are deprived of municipal and Eskom services. Electricity is a challenge which emanates from the fact that in the same municipal jurisdiction some areas are serviced by the municipality and others by Eskom which creates disparities in costs as well as meter installation and reading.

Housing is a particularly challenging issue as it is not the competency of municipalities and yet allocation of houses is done by the municipality through housing lists. This appears to be a breeding ground for allegations of corruption directed at councillors accused of allocating houses to friends or even selling RDP houses. In addition, the province awards tenders for RDP houses and even other forms of infrastructure and municipalities bear the brunt for alleged corruption or poor workmanship. Communication and monitoring of capital projects between the other spheres and local municipalities can improve the situation enormously. Municipalities that have capacity like the Metros should be granted housing accreditation in order to fast track the realization of the MDGs on upgrading of informal settlements.

It is worth noting that corruption is a major problem in municipalities where the systems are weakened or bypassed to the detriment of service delivery. There are many instances where project tenders are awarded and payments totaling several millions in MIG funding are made without verification of the quality and progress (completion) of the actual work. The examples in Thaba Chweu, Mkhondo, Dipaliseng, eMfuleni and Msunduzi of contractors getting paid for incomplete projects bear testimony to this. The other trend is that officials in municipal Project Management Units, Finance departments and municipal officials generally resign during investigations and thus are never brought to book. Legislation should prohibit this and such officials should be blacklisted by CoGTA.

The report as per the Ad Hoc Committee's mandate proposes certain fundamental recommendations and timeframes for implementation. On matters of governance the report recommends role clarification between municipal council political structures, office bearers and officials. The report also proposes separation of executive and oversight functions in the municipal council to improve oversight performance and service delivery. On corruption, it is proposed that Parliament must establish a body like the Public Services Commission for local government in order to investigate corruption, encourage and protect whistleblowers and institute prosecution of wrongdoers. A broad plan on bulk infrastructure and eliminating backlogs is proposed and lastly it is proposed that high capacity municipalities be accredited to provide housing to improve service delivery.

CHAPTER ONE: INTRODUCTION

1.1 INTRODUCTION

The dawn of the fourth term of the democratic Parliament was welcomed with a broad consensus that this term ought to be an *“Activist Parliament”*. Implicit in this new found character is the resolve to energetically and proactively lead national discourse, champion the interests of South Africans and conduct robust oversight on the mandate of the executive without fear or favour in order to ensure delivery of basic services optimally to citizens. The centrality of this approach is particularly important in light of the commitments towards the achievement of the Millennium Development Goals (MDGs). Whilst the fourth Parliament reinforced the legitimacy of the democratic dispensation a wave of ‘service delivery’ protests soon emerged. These protests were often accompanied by violent clashes with the police authorities and destruction of municipal properties and that of councillors. The Cabinet condemned the violence whilst accepting the right to protest and the reality that some of these concerns are genuine and thus dispatched teams of ministers to respond to these protests.

1.2 BACKGROUND OF THE OVERSIGHT VISITS

The Ad Hoc Committee on Coordinated Oversight on Service Delivery was established by a resolution of the National Assembly in terms of Rule 214 of the National Assembly, on 22 September 2009, under the theme “working together to ensure the delivery of quality service to communities”. The aim of the committee was to obtain insights and understanding of the state of service delivery as well as the root causes of widespread ‘service delivery’ protests witnessed throughout South Africa. The terms of reference for the committee included: conducting public hearings at Parliament and in all the nine provinces; conducting coordinated oversight visits in rural and urban areas; and tabling a report consisting of clear and achievable recommendations with a proposed implementation plan.

Subsequent to the establishment of the Ad Hoc Committee, three multiparty delegation teams were established and mandated to visit three provinces each over a four months period, ending in May 2010. This report describes oversight processes undertaken by delegation teams led by Hon S L Tsenoli, Hon. PS Sizani and Hon. ZMD Mandela. The delegation teams each visited three provinces. The report, therefore, details the process, and provides synthesis of findings and some insights on the challenge of service delivery as per findings by the delegation. Findings from the oversight visits show that major problems with service delivery revolve around non-compliance with relevant legislation, poor governance systems and lack of accountability and communication. Therefore, the unmet demands and expectations for services and infrastructure development culminate into frustrations among citizens, hence community actions to show such frustrations.

1.3 COMPOSITION OF THE DELEGATION

The delegation comprised the following Members of Parliament (MPs):

Table 1: Members of the delegation

Political Party	Representative/s
African National Congress	Mr. SL Tsenoli; Mrs. P Ngwenya-Mabila; Ms J Manganye; Ms F D Boshigo; Mr. J M Matshoba; Mr. JJ Maake; Mr. Z S Makhubele; Mr. M R Mdakane; Ms D G Ntlengethwa; Mr. M E Nchabeleng Mr PS Sizani; Ms. GM Borman; Ms. W Nelson; Mr. A Williams; Mr. Selau, Nkosi ZMD Mandela; smrs F F Mushwana; Mrs T E Kenye; Mrs N R November; Mrs M J Segale-Diswai; Mr D W Mavunda; Ms N Mdaka
Democratic Alliance	Mr. M Waters, Mr. B Steyn; Mr. M Swathe Ms M Wenger; Mrs. P S Kopane; Mr W P Doman; Mr S C Motau
Inkatha Freedom Party	Mr R Cebekhulu, Mr. P Smith; Prof C T Msimang
Congress of the People	Ms. H Ndude, Mr. D A Kganare, Mr T Botha
United Christian Democratic Party	Ms I C Ditshethelo
Independent Democrats	Mr. JJ McGluwa

The multi-party, multi-sectoral committee began its public hearings and oversight on 2nd – 4th February 2010 by inviting, to Parliament, sector departments *inter alia* Cooperative Governance and Traditional Affairs, Rural Development and Land Reform, Water Affairs, Energy, Social Development, Health, Treasury, Transport and Public Works to mention a few. In addition, statutory institutions, professional associations, Donor organizations and civil society groups were also invited and these include (SALGA) South African Local Government Association, the (AG) Auditor General, (HRC) Human Rights Commission; (IMFO) Institute for Municipal Finance Officers, (ILGM) Institute for Local Government Management, (SAICE) South African Institution of Civil Engineering; (DBSA) Development Bank of South Africa, Old Mutual Ilima Trust; and (IMATU) Independent Municipal and Allied Trade Union, (SAMWU) South African Municipal Workers Union, (IDASA) Institute for Democracy in South Africa and Black Sash.

With the comprehensive overview on policy issues and progress thereon the Ad Hoc Committee undertook coordinated visits to all South Africa's nine (9) provinces and seventeen (17) municipalities which included Metropolitan, District and Local municipalities. The visits to provinces and municipalities across the country proved very useful in interfacing with communities who raised pertinent issues regarding service delivery.

1.4 OBJECTIVES

The terms of reference of the Ad Hoc Committee make it abundantly clear that the Committee must, at the end of its vigorous oversight, table a report to the National Assembly with clear, achievable recommendations and a proposed implementation plan. Central to the task of the Ad Hoc Committee is the identification of the primary and secondary causes for the prevalence of the 'service delivery protests'. Implicit in

this stated objective is the understanding that the National Assembly will consider, adopt and/ amend the report. Importantly, the recommendations and timeframes emanating from the report ought to be implemented and monitored closely. In addition, all Parliamentary Portfolio Committees are going to conduct follow-up oversight which must be integrated in their programmes to ensure implementation of intervention programmes and attainment of sustainable solutions to resolve the fissures and constraints in municipalities.

In the process of conducting the coordinated oversight on service delivery the Ad Hoc Committee held public hearings in Parliament where national sector departments and organisations made presentations and later conducted oversight visits to provinces. The structure of the report for simplicity would follow this sequence ie providing a national perspective in policy, progress and backlogs and provincial dynamics with specific examples and experiences from the municipalities visited. The main idea is to do justice to all the issues raised in engagements with the public and observations acquired in site visits.

The core issues that are contained in the report relate to the critical issues of governance, delivery of basic services, financial administration, skills development and capacity building, economic development and communication.

1.5 METHODOLOGY AND APPROACH OF COORDINATED OVERSIGHT

Public hearings conducted in Parliament between the 2nd and 4th February 2010 were the basis upon which provincial public hearings and oversight visits were conducted. Those hearings provided a broad national perspective on the state of service delivery in South Africa. Subsequent to the hearings in Parliament, the delegation visited provinces (see Table 2) to conduct oversight functions in accordance with the terms of reference for the Ad Hoc Committee.

The process followed during the oversight visits included:

- Briefing by the Mayors of district and local municipalities, Administrators and municipal officials to outline the state of service delivery and perspectives on challenges and opportunities; the Provincial Legislature's Portfolio Committee on Local Government and Housing; and provincial South African Local Government Association (SALGA).
- Public hearings where the delegation listened to submissions and inputs from members of communities who talked about lived experiences with regards to services delivery.
- Responses from the government department officials on the issues raised by members of the public.
- Oversight tours/visits to obtain first hand experience on challenges encountered by communities as reported during the public hearings;
- Oversight visits concluded with stakeholder engagement sessions that sought to tease out the plan of government as a collective on issues and concerns raised by communities during the public hearings.

It is worth stating from the onset that the Ad Hoc Committee applied qualitative data collection method which sought to solicit perspectives from policy makers about strategic targets as well as cohorts at the coalface of service delivery viz municipalities and most importantly residents

who expect optimum service delivery and value for money. Critically important, in an effort to obtain reliable and balanced information which analyses the objective and subjective factors in order to concretely appreciate the current environment and find sustainable credible solutions, professional organisations of various disciplines and NGOs were also consulted.

The process of identifying areas and projects to be visited was done through analysing patterns of 'service delivery protests'. Municipalities that were targeted were particularly those that were confronted by repeated 'service delivery' protests and another criteria was based the municipal performance outcomes conducted by the Auditor General and lastly section 139¹ interventions. The process of identification of projects to be visited was done through examination of municipal Integrated Development Plans to determine the financial allocation and progress, however, in many instances residents directed the members of the Ad Hoc Committee to projects they deemed important for the members to observe. This approach was adopted in order to ensure visibility of Parliament in those areas but also to get an appreciation of what are the challenges and successes. This is important to ensure that interventions are made where there are stubborn challenges and that successes can be replicated elsewhere.

The approach employed by the Ad Hoc Committee in conducting oversight and public hearings in municipalities was first and foremost to initiate an interaction with the Provincial Legislature in the form of the Portfolio Committee of Cooperative Governance and Traditional Affairs. Where possible the members of the Committee would actually accompany the committee throughout its visit. The other important element which fosters cooperation and shows respect for protocols was to interface with the municipal authorities viz mayor, councillors or administrators in case where section 139 is invoked. Additionally, the Ad Hoc Committee would meet stakeholders including inter alia NGOs, CBOs, religious groups, ward committees, Community Development Workers, the business community and members of the public at large. Lastly and more importantly, when the community held public hearings various sector department representatives including entities such as Eskom and South African Social Security Agency (SASSA) were invited in order to provide information and understand problems on the ground.

It is important to stress that departments and entities were invited to accompany the Ad Hoc Committee in order to respond directly to the community issues, provide clarity on specific matters and note other peculiarities in order to determine necessary interventions. The Ad Hoc Committee also wanted to tackle some of the common problems on the spot. For instance, on the question of municipalities that are owed million in services debt by the Provincial Departments of Public Works and Transport, the Ad Hoc Committee facilitated communication through written correspondence to the respective department in order to pay outstanding municipal debts. In addition, the Ad Hoc Committee also, in writing, requested several other departments to intervene in numerous cases such as a case of alleged exploitation and intimidation of an employee by a labour-broker. The other case involved eviction of a farmer by a mining company.

¹ Section 139 intervention is a Constitutional provision that gives authority to the Province to intervene in a municipality where there is a collapse of administration rendering the municipality ineffective.

1.6 SUMMARY

In this era of an “*Activist Parliament*” which aims to be instrumental in conducting robust oversight in order to ensure delivery of basic services to improve the standard of living of South Africans, a conscious resolution to investigate the underpinning reasons for ‘service delivery’ protests was adopted. This is the genesis of the Ad Hoc Committee on Coordinated Oversight on Service Delivery. With this aim in mind and based on the terms of reference, the objective of this report is to discuss in some detail the progress in implementing the policy imperatives and more importantly provide an analysis of the experiences and observations from the local level in particular to identify what is working well and what is not working. The ultimate aim is to table the report in the National Assembly for deliberations with clear recommendations and timeframes in order to improve service delivery particularly in light of the commitment to attain the Millennium Development Goals (MDGs).

CHAPTER TWO: NATIONAL POLICY AND STRATEGIC RESPONSES

2.1 INTRODUCTION

From the outset, it is worth noting that there was general consensus about the fact that the Constitution entrenches socio-economic rights and that government is duty-bound to ensure the progressive realization of these rights. Poverty, deprivation and inequality present the denial of fundamental human rights and therefore government has the responsibility to act expeditiously to improve the lives of the people. The notion of developmental local government must find expression in the improvement of the objective reality of citizens through the provision of services, spatial and socio-economic development. In this regard, the Department of Cooperative Governance and Traditional Affairs (CoGTA) becomes intricately inseparable from municipal service delivery structures and systems as the lead department with the coordinating function.

2.2 THE NEED FOR A LOCAL GOVERNMENT TURN AROUND STRATEGY (LGTAS)

The Department of Cooperative Governance and Traditional Affairs presented a comprehensive Local Government Turn Around Strategy (LGTAS), which was adopted by Cabinet in November 2009, to change the profile and face of local government to respond to the needs of the population. This strategy is a culmination of the in-depth assessments of municipalities conducted by the CoGTA and MECs which resulted in the State of Local Government Report.

Service delivery depends on a set of variables including clear policies, clarity of roles, financial accountability, coordination and public participation. Perhaps most importantly, service delivery is not a local government issue. On the contrary, the whole system of government must play a pivotal role in ensuring that strategically, structurally, systematically and programatically government reinforces and complements inter sphere synchronization of service delivery. In addition, the economic realities of South Africa, the apartheid spatial legacy, and the rural/urban divide are critical factors that must be considered in the allocation of financial resources. The Department of CoGTA noted that the intergovernmental fiscal system needs to be reviewed and also that the grant system is poorly designed and therefore must also be revisited. In essence there is a strong suggestion that the funding formula needs to be changed.

The cornerstones of the LGTAS revolve around several key pillars:

- Tightening the municipal supply chain management mechanisms.
- Establishing a single election in local government to save resources and build unity in line with the Single Public Service as well as financial terms of municipalities.
- Establish a single window of coordination to curb overregulation of municipalities as identified in the Inaugural IGR report.
- Refined model of ward committees to give effect to participatory democracy in communities.
- Special Purpose Vehicles for infrastructure development particularly in struggling municipalities.

LGTAS implementation structures:²

- National Coordinating Unit to monitor implementation of LGTAS.
- Command centre.
- Operations room – local government intelligence, daily monitoring technical support based in provinces.
- Intergovernmental Working Group.
- Interdepartmental teams to deal with sectoral issues such as informal settlement upgrade etc, Ensure alignment of IDPs and report on specific commitments entrenched in IDPs by provincial and national departments.
- Ministerial advisory committee and civil society reference group to ensure wider participation in the fight for better efficient local government system.

Perhaps it is important to note that this process takes place against the background of a raging debate about the Policy Review Process concerning provinces and the correctness of the two tier system in local government i.e concurrent existence of District Municipalities and Local Municipalities. There are also concerns associated with resource implications of the two tier system and its impact on efficient service delivery.

2.3 INFRASTRUCTURE AND RURAL DEVELOPMENT

The skewed development patterns manifest between the rural/urban divide as well as former homelands are cause for concern and the role of municipalities in building local economic development capacity in areas such as industry and commerce, agriculture and tourism are imperative. An area that would facilitate economic development in municipalities is adequate infrastructure and the Department of Transport admits that major investments are necessary to revitalize the rail network to ease pressure on the road network. This is a glaring challenge in Mpumalanga province where the burden on the road infrastructure is evident as trucks transporting coal damage the roads but would use rail network more efficiently if it was viable. The Department of Transport has initiated a Public Infrastructure Systems Grant to facilitate transport infrastructure development. The challenge facing the current transport system lacks integration for example buses, taxis and trains are administered, respectively, at municipal, provincial and national government spheres. Another important issue that has been neglected is rural transport system which would integrate rural dwellers into the economic system. Revitalising the rail network and investing in faster trains is critical to the development of the rural economy. Transport systems will need to be coordinated to allow for the viability of economic enterprises in the rural areas. The establishment of a rural development agency will be important, but this agency must have direct linkages with both the ministries of planning as well as economic development so that they can be given relative importance. To this end the Department of Transport has established the Rural Transport Services and Infrastructure Grant to improve access and mobility in rural areas. The budget for 2010/11 is R10.4 million which increases to R11.1 million in 2011/12. The Department of Public Works, for its part, continues to roll-out the Expanded Public Works Programme. The Department of Public Works develops models for projects rather than fund them, however, it offers incentive grant. To date 55 of the 68 eligible municipalities received the incentive payment of R114.171 million (57%) after the 3rd quarter.

² CoGTA, Presentation to the Ad Hoc Committee on Service Delivery February 2010

In this context, rural development and land reform are key priorities in order to effect development and give practical expression to what the President stated in the Inaugural Address at the Union Buildings when he maintained that “for as long as there are rural dwellers unable to make a decent living from the land on which they live; we shall not rest, and we dare not falter”³.

In advancing this commitment the newly formed Department of Rural Development and Land Reform has developed a Comprehensive Rural Development Programme which is piloted in a number of areas. During implementation of this programme the Department of Rural Development and Land Reform has discovered that there is general underutilization of sustainable natural resources, lack of skills development and scarcity of water. In particular the Department of Rural Development has established a skills development programme and created an employment programme that employs a person in each household in every community where the programme is being piloted. Sustainable means of water generation are being explored in order to ensure that agricultural processes are enhanced.

A Rural Development Agency is planned in order to actually implement rural development based on the model of other developmental agencies in the country. Communities are encouraged to establish cooperatives and enterprise development and the agency will support such initiatives supported by the Department of Trade and Industry. Further, by way of coordination a Council of Stakeholders involving municipalities, Department of Rural Development, Water Affairs, and Human Settlements has been formed. This Council of Stakeholders is chaired by the mayor of the respective municipality in order for coordination to evolve as municipalities are the centre of gravity in developmental local government.

2.4 BASIC SERVICES AND MILLENNIUM DEVELOPMENT GOALS

During the public hearings in Parliament the Minister of Water Affairs, Hon Sonjica, stated that municipalities are mandated to provide water. The systems and norms and standards are a function of the department therefore when problems of water quality arise the department cannot act apart from issuing directives because the dept has a regulatory function and there is no recourse. Municipalities that are designated as water services authority encounter problems particularly with the challenge of the two tier system. For example if a local municipality has resources to enhance water provision they cannot because that is the scope of the District municipality. On the question of installation of water meters and subsequent water cuts, the Department of Water Affairs insists that water is a basic human right and is constitutionally guaranteed. Therefore municipalities and water boards are required to apply the trickle system⁴ where people are struggling to pay. The challenge however is that national government is not informed when municipalities and water boards cut water instead of using the trickle system.

Provincial Water Committees are established and chaired by the Premier to enable rapid response to attend to the challenges as they arise and also to harness the Intergovernmental Relations (IGR). For instance during Project Consolidate, it was discovered that municipalities encountered problems due to the lack of capacity to conduct Environmental Impact Assessment while, at the same time, this capacity existed at provincial level but was

³ Zuma, Inaugural Address at the Union Buildings 9 May 2009

⁴ Department of Water Affairs February 2010 Presentation to the Ad Hoc Committee on Service Delivery

never utilized.⁵ During the annual reviews of Water Services Plan in line with the IDP process, some challenges have been identified and interventions have been made. Support has been provided to 57 municipalities. A risk profile of municipalities has been developed to enable the Department to identify areas in need of urgent intervention.

There is a general view that a review of pricing model, as well as funding mechanism, needs to be conducted. The fact that the equitable share is not being used to provide basic services is problematic. Many municipalities balance their books by not providing for maintenance and operations hence there is debilitating infrastructure.

Sanitation is also another critical issue that needs more focused attention as there is number of areas that have not successfully eradicated the bucket system. The challenge is that unlike other basic services such as water and electricity, sanitation does not have a policy standard which will guide municipalities. The Department of Water expressed a view that sanitation is better placed under the rubric of the Department of Human Settlements as opposed to its current location. Transfer of this programme to another department may have implications on the pace of roll-out of the sanitation programmes. There seems to be a continuing trend of not prioritising the issue of refuse collection in municipalities as it is not sufficiently budgeted for as a basic function of the municipality.

2.4.1 Electrification

The Department of Energy has a target of electrifying all schools by June 2010. Moreover, it has the responsibility to ensure universal access to electricity by 2012. There is also a target of ensuring that 80 per cent of indigent households have access to basic electricity by 2010. The Department contends that the electrification programme is one of the best performing service delivery programmes overall, however, funding is not aligned to the target and pressures on the ground.

KwaZulu-Natal, Eastern Cape and Limpopo which are known as rural provinces have serious backlogs therefore are a priority. The Department has admitted that with the current MTEF allocation of R3 billion, it will not attain MDG by 2012. These are some of the red flags that emerged in the hearings.

Electrification Challenges

- Limited grant funding
- New bulk infrastructure in rural areas
- Rehabilitation & upgrade of existing infrastructure
- Municipal capacity to implement projects
- Structured planning approach
- Resource management

More funding for infrastructure rehabilitation is a priority but this diverts money away from new connections.

⁵ Department of Water Affairs February 2010 Presentation to the Ad Hoc Committee on Service Delivery

2.4.2 Housing

The Department of Human Settlements is confronted by a challenge of migration and urbanisation which results in mushrooming of informal settlements. These desperate circumstances stretch existing resources and increase the levels of backlogs in metropolitan areas. Some of the fundamental challenges of the quality of housing delivery are essentially resultant effects of corruption, fraud, and collusion between contractors therefore the initiative to ameliorate this problem is vital. The importance of coordination and sectoral collaboration cannot be overemphasised to address misalignment of sectoral targets, inadequate state capacity, bulk infrastructure funding, geographic disparities and cost price escalation. Contractors and implementing agents must be held accountable and subject to routine checks. The Special Investigative Unit (SIU) is investigating cases of fraud, corruption and negligence.

Scale of delivery shows that 7,994 projects across the country are either under way or completed.⁶ This success needs to be commended and the quality of housing needs to improve in order to remove any blemishes in this process. Some key solutions include accelerated housing delivery opportunities through amongst others accreditation for metros and 21 top municipalities to deliver houses to the people. Access to basic services through alignment of PIG, MIG and housing grants is a strategic point of departure. In terms of the overall housing framework the issue of backyard dwellers needs to be addressed hence Micro-lending for backyard dwellers. There is an expected increase in the Conditional Grant allocation for housing in the medium term.

2.5 FISCAL AND FINANCIAL MANAGEMENT

The Auditor General made presentations on the 2008/09 municipal audit outcomes which indicate areas of improvement as compared to the 2007/08 period. The table below shows a reduction in disclaimer and adverse audit opinion in municipalities and entities.

Consolidated - MFMA audit outcomes 2008-09: Summary of audit opinions*

Total	283	283	56	57	339	340
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Source: AGSA Presentation (12 May 2010)

⁶ Department of Human Settlements February 2010 Presentation to the Ad Hoc Committee on Service Delivery

There are several concerns notwithstanding the improvements in the audit opinions concerning the perennial problems of non-compliance with regulatory requirements, usefulness and reliability of performance information. These issues need attention in order to improve service delivery reporting. Another critical problem is timeous submission of information and thus cooperation with the AG needs to be improved.

The AG further highlighted several key areas that need attention in order to improve the audit and financial controls in municipalities. These issues are categorised into governance, leadership and financial management.

Key governance issues requiring attention

- Audit committees' financial statement review, performance information review, risk assessment review
- Internal audit scope of work and capacity

Key leadership issues requiring attention

- Tone at the top towards financial management and accounting issues
- Guidance, monitoring and supervision
- Commitment to implement corrective actions
- Maintaining required level of staffing numbers and skills

Key financial management issues requiring attention

- Preparation of complete set of financial statements on a monthly basis
- Basic internal controls implemented including reconciliations, document safeguarding, measures to prevent irregular, unauthorised, fruitless and wasteful expenditure
- GRAP readiness particularly understanding of requirements as well as skills
- Adequacy of information systems to produce financial statements

The appointment of Professional Inspectors with recognised professional qualifications and experience is necessary. Municipalities will need to be regularly inspected to check whether the MFMA is being fully implemented. These inspectors will report to the National Minister and issue inspection reports. These reports can be interrogated by the municipalities, the provincial government, the NCOP and the Department. An increased role for the National Council of Provinces will bear handsome dividends. The NCOP should also have a role in monitoring Municipal infrastructure grants so that they are used for the purposes for which they were intended.

Standardization of budget tools of all municipalities in order to avail that information to members of the public is another important proposal to simplify financial management for public accountability of municipal councils. Financial reporting has improved but the quality is still a challenge. From a financial point of view municipalities must be addressed in their own merits however, reporting is standardized. Debt collection in rural local municipalities is a serious problem which affects their cash flow. Introduction of Municipal Public Accounts Committees strengthens oversight as well as financial management and accountability.

2.6 INPUT OF PROFESSIONAL ASSOCIATIONS ON FINANCIAL MANAGEMENT

Electricity distribution should remain with local government to ensure debt collection and financial viability. The current financial reporting requirements prove onerous and this is impractical and diverts attention from service delivery. This was reflected in the Inaugural Intergovernmental Relations report as overregulation. A standardized reporting framework and an information portal for departments to draw from is a necessary remedy. There should be standardized reporting for small and low capacity municipalities with the assistance of National Treasury and COGTA

There is a tendency by upper spheres of dumping projects or fiscal dumping in municipalities without proper coordination which in turn require services from municipalities without having budgeted for such service. For instance, national departments do not indicate during IDP process their intentions and halfway through the year come to municipalities and indicate that they wish to build housing units which require services which the municipality has not budgeted for but it is not ideal for municipality to reject projects from national or provincial government in the interest of community service delivery.⁷

There seems to be general consensus amongst departments and professional associations such as CoGTA, IMFO, ILGM including statutory bodies such as SALGA about the fact that the funding formula for municipalities needs to be reviewed. The grant system has also been criticized for being poorly designed and its skewed distribution that does not favour small rural municipalities which are often faced with severe challenges because of lack of infrastructure which invariably demands more resources to deliver services to sparsely populated areas.

Financial support to the Office of the Speaker and Ward Committees is an issue that needs urgent consideration. This will make the local government system and structures equipped with resources to discharge their duties effectively. Regarding institutional management IMFO argues that MFMA needs to be augmented by regulations pertaining to CFOs because the requirement of appointment of “suitably qualified persons” remains unclear.

2.7 COORDINATION STRATEGIES

It is worth noting that a lack of coordination has been acknowledged as a major problem hampering service delivery. The IDP as a planning tool integrates various key sectoral plans i.e transport, health facilities, spatial development and water services plans, just to mention a few. Evidently, there is no specific model or approach to ensure better coordination, for instance, CoGTA talks about being a single window of coordination, Water Affairs talks about coordination of IGR forums by the Premier’s IGR forum whilst Rural Development emphasizes the role of the Mayor in coordinating Stakeholders Council as a coordinating structure. Other people view the Department of Human Settlements as better placed to coordinate as most developments involve the Department of Human Settlements.

It is important for at least a model of coordination to be established ensure synchronization of plans and implementation for effective service delivery. A practical approach that does not

⁷ iLGM Presentation to the Ad Hoc Committee on Service Delivery (February 2010)

necessarily centralize authority but ensures appropriate instruments for coordination are implemented is critical. All government programmes are implemented at the local sphere as it is closest to the people. Coordinating mechanisms need to take that into account and ensure that there is sufficient capacity at that level to coordinate and regularly review and respond to the challenges of implementation as they arise.

2.8 DISCORD AND REQUIRED INTERVENTIONS

Clearly there is a disjuncture between the views of the Department of Energy, CoGTA and SALGA on one hand and IMFO on the other hand concerning the issue of electricity reticulation. The government departments above wish to transfer this function to regional distributors to maximize the economies of scale while IMFO wants to retain this function in municipalities to ensure sufficient revenue collection for municipalities. The Department of Energy asserts that adoption of the 17th Constitutional Amendment which will transfer electricity distribution to regional bodies which are referred to as Regional Electricity Distributors (REDs) will assist in removing the backlogs in electricity services. Still on the matter of electricity, it has been established that there are discrepancies in the tariff charges. There is a practice of application of different types of tariffs which create disparities within the system in one municipal area some pay R33 whilst others pay R75.⁸ This is prominent where within the same municipal jurisdiction some areas are serviced by the municipality whilst others are serviced by Eskom.

The current roll-out of Free Basic Electricity (FBE) covers less than 33% because some communities are required to travel to far away points to collect their tokens. Under such circumstances people are forced into a corner where they have to decide whether to spend money on transport to collect their FBE token. Technical expertise is required to expedite the roll-out process and the department is assisting municipalities. There is uncertainty about the effect of the tariff hike requested by ESKOM on the impoverished members of the South African society.⁹

Another controversial issue is the implementation of the Indigent Policies where the register details personal information about the poorest of the poor. Municipalities give the bare minimum and the poor are sent from pillar to post in order to get into the indigent list. Publication of the indigent list or register with personal information may be embarrassing for some and may actually deter people from seeking relief. Regulations of indigent policy require indigents not to operate businesses in their households or have particular assets such as televisions, DSTV etc.¹⁰

2.9 SUMMARY

The notion of a Local Government Turn Around Strategy is a crucial step in critically identifying persistent challenges in local government however the realization that other spheres need to change their orientation is also very important. The understanding and

⁸ Department of Energy (February 2010) Presentation to the Ad Hoc Committee on Service Delivery

⁹ Ibid

¹⁰ Empowerdex (February 2010) Presentation to the Ad Hoc Committee on Service Delivery

urgency of development of tailor-made municipal specific Turn Around Strategies is also crucial to change the prospects of local government. It is important to note that rural development which has been neglected in the past is receiving priority attention particularly in areas such as economic opportunities, transport networks and bulk infrastructure. There is no discord in the need to change the funding formula in order to ensure a bias towards poor municipalities that have severe revenue and resource constraints.

CHAPTER THREE: EFFECTIVENESS OF GOVERNANCE SYSTEMS

3.1 INTRODUCTION

This section looks at political dynamics, functionality of IGR structures and ward committees as well as functionality of council and its component committees. Importantly, this part also considers public participation as well as political / administrative interface and local government relations with traditional leadership.

3.2 POLITICAL ROLE CLARIFICATION

The Ehlanzeni District Municipality noted with concern that there is a lack of clarity of political role of the members of the Mayoral Committee because they do not have political control of the departments they head as section 57 managers undermine them and report to the Municipal Manager, Mayor and thus Council. Mayoral Committee members chair council committees where they are supposed to account and the propensity not to convene is higher. It therefore follows that separation of powers needs to be instilled in the local sphere. In addition, section 79 and 80 Committees need to be led by other council members to ensure service delivery and oversight.

There is an aggravating challenge of political infighting which destabilizes municipalities and hampers service delivery. This problem was more pronounced in Mkhondo Municipality which caused serious problems leading to paralysis in governance. In Mkhondo Local Municipality there were two groups one supporting the Mayor and the other aligned to the Speaker. In Thaba Chweu there is serious problem wherein there is a stalemate due to suspension of seven councillors and as a result of this and other political dynamics the Council cannot form a quorum. This is clearly an impediment to governance and service delivery.

In Buffalo City Municipality political infightings, especially among ANC councillors had resulted in 31 of the organisations' 73 councillors in the municipality not participating in the council's activities. When the Committee visited the area less than 10 of the total 81 Buffalo City Municipal councillors participated in the interaction with the delegation. Additionally, the chief whip and Department of Education has sent the municipality to court. "Out of the 89 councillors about 37 councillors were reportedly determined to render the council dysfunctional. There were about 9 councillors who have not availed themselves for swearing in or gave any reason for their reluctance to do so". The Dispatch online newspaper had reported that the Buffalo Local Municipality Council is facing the possibility of being stripped of its executive powers¹¹. The infighting within the Buffalo City Municipal Council was found paralysing service delivery within the municipality while tensions between the council and administrators also create unfavourable climate for effective oversight. Within the Buffalo City Municipal Integrated Development Planning and budgeting processes are not aligned with Provincial Growth and Development Strategies and national priorities due to poor participation of sector departments and the broader community.

The current Executive Mayor of eMfuleni Local Municipality in Gauteng, Councillor Mshudulu, was elected in 2008 after a turbulent political process which saw the then Mayor Dikeledi

¹¹ Daily Dispatch (2010)

Tsotetsi removed and the then Municipal Manager suspended. It does not appear as though there are fundamental challenges at the level of governance and administrative stability. The Executive Mayor points out that there were challenges in the past about lack of alignment between IDP and the Budget and that at an administrative level there were too many acting officials but the situation has stabilized. There are concerns about principles of good governance. This relates particularly to anti-corruption and fraud prevention through measures that encourages and protects whistleblowers. In addition, the fraud prevention hotline is not working.

The fusion of executive and legislative powers in council weakens its oversight functions as oversight is not clearly separate from executive functions. As a result, one often finds that accountability is weakened. SALGA recommended location of oversight powers within the council but with those non-full time councillors so that there could be clearer separation of roles and better accountability, although there is still an ongoing discussion about making ward councillors full-time councillors. SALGA also encourages and supports establishment of Municipal Public Accounts Committees (MPACs) so that the problem of 'referee/player' scenario in the practice of oversight is addressed.

The interaction with traditional authorities is uneven between the two municipalities visited in Limpopo. For example in Thalamela there are regular IDP and Budget meetings with Traditional Leaders. Traditional Leaders are attending Council meetings. Whereas the relationship between Molemole Municipality and Traditional Leaders is fragile and there is no consultation and coordination between these structures.

In the municipalities visited in North West it was reported that the relationship between the elected councillors and traditional leaders and their institutions were found to be strained. There were reports about lack of respect between the institutions and also lack of clarity with regards to roles and responsibilities, especially concerning land and authority over allocation of land for development purposes. The problem of non-responsive leadership in the form of councillors in key strategic positions was raised as a serious concern which fuels protests.

3.3 LOCAL GOVERNMENT TURN AROUND STRATEGY (LGTAS)

The Department of Cooperative Governance and Traditional Affairs (COGTA) has identified Tswaing in North West as a pilot for the implementation of the 'turn around strategy' for municipalities. The mayor informed the delegation that progress had been made regarding the development and implementation of the strategy. The challenge was that they could not reach expectations set under the strategy, one of the challenges being that a huge percentage of their budget goes to salaries.

It is commendable though that the eThekweni municipality has developed a Turn Around Strategy to change the fortunes of the municipality and deliver services more effectively. The main issues that were highlighted in the strategy included water, sanitation, electricity and co-ordination among the stakeholder departments. The Department of CoGTA then formulated programmes that address these issues. Furthermore, the issue of high and medium capacity municipalities was identified as a factor that hinders service delivery. It hinders service delivery in that rural municipalities allocated insufficient funds because the allocation is made

based on the population size of the area. This therefore results in poor capacity and limited resources contrary to the situation in urban municipalities.

3.4 PUBLIC PARTICIPATION

The foundation of democracy is primarily the ability of citizens to participate in their own affairs and not only limit the people's involvement to voting every five years. Since the advent of democracy in South Africa there are many forums and structures that have been established to encourage public participation. In this context it is worth mentioning the significance of ward committees as developmental vehicles but there is a plethora of other forums such as school governing bodies, community policing forums and hospital management forums. These public participation instruments are critical for creating governance based on the will and direction of the people.

There are numerous constraints confronting these structures which include resource availability and support. But most critically, in making these structures functional and yield the desired result is the actual participation of the people. There is evidence to suggest that public participation is not optimal. This may be attributed to the perceptions that these structures are not efficacious enough. Complaints particularly from many ward committees revolve around perceptions that ward councillors do not convey resolutions of ward committees to the council for deliberations and considerations. It is therefore important that the Speaker of council must obtain reports from ward councillors in order to ensure that indeed they convene regular meetings and take concerns of residents to council which has vested powers to take and implement decisions. A thorough evaluation of the functioning of the Ward Committees must be undertaken and Ward Committees must have greater statutory authority to exercise oversight over their respective Counsellors. If a councillor does not report to the Ward Committee in the manner contemplated by Parliament then the Ward Committee should have the right to recall the Counsellor according to a process that will be uniformly regulated. Hotlines should be established to allow Ward Committees and communities to raise grievances with Provincial MEC's and where that is not adequate with the National Department so that timely and thorough interventions can occur.

There is good example in Thaba Chweu of good citizenship where Ratepayers Association and agricultural forum are working closely with the municipality in order to restore normality. These people formed task teams to assist the municipality for instance in financial administration and as a result the municipality was able to implement a billing system. Business community formed an advisory board to interact with municipality which creates a good relationship. The business community agreed to raise funds to repair roads free of charge. In Sabie the business community bought equipment for the municipality such as grass cutters etc.

There is a contrasting picture between the two municipalities in Limpopo in relation to public participation. Thulamela municipality conducts public participation through izimbizos which are also attended by traditional leaders. Whereas in Molemole there are no broader public participation policies and plans, no public communication strategy that has been put in place. In Thulamela all Ward Committees have been established and are functioning. Ward Committee activities are budgeted for and Regular IDP meetings are held at various focal points.

3.5 INTER GOVERNMENTAL STRUCTURES

The Constitution, 108 of 1996 recognises the three (3) spheres of government as interdependent, interrelated and distinct and further elaborates on the respect for the integrity of each sphere whilst emphasizing cooperation, support and supervision of the lower spheres. The Constitution also stipulates functions of each sphere and there are overlaps between functional areas of respective spheres. While certain functions are concurrent, other functions fall under the purview of Provincial and National competencies. While respecting the right of each sphere, there should be a smooth interface to allow segments of government to operate in a smooth and seamless manner. The creation of an advisory committee could facilitate this interaction among the three spheres of government. Careful thought needs to be given to the composition of the Advisory Committee so that people with sufficient experience and communicative capabilities are appointed to it. This Advisory Committee should also be charged with the responsibility of evaluating whether the Millennium Development Goals were being achieved within the timeframes that were nationally determined.

With respect to Inter-Governmental Relations in practice, first there is the perennial problem of Departments sending junior officials to IDP forums who have no authority to take concrete decisions. The other concern regarding IGR forums is the fact that Mayors and Municipal Managers Forums function well in Ehlanzeni District however the CFOs forum has collapsed. There is a contention that because local municipalities are autonomous therefore the district municipality cannot compel local municipalities to participate in IGR forums if they refuse. On a positive note, the Ehlanzeni District Municipality seconded a CFO to assist Thaba Chweu to get its finances in order. It is important to underlie this example as it is a sign of cooperation.

In Mbombela there is a tendency of irregular sitting of intergovernmental relations structures for example municipal managers forums and CFOs.

In Thulamela the District Intergovernmental Relations (IGR) comprise of Political IGR Forum and Technical Municipality Manager's Forum. Both structures are functional and they coordinate the activities of local municipality and district municipality.

Intergovernmental cooperation in project initiation and implementation is very important in order to ensure synergy in resource mobilisation and general support and monitoring. There are projects of this nature in both KZN and Gauteng which deserve special mention. In KZN the Ntuzuma Housing Project which was a collaboration between the eThekweni Metro and the Provincial Department of Human Settlement is an important milestone in drawing on collective resources to provide housing and services in an integrated manner. The 20 PTP project is a project that was initiated and implemented by the Gauteng Provincial Government and the Municipality assists in the monitoring of the implementation of the project. A budget allocation of R10 million was allocated to the project for landscaping and furnishing of parks and public buildings. The project at the time of the visit was almost complete and the municipality was about to initiate the maintenance phase of the project.

3.6 POLITICAL / ADMINISTRATION INTERFACE

In eThekweni Metro the opposition parties complain that senior administrators are pursuing their own agendas and deprive them of information. There is a need to build understanding of the oversight role of councillors. More importantly, there is a need to strengthen communication between councillors and communities. The source of concern for the municipality is the fact that Ingonyama Trust owns 3.3 million hectares of land which requires municipal services for development and yet there is no formal agreement.

Within the Great Kei Local Municipality there is tension within the council, administration and certain sectors of the community such as rate payers association. The tensions might have been fuelled by the recall of the former mayor and the suspension of the previous municipal manager and the subsequent investigations.

3.7 SUMMARY

This section sought to present descriptively the prevailing situation with respect to governance mechanisms. The idea was to present some of the faultlines that need urgent attention but also to reflect on the good practices. It is important to note that the need for clarification of roles between council structures, office bearers and officials is critical as there is paralysis in certain municipalities as a result of political infighting. The issue of intergovernmental debt needs to be attended to urgently and the main culprit is the Department of Public Works. This debt to municipalities is creating an untenable situation and it is important to settle this situation to improve the cashflow of municipalities as well as standard of service delivery.

CHAPTER FOUR: SERVICE DELIVERY

4.1 INTRODUCTION

The purpose of this section is to outline the state of service delivery in municipalities against the backdrop of Millennium Development Goals (MDGs) and most importantly provision of bulk infrastructure ie water, sanitation, electricity, roads etc. For various reasons, there is an enormous challenge which is perpetuated by people settling in privately owned land which cannot receive services based on the fact that Eskom and municipalities do not service private land. This situation therefore deprives desperate communities of basic services and human dignity. A solution to this situation is urgently needed.

4.2 STATUS AND PACE OF SERVICE DELIVERY

In a candid assessment of the state of service delivery by the Administrator in Mkhondo, Mr Khoza, stated that, "Waste collection is also another area where we have severe backlogs and there is lack of capacity but this will be fixed". The same can be said about the Buffalo City Municipality. The refuse removal is also not done on a regular basis, and illegal dumping is found in almost every corner of the informal settlement. The situation was deemed to be a potential cause for health hazards.

The City of Cape contends that on the service delivery front, 116 883 households in informal settlements were provided with access to basic levels of sanitation, that is, 100% access to water and 26.6% reduction in water demand. However, some of the major challenges included: increasing urbanization and shifting rural poverty, skills mismatch in economy, infrastructure backlogs, funding growth of infrastructure, unavailability of land for residential purposes, lack of resource to match the demands, safety and security, bureaucracy of legislation (compliance driven approach to service delivery) and global warming (rising sea levels).

In terms of other service delivery concerns there is a challenge of providing services in privately owned land. This has been emerging in various areas across the country. Municipalities and Eskom do not extend services to privately owned properties. As a result people who reside in land that is privately owned are deprived access to basic services. The City is being accused of selling the little land available to private companies. The case in point is the piece of land at eMfuleni which was sold to a railway line company. The area known as Baden Powell was promised to be an area to relocate most of the people from Kayelitsha. However the challenge of overpopulation in Khayelitsha has affected this area. The area called Doorenbacht in Du Noon consists of large hectares of privately owned vacant land. This is an open land available, which the city can use to build houses for the people of Du Noon. However the city finds it difficult to buy the land because of high and exorbitant prices from the landlords.

There are good examples that are worth mentioning where for instance in Thaba Chweu the municipality initiated a street lighting and pedestrian walking in order to prevent road accidents as well as reduce crime. This route became safer for the residents and workers who walk from the nearest township to town. The municipality also initiated a housing project with Mpumalanga Housing Finance but unfortunately the contractor ran out of funds to

complete the project. It must be stressed that housing is one of the major areas of discontent pertaining to the quality of RDP houses as well as the pace of housing provision. There seems to be a major challenge with the fact that housing is not a local government competency therefore the province appoints contractors and municipalities are responsible for the allocation. There are a couple of problems with this scenario, firstly provinces need to monitor progress as well as verify that standards are met before making payments which sometimes does not happen. Secondly, mainly because municipalities are responsible for allocation residents therefore demand housing from municipalities and charges of corruption of housing lists are prevalent.

4.3 INTEGRATED DEVELOPMENT PLANS

Municipalities in South Africa are expected to use the IDP as a strategic plan for future developments within their areas and the IDP is also expected to promote co-ordination between local, provincial and national government since different spheres of government are encouraged to work in a co-ordinated manner to tackle the development needs in a local area. This coordination is not visible within all municipalities visited in this province.

There is a lack of coordination amongst different key stakeholders facilitating service delivery. For instance, Thulamela Municipality officials reported that they always invite government departments and other stakeholders to attend Integrated Development Planning (IDP), however, government department and other stakeholders do not attend. There is no coordination between ESKOM and local government. For instance, the district mayor reported that he did not know ESKOM' program to connect electricity in Thulamela, however, ESKOM representatives told the Ad Hoc Committee that it was working to connect electricity to 1500 households that it identified back in 2002.

Within the Buffalo City Municipality integrated development planning and budgeting processes are not aligned with provincial growth and development strategies and national priorities due to poor participation of sector departments and the broader community

4.4 MILLENNIUM DEVELOPMENT GOALS (MDG) PRIORITIES

4.4.1 Housing

There is a housing backlog of 37500 houses in Thulamela. Some houses have been left incomplete. Some houses remain unoccupied since their completion in 1998. The Council is doing audit of all houses built to determine the exact number of incomplete houses or unoccupied houses. The audit process will help the Council to track the beneficiaries of unoccupied houses. Some houses are poorly constructed, lacking and some are built with single layer bricks. These problems were verified during the Ad Hoc Committee's oversight visit to Mtititi Housing Project.

It is also important to note that in Thulamela some of the houses have been converted into tuck shops and are not used for accommodation purposes. There is a similar problem in Molemole where people are actually renting out the RDP houses particularly in the area known as Magwadi. There is a challenge of unoccupied houses which are vandalized while some are occupied by foreigners.

In Thulamela, Mtititi Housing Project group poor people together in one place, houses were not built where beneficiaries live with their families or where they want to stay. Therefore, beneficiaries are not occupying their houses Mtititi. Mtititi village is classified as a place for the poor; therefore, beneficiaries are not occupying their houses because they don't want to be classified as poor. For instance, the beneficiary of one unit in Mtititi removed the roof of his unit and took it where he/she stays with the family in the community. It is evident that Mtititi Housing Project was poorly planned; there is no water in the area. Therefore, the residents have to walk long distance to fetch water.

In Molemole there is prevalence of housing projects that are incomplete. Based on this reality the municipality has hired high capacity contractors to complete the houses. It is anticipated that 200 housing units will be complete by the end of the financial year.

Over the last ten years, government built low-cost houses in DuNoon in Cape Town and no title deeds were given to the owners. Majority of those houses are occupied by people who are not bona fide beneficiaries. The City of Cape Town was conducting a survey to identify *bona fide* beneficiaries. Due to party political tensions, the process the city found it difficulty to complete the process on time. The sub-council confirmed that 80 people living in 'RDP' houses in DuNoon were not *bona-fide* beneficiaries.

The public hearings in Khayelitsha raised issues relating to lack of housing and the bad conditions under which residents live. These challenges relate to the following:

- The slow delivery of the houses for the people who have been evicted from Joe Slovo settlement and had to be relocated temporarily in the Delft area.
- Some people in the areas such as Khunqu, Taiwan, ward 93 and ward RR in Site B are living in shacks built in swampy areas, these areas are prone to natural disasters characterised by devastating floods.
- In the area known as RR, people have been evicted and their houses/shacks were demolished. The aforementioned residents were promised decent houses in the Delft area, but no houses delivered yet.
- Some of the houses built in Mitchell's village are of poor quality; the size of the houses has been reduced from the original plan of 40+ square meters, and the existing structures are now 36 square meters. These houses have one tap and toilet that is build close to the kitchen. Community members blame this to poor planning.
- Backyard dwellers in Khayelitsha do not have enough land to accommodate the growing population, hence Khayelitsha is over populated. This has led to overcrowding which resulted to diseases such as Tuberculosis, children being vulnerable to rape and other crimes. This matter requires intervention of the National Minister because the backyard dwellers and the community have lost confidence in the city's administration.
- Some people occupy the houses without having title deeds, and in some areas owners of the houses are not even residing in those houses. People have applied for title deeds for more than two years, but there is still not response from the ward councillors.
- Alleged corruption and nepotism of councillors who are selling houses and allowing residents to occupy houses without title deeds and affidavits required in the process.

The other key problem besetting the eMfuleni Local Municipality is the sewerage spillage into the Vaal River which poses a serious health hazard for the residents. A sustainable solution

is necessary in order to avoid the continuous clashes with the community which often ends up in court.

There is a horrific example of inhumane conditions in which residents within the Emfuleni Local Municipality find themselves. This example is KwaMasiza Hostel which is said to be under private ownership which means the municipality and Eskom cannot provide services such as water, sanitation and electricity. Approximately 1500 people live in squalor, sewerage flows from top floor to the ground floor and it flows in surface of common areas. As a result diseases such as Tuberculosis and Malaria are common. Electricity cables are floating between buildings and on the ground which is a life threatening situation. The Hostel used to be under Iscor but is currently owned by Vicvar PTY 20 LTD. This is an untenable situation which demands urgent intervention even if it means expropriating that area in the public interest, if a partnership

Ntuzuma Housing Project

The project was proposed and planned for prior 1997 but due to unavailability of funds from provincial Department of Housing it was put on hold. The eThekweni municipality revived it in 2006 due to an urgent need to provide housing to the community of Ntuzuma D area. The project was also used as slums clearance plan for the beneficiaries of Ntuzuma D phase 2 and 3 within the Lindelani, which forms part of the Inanda area. The development includes the installation of bulks services, internal services and construction of 690 low income top structures. All the internal services and bulk water have been completed. During the time of the visit 95% of bulk sewer was completed. 492 single storey houses were completed and 108 double storey semi-detached units completed. The project is funded by the provincial Department of Human Settlement through Project linked Subsidy, amounting to R57.5 million. Additional R18 million was made available by the municipality as a top up for the internal services only.

4.5 BULK INFRASTRUCTURE

This is a serious challenge in Mpumalanga and as such it is an area that demands serious attention. Provision of basic services such as water, sanitation and electricity are key challenges. With regard to provision of basic services the main challenge specifically in Ehlanzeni is water reticulation and installation of boreholes is also a challenge due to poor quality of ground water. An intervention that was initiated to supply water was provision of 'Jo-Jo' tanks in Hazyview however this creates challenges where it becomes a replacement for bulk water supply and adequate reticulation.

One resident raised a litany of problems regarding failure to deliver basic services in Mkhondo Municipality in the following manner:

Water supply and roads are in a bad state. In Burgersdorp the reservoir is dysfunctional and there is still no water. There is no refuse collection or waste management and our streets are dirty. We do not have RDP houses, why are houses not built?

Maintenance of infrastructure budget is there but is not enough given the rapid growth of Nelspruit and aspects of sewerage plant amongst others need to be constructed. In Dipaleseng one Councilor made an admission that the municipality lied to the province in its

reports indicating that the bucket system had been eradicated whereas people are still using bucket system. Even in Mkhondo in an area called Amsterdam residents still use the bucket system. This indicates that there are still persistent challenges regarding sanitation in many parts of the country and by implication attaining the MDG in relation to sanitation may prove difficult to achieve.

4.5.1 Roads

Regarding rolling out infrastructure there are charges of poor workmanship particularly in Dipaliseng. It must be stated that poor workmanship in infrastructure costs double the original amount in order to fix the defects. In Mkhondo there was a bus and taxi route project wherein the contractor only dug a trench even blocking some residents from accessing their homes. This contractor was paid the full R13.8 million from the Municipal Infrastructure Grant (MIG) funding. This is a clear case where supply chain regulations were violated by processing payments without verification of work undertaken. It would cost double the amount in order to complete the project. It is clear that the unscrupulous contractors need to be brought to book.

Most roads are gravel that needs constant upgrading. Most of these gravel roads are in bad condition and they lessen vehicle lifespan. Public transport system has been neglected and needs huge maintenance. The Molemole Local Municipality has a 100% spending record on its MIG.

During the public hearing at Malamulele, the community raised concern that Thulamela Municipality development programs were skewed in favour of Thohoyandou/ Venda speaking areas. They complain that all development was channeled towards Thohoyandou while other areas were being neglected. They cited the issue of poor roads in other areas while Thohoyandou has a tarred road.

In Gauteng Eighty percent of the roads in eMfuleni are not tarred. To address this municipality made a decision to initiate roads and storm water projects. The municipality was finalizing a Master Plan that will address infrastructural problems.

4.5.2 Water

It must also be noted that whilst South Africa is a water scarce country there are areas such as Thulamela and Molemole where water consistently and unnecessarily leaking from the taps, which is wasteful. There is a challenge of shortage of water for irrigation and livestock. The construction of Nandoni Dam plant in Thalamela municipality has been delayed because the contractor has not been installing correct pipes identified by the department. The matter is being investigated. Boreholes will be installed as an alternative relief where there is no water. Shikundu Purification Plant is blocked; therefore, it is unable to purify sufficient water for the community. In Molemole municipality there is a serious challenge of theft of water pump engines, high rate of illegal water connections. Water pumps in this municipality remain inadequate for sufficient and sustainable use by the community.

North West municipalities are confronted with a problem of inadequate water to supply the whole community in particular the municipality of Ramotshere. Since 1994 the municipal has been facing water shortages. The community members in the municipality of Ramotshere are

currently relying on boreholes. The problem of water is costing farmers as they currently depend on windmills to sustain their livestock. Although the municipality made some strides through provision of water tanks, there is currently no effort from the municipality to help vulnerable farmers with water dams. Although there are some water projects existing, the department of water affairs need to intervene and expedite progress.

In Thaba Chweu in Mpumalanga the water pipeline distribution system is outdated and this causes regular pipe bursts and leakages. The water reservoir and water treatment system is running at full capacity and cannot accommodate any further development. On the other hand in Mkhondo the bulk line was not constructed according to specification as there were leaks.

In Great Kei Local Municipality the water pump is often closed because of a leaking water pit/reservoir. When it is full, the water always moves closer to the houses. The water pit/reservoir requires urgent repair. Most villages do not have toilets and people use the open fields to help themselves.

In eMfuleni in Gauteng the pump station supplying water to Sebokeng Township is running beyond capacity due to population growth. It was explained that construction to increase its capacity had been started.

The challenge of water and sanitation is confronting the majority of residents in both Du Noon and Khayelitsha. The public hearings revealed the following concerns:

- Lack of water and sanitation posed a threat to the health of residents of DuNoon and Dooringbacht. Residents were compelled to use communal toilets which were not regularly maintained, the drainage system was often blocked.
- The residents of Khayelitsha and some parts of Mitchell's Plain complained about the water cuts by the City of Cape Town, the water meters they are receiving on a daily basis do not carry over to the next day even if one has not used all the litres provided on a particular day.
- People residing Ward 93, RR in Site B and Site C are still using the bucket system, these are in the form of small containers called Pota Pota's which are inside the houses. These are collected on three-day basis.
- In the Harare area the residents are using open toilet system (Blanket Open Toilets) where they cover themselves with blankets just to hide from people who are passing by on the street.
- The lack of decent toilets and water in the informal settlements has an adverse effect on the health of residents and exposes them to sicknesses such as TB, Malaria, etc.
- The residents have complained that these Pota Pota, Blanket/Open toilets and Mshengu toilets are not well maintained by the private companies responsible for providing such services.

4.5.3 Sanitation

The issue of sanitation is of great importance and in Nala Local Municipality in the Free State, there is lack of proper waste-water treatment plant and bulk infrastructure is the main challenge regarding eradicating the bucket system in the municipality and the relevant

Departments needs to address this urgently. There is a huge risk of underground contamination in Thulamela. There is no sewage system in rural areas. Many households are using pit toilets without ventilation.

In eMfuleni all sewer drainage systems are running over capacity. To address this municipality held discussions with the Rand Water to explore a possibility to construct another sewerage system in the long term.

In North West sanitation remains a bigger challenge that hampers service delivery in both municipalities. The dam located in the Zerust area is contaminated as result of spillages. The toilets in the Tlapeng villages are already full and are not well constructed. Currently there are no chemicals used to destroy the faeces.

4.5.4 Electricity

Electricity reticulation is another area of concern. In Dipaleseng for instance there is a problem of implementation of the Free Basic Electricity. Residents indicate that people living in Eskom serviced areas do not receive FBE only those that are serviced by the municipality receive FBE because Eskom states that it applies its own policy.

Electricity allocation for Thulamela Municipality for 2010/2011 financial year is R40 million. This amount will cover 40 villages. There is a huge backlog in electrification programme. Thulamela Municipality area is experiencing regular interruption of power supply. The other problems include:

- Lack of maintenance of power supply.
- There are complaints of low voltage.

Both Thulamela and Molemole municipalities are not licensed to supply or connect electricity to the community. These municipalities experience the problem of illegal connections. ESKOM runs its programme which is not informed by municipal programme.

Thulamela municipality entered into agreement with the community to speed up the electrification process. It cost R3600 to install or connect electricity for each household. Therefore, in order to cover these expenses, the agreement between the community and the municipality states that the municipality will pay R2500 per household for connection while each household pays R1100 to cover for the R3600 ESKOM connection expenses.

4.6 SUMMARY

A radical extensive programme of building bulk infrastructure is extremely necessary to expedite the attainment of the MDG priorities and improve the flow of service delivery in general. Debilitating infrastructure causes disruption on service provision and therefore investment in infrastructure is critical to provide uninterrupted services in a cost effective manner. Provision of free basic services depends on the presence of adequate infrastructure and in addition creation of a conducive environment for businesses requires depends on this infrastructure and regular maintenance.

CHAPTER FIVE: MUNICIPAL FINANCIAL MANAGEMENT

5.1 INTRODUCTION

This section briefly reflects on the dire financial situation of many municipalities. Emphasis is firmly placed on the need to change the funding formula. The billing systems must be improved to provide regular and accurate accounts to consumers. It is also important to make the assertion that there is a plethora of Ratepayers Associations that play an obstructive role in relation to municipal ability to provide services by withholding rates payments. This requires urgent attention!

5.2 FINANCIAL MANAGEMENT PRACTICES

In this section it would perhaps be worthwhile to point out an assertion by the Ehlanzeni District Municipality which points out that small municipalities get little budget from Equitable Share and MIG. Only Mbombela has a budget that is over a billion and therefore attract best skills but Thaba Chweu has a small budget. *Albeit* this view is true it must be pointed out that there are numerous grants from central government which municipalities can apply for in order to prioritise certain developmental projects. This is not to undermine the urgent need for review of the funding model but serves to point out that in the interim there are sources of funding that municipalities can access.

It is important to underlie the fact that all municipalities visited in Mpumalanga obtained negative audit opinion from the Auditor General. In other municipalities finances are in disarray as there is no CFO i.e. Mkhondo. Even Thaba Chweu has a CFO that is seconded from the District municipality which means after stabilizing finances they still need to find a CFO. As cited above there is a problem with compliance with supply chain management regulations in some municipalities and a striking example is Mkhondo municipality where contractors were paid millions of rands for merely digging a trench as opposed to constructing the road as per specifications. In Thaba Chweu R3.2 million is still under investigation, there is a tribunal that is dealing with further investigations and disciplinary process. Through the services of a forensic company called Edward Nathan Sonnenbergs (ENS) the municipality managed to recover R2.1 million has been recovered.

The Mbombela municipality is owed millions by government departments. It is clear that the government buildings are managed by provincial department of Public Works and Transport. These monies would greatly assist municipalities in meeting their service delivery targets.

In Limpopo there have been some noticeable improvements in auditor's findings with regards to Thulamela Municipality. For instance, for year 2007/08 the municipality received disclaimer auditor report. However, for 2008/09, the municipality received qualified auditor's report. The municipality has established the audit committee, internal audit, SCM policy, financial related by-laws, credit control and anti corruption policy strategy. However, the following challenges still persist:

- The municipality is owed R300 million in total outstanding debts by residents, businesses and government.

- Financial system is not integrated as the income, expenditure and general ledger are on different modules.
- Low revenue collection as the municipality is predominantly rural; hence it is difficult to recover cost as most of rural areas are constituted of indigent households.
- Unavailability of license to distribute electricity restricts cost recovery.
- Inadequate staff to assist municipality function properly. Although the municipality has adopted various key financial management policies and related by-laws, the current level of staff capacity in the budget and treasury office is not adequate to enable optimal implementation of the policies.
- Ineffective implementation of revenue enhancement strategy.
- Challenges emerging from failure to implement the MPRA in the rural areas.

In contrast Molemole municipality has received adverse negative audit opinions for the past two years in succession. The municipality has revenue enhancement strategy which has not been fully implemented and it need to be reviewed. The municipality is owed about R12 million by residents and business while the total owed by sector departments for the MPRA is about R3 million. The MIG funding is spent 100% as it is the only source of funding for capital projects.

The revenue generated is not enough when compared to the mammoth task of providing services to the poverty stricken areas of rural municipalities such as Taung in North West. In addition, members were informed that the funding model of municipalities which is based on 'the equitable share' does not help rural municipalities very much because it is those bigger cities and metros (who have enough revenue) that gets a higher percentage of allocation because of their grading while the rural and poor municipalities without means to generate revenue and high demands in terms of development needs gets a little share.

For the 2007/08 financial year, the Greater Taung received a "disclaimer" opinion for numerous reasons and submitted its financial statements late for the 2008/09 audit period. The Municipality, for instance, did not provide supporting documents and other information for various kinds of transactions, including cash and investments, capital assets, payables and borrowings and grants, capital and reserves. Additionally, the Municipality did not disclose information relating to unauthorised, irregular, and fruitless and wasteful expenditure, especially over-expenditure. The Municipality has also contravened a number of provisions in the Municipal Finance Management Act, 56 of 2003, including:

- Not all Councillors disclosed their interests in contracts on an annual basis.
- The annual financial statements were not submitted for auditing in accordance with the deadlines prescribed by the Act.
- The previous year's audit findings have not been substantially addressed.

In terms of Ramotshere Local Municipality, for the past financial years, the Municipality has not been able to fully utilise its allocated budget. According to information provided by the Municipal Manager of the Ramotshere Moiloa Local Municipality, the Municipality only managed to spend 80% of its capital budget for the 2007/08 financial year and it only spent 88% of its capital budget for the 2008/09 financial year.

In the Eastern Cape, Great Kei Municipality is unable to generate enough revenue to meet all basic needs of the communities under it. Water and electricity fall under the Amathole District Municipality meaning that the municipality does not generate revenue as far as water and electricity supply is concerned. The National Treasury quarterly reports for the period ending 30 June 2009 showed that the Buffalo City Municipality under spend on its conditional grants which might have negative impact on service delivery. The National Treasury reports further showed that 62.7 percent of the Buffalo City Municipality debtors are older than 90 days and this has a potential to create cash flow problems for the municipality. For the financial years 2006/07 and 2007/08 the Buffalo City Municipality received qualified audit opinion which is an indication of some weaknesses within the municipality's financial controls and management.

The Great Kei Local Municipality received disclaimer audit opinions for the financial years 2006/07 and 2007/08 which is the most severe audit opinion and is an indication that the auditor general could not find any sufficient records to express an opinion.

Kopanong Local Municipality in the Free State received disclaimer audit opinion for its financial statement for the financial year 2008/09 and also during the previous financial years. Out of the total debt of R51.3 million the amount of about R44.1 million owed to the municipality was owed for the period exceeding 90 days. The situation might lead to very serious cash flow problems for the municipality, sustainable service delivery and its continued survival as a growing concern

In Gauteng, Nokeng Tsa Taemane Local Municipality has an MIG allocation of R14.5 million for the current financial year and R16.9 million for the next financial year. In the current financial year the municipality spent 70 per cent of its MIG allocation. The Nokeng Tsa Taemane municipality budgeted R11 million for Hostel upgrade but to date there is no development in the hostel which is a matter of concern. The province had initiated what was called Priority Township Project which involved road construction by Balimi contractors but the province ran out of funds and the project was abandoned with R10 million outstanding payments to the contractor.

A road construction project, in Ward 19 Everton North, worth R6 million which was started in 2009 the contractor became bankrupt without completing the project and was paid 50 per cent.

5.3 CLEAN GOVERNANCE: FIGHTING FRAUD AND CORRUPTION

The important challenge that deserves special mention is the prevalence of corruption. This is also amongst the leading reasons for the 'service delivery' protests. The murder of Bomber Ntshangase who was due to expose corruption, it may be argued, bears testimony to the severity of the problem. A representative of South African National Civics Organisation (SANCO) raised complaints of corruption that perpetrators were not brought to book. For example in areas such as Standerton a forensic investigation was conducted, and practices of corruption were revealed, but still the recommendations have not been implemented. The representative further warned that "Even eMalahleni the same thing is brewing. Perpetrators are not brought to book. Recommendations on corruption, findings from auditors and forensic investigators must be implemented". In Thaba Chweu the former CFO and Internal Auditor are facing disciplinary hearings regarding fraud, nepotism and maladministration. The

Municipal Manager is on leave and could not be charged without a full Council which at that stage was unable to form quorum. The South African Police Services has instituted criminal investigations against certain employees to deal with the scourge of corruption. In Mkhondo municipality approximately 14 staff members were subject to disciplinary hearings whilst the Municipal Manager, Chief Finance Officer (CFO) and other managers resigned before DC proceedings could be instituted. In Dipaleseng in Balfour it is alleged that R200 000 was embezzled from the municipal coffers and there has not been any investigation and yet this is taxpayers money.

Again allegations of financial mismanagement and allegations of fraud and corruption fuelled some of the protests in the Free State especially where the investigations seem never ending or there was no feedback to the community. Any person found to have acted in a manner inconsistent with or in violation of the provisions of the MFMA should be prosecuted to the full extent and rigour of the law.

Officials who resign under a cloud or as a result of investigations being conducted or have any legal sanctions applied against them, should be blacklisted by the Department and the Minister of Cooperative Governance and Traditional Affairs should maintain a register of such individuals so that they do not leave with jurisdiction to begin employment in another municipality. This must be strictly enforced to help stamp out corruption.

Government announced the roll-out of the Local Government Anti-corruption strategy in municipalities as far back as 2008 however the challenge of corruption remains prevalent. Perhaps a dedicated machinery to fight corruption would be more efficacious in fighting fraud and corruption in the municipal sphere. The public service has the Public Service Commission and local government does not have such a structure therefore more consideration needs to be given to either establishing a PSC like body for local government or extending the mandate of the PSC to include local government to fight the scourge of corruption and protect whistle blowers etc.

5.4 FINANCIAL ADMINISTRATION / BUDGETS AND EXPENDITURE

In Renosterberg Local Municipality in Northern Cape the council's failure to comply with submissions of section 71 of Municipal Financial Management Act, 2003 led to poor reporting on spending of conditional grants by the municipality. Non compliance with legislative requirements is an indication of weaknesses within the municipal governance and administration in the municipality

The financial position of Dipaliseng municipality is as follows:

- The municipalities' revenue is made up of rates and taxes, services rendered, grants and equitable share.
- The total budget for the 2010 financial year is R126 million of which R39 million is for capital projects funded by both district and MIG. The remaining R87 million is operational budget.
- The average collection rate of the municipality is 64% with accrued outstanding debtors of above R90 million.
- The municipality received a disclaimer for the 2007/8 financial year. The basis of the disclaimer was as a result of bank and cash reconciliations, debtors and creditor's

reconciliations, internal controls, asset management and supporting documents. The 2008/09 audit report was still outstanding.

- The municipality requested hands-on support in the budget and the National Treasury officer, deployed from Siyenza Manje programme joined the municipality from July 2009. The officer is shared with the Lekwa Local Municipality.
- The programme on the compilation and updating of the municipal asset register was completed.
- The process of appointing the service provider for the implementation of GRAP is being finalized.
- A steering committee was established to look at the implementation of the Generally Recognised Accounting Practice (GRAP) and upgrading of the financial systems. It meets by-weekly.

During the year 2008/2009, the City of Cape Town received its sixth unqualified audit report from the Auditor-General. It spent 96.8% of its capital budget and 96.7% of its operating budget. The City also had effective cash-flow management, effective CAPEX implementation capability, and a good credit rating. The Annual Community Satisfaction Survey for 2008/09 showed improvements with regards to community satisfaction. Considerable progress was made concerning job creation (10 613 permanent jobs) and direct new investments (R1, 24 billion) were made. Creation of jobs and direct new investments could be associated with the FIFA World Cup infrastructure development.

Dikgatlong Local Municipality in Northern Cape received disclaimer audit opinions on its financial statements for the past five years in succession. This is an indication of poor oversight by the council and also capacity constraints within the administration. The lack of appropriate support by other spheres of government (National Treasury, Provincial Treasury, National Department of Cooperative Governance and Provincial Department of Cooperative Governance) might also have contributed.

Nokeng Tsa Taemane Local Municipality has an MIG allocation of R14.5 million for the current financial year and R16.9 million for the next financial year. In the current financial year the municipality spent 70 per cent of its MIG allocation.

5.5 FUNCTIONALITY OF INTERNAL STRUCTURES

In the Molemole the municipal audit committee needs to be revived as it is ineffective and dysfunctional.

Msunduzi Local Municipality on the other side is beset with governance problems and as such is currently under administration. There were illegal practices where municipal executives were board members of organisations which won tenders or funding from the municipality. This practice is indicative of the weaknesses in the governance system. Effective audit committees would have picked up this issue and addressed it before monies were lost in this process.

The Administrator pointed out that there were unstructured and illegal relationships ie councillors being trustees of entities that received funds from the municipality which is contrary to the provisions of the MFMA. This is illegal and this money needs to be recovered

in order to restore the municipality to financial health. There was also another violation of the MFMA where staff loans were the order of the day. There was another challenge identified by the Administrator about contract management. Contracts were awarded and managed by the procurement section which is a breeding ground for corruption.

5.6 MUNICIPAL DEBT, BILLING SYSTEMS AND REVENUE COLLECTIONS

Section 95 of the Municipal Systems Act stipulates clear provisions about reciprocal customer relations within a municipality. The Act also makes clear the need for accurate billing system through metering or reading thereof in order to issue regular and accurate consumer accounts. It is clear from the ensuing paragraphs that municipalities still struggle to comply with these provisions.

Generally in KZN due to capacity constrains most municipalities have poor billing system. To address this, the Department of Cooperative Governance and Traditional Affairs in KwaZulu-Natal has taken an initiative to assess municipalities' systems. Provincial Treasury and COGTA are assisting municipalities to put in place credible billing systems to address the challenge. The eThekweni municipality alone is owed R730 million by government departments. The intergovernmental debt in Mbombela is as high as R614.2 million owed to the municipality by the Provincial Department of Public Works Roads and Transport.

Thaba Chweu administration was poorly functioning as a result monthly consumer accounts were delivered late and often incorrect. But the intervention of the Ratepayers Association and the Agricultural Union assisted to provide financial administration and subsequently the billing system has been implemented which enables the municipality to collect revenue through improved billing systems.

Due to outstanding rates Mkhondo Municipality owes service providers and this results in them withdrawing their services and thus hampering overall service delivery.

In Nala Municipality in Free State failure to ensure sound financial management within the municipality where debtors book amounted to R177.4 million and an amount owed to creditors amounting to R32.5 million of which R12.7 million was owed to Sedibeng Water Board resulted in the failure to provide the required service delivery

In Kopanong municipality in Free State there were outstanding debtors at R53 million at the end of 2009 and R14 million of that is owed by departments. However, the municipality and the departments have a good working relationship and repayments are made except for SAPS and Correctional Services which are not cooperating or paying for services they receive. They also mentioned that out of the total budget, 32% goes towards salaries and 55% on the general business of the municipality.

In the City of Cape Town the un-systematic collection of municipal rates and services fees was a point of dispute with the City of Cape Town. It was argued that the so-called 'pink letters' were not a reflection of exact household's water usage. A case of an elderly woman living alone in a house at Khayelitsha was brought before the delegation. Her bill accumulated a debt of R80, 000.00 over four years. It was reported that she faced eviction

because she failed to pay the amount due. A question was how she could accumulate such bill because she did not use many electric appliances and without garden?

5.7 STRAINED RELATIONS WITH RATEPAYERS ASSOCIATIONS

One of the challenges encountered at Tswaing relates to the Ratepayers Associations who are not paying for services based on the argument that they do not receive value for their money. They also argue that their rates subsidize over 70% of the whole municipality. The matter was referred to court and the municipality has won the case and has started summoning individuals

In Great Kei Local Municipality the East Coast Ratepayers and Residents Forum threatened to withhold the payments to the municipality. In Munduzi there were express concerns about the implementation of the Property Rates Act particularly because of discrepancies in the property evaluation. Mbombela municipality was criticised for lacking a standardised tariff system. In Ronesterberg Local Municipality in Northern Cape some rate-payers associations still owe the municipality money and this need to be collected. There were discrepancies on the amount of rates owed and this is under discussion. The municipality is also facing a challenge of rate payers association that threatens to withhold payment for services within the municipality.

5.8 SUPPLY CHAIN MANAGEMENT REGULATIONS

The Supply Chain Management (SCM) Regulations of 2005 were promulgated in order to guide municipalities in developing and adopting their own Supply Chain Management policies which are intended to ensure procurement processes that are “fair, equitable, transparent, competitive and cost-effective”. The SCM Regulations further stipulate sanctions for politicians, officials and contractors that engage in fraud, corruption, irregular practices, favouritism and unfair conduct. The SCM Regulations also stipulate that a municipality must verify with National Treasury prior to awarding any tender to ensure that no recommended bidder or any of its directors is prohibited from doing business with government. Section 38 of the SCM Regulations further instruct a municipality *to cancel a contract awarded to a person if that person has committed fraud or corruption and if that person or bidder has previously neglected, reneged or failed to comply government contract in the past five years. And lastly, to reject the bid if the bidder has been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).*

The background document of the Ad Hoc Committee listed several violations of the SCM Regulations in various provinces.ⁱ The following section is an illustration of many contractors that have abandoned or failed to comply with contracts in many municipalities across South Africa. This illustration is intended to emphasise the point that to curb corruption, poor workmanship and abandonment of projects the SCM and relevant anti-corruption laws must be implemented vigorously to prevent contractors from defrauding municipalities and get away with it continuously.

Mpumalanga – Mkhondo municipality – Amsterdam Bus and Taxi Route Project

- The project was funded by MIG to the value of R22 million. The challenge with this project is that 77% of the budget was paid to the contractor, who since disappeared, but only 40% of the work was done. The project was left incomplete. On the side of the road was excavated and left open and as a result houses along that side of road cannot be accessed by cars. This resulted in one household relocating to another area. This is one of the unfinished projects that sparked service delivery protests. It was explained consulting engineers did not conduct proper site inspections in that they did not determine the quality and quantity of the project prior 77% payment

Limpopo – Molemole municipality

- In ward 11 there is a stretch of incomplete tarred road, this was attributed to the fact that the municipality ran out of money, the municipality has already spent R4 million for 4km. But the road would require further funding to complete but the municipality lacks those resources.

Greater Taung

- The Moritile Bridge in Ward 10 is not well constructed and has been left unfinished and looks abandoned. A tender of an amount of R19 million was awarded to Africon Consultant Company and Jamken company to build the bridge and construct the road with tar. The aforesaid road is a busy one mostly used by trucks and buses

Everton North ward 19 housing project

- The project started in 2006 and was supposed to be completed September 2009. The project was allocated R10 million. However, the delegation was told that the contractor left the project incomplete because he was not paid. The contractor was told that there were no funds available for the project. It was reported that 70% was spent in 2009/10 financial year. Out of 350 stands that were constructed, 120 had been completed.

West side Park, ward 30

- The project was started in 1996 with the budget allocation of R21 million from the province. Out of 900 houses that were supposed to be built only 72 were built

Everton ward 19 water drainage system project

- The project was allocated funding amounting R1.2 million. It was started in 2009, however due to financial constraints it was stopped. The material (water pipes) was left in the site. The project contractor was, however, paid 50% of his money. The project was stopped when it was at the phase where the holes for a drainage system had been already dug. These left uncovered and as a result when it rains water flows over to the nearby houses.

The Nokeng Tsa Taemane municipality

- The municipality budgeted R11 million for Hostel upgrade but to date there is no development in the hostel which is a matter of concern. The province had initiated what was called Priority Township Project which involved road construction by Balimi contractors but the province ran out of funds and the project was abandoned with R10 million outstanding payments to the contractor.

5.9 SUMMARY

The prevalence of corrupt practices as well as contractors abandoning capital projects is endemic and this largely because of lack of severe consequences. This must be addressed by establishing oversight structures as well as prosecuting those transgressing the Municipal Finance Management Act and the Supply Chain Management Regulations.

CHAPTER SIX: LOCAL ECONOMIC DEVELOPMENT (LED)

6.1 INTRODUCTION

The Municipal Systems Act instructs municipalities to develop and implement LED strategies linked to the Integrated Development Plans however there are cases where there is no link between the two or the LED strategy does not even exist. The purpose of LED is to unlock the economic potential of municipalities and create employment opportunities particularly for the youth. The purpose of this section is to briefly describe the prevailing conditions in municipalities and make recommendations to improve the status quo.

6.2 THE NEED FOR A VIABLE LED STRATEGY

On one hand Thulamela municipality has a Local Economic Development Strategy in place and is being implemented. The LED Forum is functioning and all Sub-Committees are functional. The competitive advantages are in agriculture, tourism and manufacturing. The municipal priorities are in line with Provincial Growth Priorities which is an indication of sound coordination. The municipality has identified seven nodal points for future growth and development. Involvement by all stakeholders would make nodal points to become economic viable and sustainable.

On the other hand, Molemole municipality does not have the Local Economic Development Strategy. The Capricorn District Municipality developed terms of reference and appointed the Service Provider to develop the LED Strategy for Molemole Municipality in 2007/08 financial year. However the LED Strategy was never completed because of the contractual problems between the District Municipality, Molemole Municipality and the Service Provider. However, the Department of Local Government and Housing resolved to assist the Municipality with the development of the LED Strategy in 2010 and 2011 Financial Year. Molemole Local Municipality experienced cash flow challenges related to the budget for LED which has been cut and reallocated for other urgent priorities. The municipality has no functional LED Unit and policy framework infrastructure to support LED projects. There are no employment opportunities for the youth in Molemole Municipality. In the past, youth business organizations protested because they were not getting necessary support from the municipality.

The majority of residents in Khayelitsha accused the City of Cape Town of providing tender opportunities only to big companies and thereby neglecting the small businesses in the townships. The failure of local economic development to empower local business in the community is not inspiring confidence in the informal settlements. Other employment related concerns includes the following:

- The oil refinery located next to Du Noon is allegedly not prioritising training and employment opportunities for people residing in the area.
- Councillors are accused of providing information related to such opportunities on political party lines.
- Councillors are accused of defrauding the tendering system.

- The Du Noon Development Forum is allegedly not benefiting all the people of Du Noon. The members of South African Civic Society Organisation had raised concerns for being marginalised in this structure.

North West municipalities are faced with huge challenges of 95% unemployment and unskilled youth. There municipality of Greater Taung is hiring consultants and engineers from Northern Cape Province to work on its projects. The Community depends on social grants and there are no initiatives created for community development. The Ramotshere and Greater Taung rural dwellers requested the Department of Rural Development and Land Reform to acquire land for farming projects

In Kopanong municipality (Free State) the municipality reported that the local economic development (LED) is not part of their strategic plan and the only LED projects identified are due for implementation by Operation Hlasela a project that is coordinated by provincial COGTA and Premier's office.

There is a positive example in Nokeng Tsa Taemane which secured R8 million from De Beers however only R3 million will be transferred in July 2010 for skills development.

The Ethekwini Metro has an excellent LED initiative which draws private sector investment and strategically links four communities into the urban system. This project integrates Phoenix and Inanda, Ntuzuma and KwaMashu (PINK). The project is known as Bridge City for its integrative approach ensuring that it becomes the social and commercial centre to a population of approximately 800 000 people. This nodal development was also made possible by the R80 million secured by the municipality from the Neighbourhood Development Partnership Grant to provide appropriate infrastructure. The Bridge City project is a joint venture between the municipality, Tongaat Hulett and also involves the National and Provincial Departments of Transport. As part of this project a shopping mall has been complete. It also comprises of the integrated transport network of bus, taxi and rail network within the precinct of Bridge City. This will become an economic catalyst for the entire nodal zone.

6.3 SUMMARY

It is important to stress that the LED and IDP must be inextricably linked and further emphasise the point that coordination between all spheres in planning and implementation of LED and IDP programmes. To encourage investments in the local economy as well as development of local economic opportunities, the municipality must develop partnerships with the private sector in particular and municipalities must prioritise local businesses in procurement processes.

CHAPTER SEVEN: CAPACITY BUILDING AND SUPPORT

7.1 INTRODUCTION

In many municipalities there is a great challenge of lack of priority skills which results in high vacancy rate including section 57 managers. This challenge is further exacerbated by the following factors: it's either people are on acting capacity or have recently assumed office and are in charge of more than one position. This compromises the state and pace of service delivery. The challenge is more pronounced in rural municipalities due to lack of skilled personnel as well as lack of competitive salary packages. The other contributing factor is the challenge of lack of training and education institutions in most remote areas. Developing such institutions would contribute to skilling of youth and thus enabling the municipalities to perform and meet the demands of the population.

7.2 PREVAILING SKILLS CHALLENGE

The one recommendation that stood out from young people in various parts of Mpumalanga was the need for an FET college in order to facilitate skills development. Youth also complained about the fact that municipal budget did not prioritise youth development in order for young people to participate meaningfully in the socio-economic developments of their municipalities.

In Thaba Chweu, virtually 95 % of the financial functions were outsourced and quantification of the costs is under investigation. The finance department could not institute a proper billing system until the recent intervention by the business forum together with the administrator. Due to inadequate capacity, Mbombela has surrendered some of the MIG projects to the District Municipality. The intervention in Thaba Chweu saw the CFO and numerous managers resign before disciplinary proceedings could be instituted. The vacancy rate in this municipality currently stands at 140 vacancies.

In Nala Municipality, senior level management positions for the CFO, Directors Technical Services and Corporate Services were still vacant at the time of the oversight visit. These positions were advertised in 2009 and none of the applicants had the right qualifications.

The Great Kei Local Municipality (GKLM) experiences a shortage of skilled personnel despite its employee related costs having reached 52 per cent (which higher than the recommended 35%) of its operational costs.

In KZN, in attempting to address the challenge skills shortage in medium capacity municipalities the Provincial CoGTA department introduced a concept of shared services. It entails assisting medium capacity municipalities (particularly those underperforming) with services and skills from better capacitated municipalities. For instance Umhlabuyalingana Municipality could not afford to employ an engineer as it was already spending 75% of its budget on existing salaries.

Molemole Municipality lacks adequate skills and capacity to enable it to fully address service delivery challenges due to the following reasons:

- The Municipal Manager's post has been vacant since December 2008.
- Technical Manager's post has been vacant since November 2008, while the middle management level is also vacant.
- The municipality has a high vacancy rate and most of the critical posts are vacant due to municipality's inadequate budget to fill these posts.
- The municipality has only filled 165 posts out of 234 that it needed to fill. Therefore, 69 posts remain vacant
- Only section 57 managers have performance contracts, however, their subordinates don't have performance contracts and their performance is not assessed.
- Molemole Municipality staff should be capacitated and there is an urgent need to introduce performance management system to improve the quality of staff performance.

In Thulamela Municipality, the Performance Management System is only implemented at the top management and this undermines the efforts to create culture of performance across the entire municipality. There is also inadequate institutional capacity to implement municipal programmes.

In the Eastern Cape, the Buffalo City Municipality has a capacity challenge as section 57ⁱⁱ managers were relatively new or still to take office. The Municipality has been struggling to get a Municipal Manager; even the current one is not permanent. Upon his appointment the new Municipal Manager described the municipality's state as unstable but he is trying to stabilize the administration. In rural municipalities such as Great Kei in the Eastern Cape and elsewhere, there is a challenge of attracting and / keeping skilled personnel due to the rural nature and lack of competitive salary packages. The under spending, poor financial management and ageing infrastructure in most municipalities are indications of poor planning caused by capacity constraints. The Great Kei Municipality (Eastern Cape) reported that they experience some challenges in attracting skilled personnel because the area is mostly rural. The same concern was raised by SALGA in the Free State that most municipalities within the province experience the same problem.

Dikgatlong Local Municipality is stretched severely by the lack of adequate capacity at the top management as well as scarce skills. At the time of the oversight visit, the municipality had an acting Municipal Manager who also performs the duties of a Technical Manager. The CFO has been in office for three weeks since appointment by the Department of Cooperative Governance and Traditional Affairs (COGTA) and the Council. The suspended Mayor is currently an ordinary councillor. These appointments created an abnormal environment for the municipality and have contributed to the lack of service delivery by the municipality. In their presentation, the municipality identified following interim solutions for improving their situation:

- IDP and Budget consultation meetings to start immediately,
- intervention by sector Departments,
- service delivery audit,
- capturing the true population growth,
- updating the indigent register and new registrations.

7.3 SUMMARY

The chronic skills and capacity challenges in the Eastern Cape, Mpumalanga and Free State municipalities is the epitome of the challenges confronting municipalities across the country particularly with regard to scarce and technical skills. A more concerted effort to develop skills and effective utilisation of the private sector skills from Siyenza Manje programmes and others needs to be improved.

CHAPTER EIGHT: COMMUNICATION

8.1 INTRODUCTION

It emerged that council and community interaction was lacking and it causes problems which may have led to the tensions that the country has been witnessing. Lack of regular interaction and feedback to the community led to the decline in the public confidence. Therefore, the municipalities should be encouraged to harness the community eagerness to be involved. It is extremely important to use modern technology to communicate and plough positive relations with the community. In this section, the report provides some insight into communication gaps and how municipalities can close such gaps and improve relations by providing accurate information to the public, media and civil society.

8.2 COMMUNITY INTERFACE AND UTILISATION OF ICT

One of the main problems confronting municipalities is the lack of communication with the residents regarding development challenges. This challenge is also visible in other spheres of government. Organized community organizations which includes ward committees particularly in Dipaleseng Municipality, Balfour, had written to the municipality and the provincial department of housing raising their concerns, but these spheres of government have not been responsive. Memoranda had been written to the municipality about allegations of corruption but the Mayor never resolved these allegations and did not respond to the issues raised by the community. This is amongst the challenges that lead communities to take to the streets and protest.

The other important element of communication apart from the regular interface with the public and accessibility of information to the members of the public regarding development concerns is the availability of information through for instance newsletters and websites. This medium is also helpful in providing official information as well as using Information Technology (IT) with the community and other spheres of government by applying the notion of *e-governance*.

Thulamela Municipality has a well established communication strategy with the community. Feedback mechanisms with residents are conducted through izimbizos. The municipality also meets regular with the Traditional Leaders to address community problems. Molemole still needs to improve relations with traditional leadership in order to improve development and accessibility to developmental land. Molemole must also intensify public engagements through revival of community engagement forums. Both municipalities have an up-to-date websites which contains basic information about municipal activities.

In the City of Cape Town there seems to be no strategic link and communication between provincial and national departments on how to tackle service delivery challenges. The problem of communication between councillors and the community remains a huge challenge in the local government sphere.

There seems to be no effective communication between the council, officials and the broader community within all the municipalities. This is due to the fact that some of the service delivery protests within those municipalities were instigated by the disgruntled councillors and

officials. In Kopanong Local Municipality in Free State, there is generally a poor feedback to communities due to ineffective and irregular ward constituency meetings.

In general, both Nokeng Tsa Taemane and Emfuleni Local Municipalities need to improve their responsiveness. The lack of communication and responsiveness of the Nokeng Tsa Taemane Local Municipality further angered residents who were disappointed at the lack of appreciation of local problems by municipal leadership. In addition, residents expressed concern that they did not even know about the appointment of a Municipal Manager, in Nokeng Tsa Taemane.

One resident in Emfuleni explained to the Ad Hoc Committee about residents' failed attempts to obtain responses from municipality regarding concerns they had raised in several letters they have written to the municipality as follows:

Mfulo and Mathews street roads are terrible and we complained to the municipality without a response. In 2009 a letter was written to the Executive Mayor concerning the trees growing within the yards which pose danger and there was never a response. In 2010 a school complained about stormwater and there was no response. On then 20th January 2010 another letter requesting that extension 17 & 18 roads be graded as ambulance find difficulty accessing the area, yet again there was no response.

The importance of using IT to track queries and respond is very important to ensure timeous response and update to residents' concerns.

In KZN, both municipalities ie Msunduzi and eThekweni have identified communication as an area that needs more targeted attention. EThekweni Metro for example highlighted the need to improve the response to the complaints management systems. It was evident from the reception the Ad Hoc Committee received in the housing relocation project partnership between Engine and the eThekweni Municipality. The community was furious about the condition of the new housing development because there was clear poor workmanship which the Metro and residents should have resolved amicably by forcing the contractor to fix the defects. It was clear that the municipal leadership was not aware of the frustration and concerns of residents. Msunduzi on the other hand is confronted with strained relations with stakeholders such as the ratepayers association. Residents raised concerns about the accessibility and accountability of councillors particularly in bringing ward committee resolutions to the council for consideration.

8.3 SUMMARY

The importance of regular contact with the people cannot be overemphasised. Communities complained about lack of visibility and thus accountability of councillors. Another serious concern is the fact that prior to unleashing protests in frustration, the communities had written submissions and memoranda to municipalities raising concerns but there was no response. As part of the democratic culture of government, responsiveness is extremely important to keep communities confident in municipal governance. It is important to encourage municipalities to maintain regular contacts with communities and utilize ICT in providing up-to-date information to citizens and provide regular feedbacks.

Disaster management Responses

In the North West Province, Thakamoso Primary School had the roof blown off on 25 February 2010. Children are still attending school even though it is not conducive to do so. The roof is completely blown off and the Department of Education indicated that they did not have money to fix the roof. When it rains as well as when it is hot, no learning can take place at that school, The school is still without a roof.

The Greater Taung Municipality is confronted with serious housing problems. Most of the challenges in the municipality relates to houses that were destroyed by natural disasters such as floods and winds. Most of the people who had been victims of these disasters have been relocated to temporal residential areas whose conditions are not suitable for the health conditions of elderly people. Most of the roads in the villages are in a bad condition and are characterised by low lying bridges which poses serious danger during rainy seasons since they get easily flooded.

The EThekwini Metro also needs to be commended for taking initiatives regarding mitigation against Climate Change. The Durban Landfill Gas to Electricity CDM project is a critical initiative to convert landfill gas into electricity and thus contribute to reduction of emissions into the atmosphere. This contributes significantly to the Clean Development Mechanisms

CHAPTER NINE: TOWARDS A SYNTHESIS

9.1 CONCLUSION AND RECOMMENDATIONS

Throughout the various phases of this critical exercise it became evident that there are many challenges confronting government in general and local government in particular. Challenges imposed by urbanisation on the receiving cities such as pressure on infrastructure, social welfare programmes, limited economic opportunities and service delivery challenges were evident. Other areas particularly in rural municipalities lose economically active people to the cities and this slows down development significantly. Therefore, there are contrasting pictures which mirror the urban rural divide.

Central to the establishment of the Ad Hoc Committee, was the need to identify the primary causes of the 'service delivery' protests. It must be stated that indeed the state of local government needs urgent attention in order to close the gaps that have aggravated the tensions between communities and municipalities resulting in declining confidence in this sphere of governance. It is wise to acknowledge some of the more compelling problems that confront municipalities which can be addressed by improving the way government operates overall. Some of the stated problems which cause the protests relate to issues such as housing which is not a local government competency. Others involve provision of bulk services such as water, sanitation and electricity. Whilst reticulation of basic services is a municipal function provision of bulk services is not a function of local municipalities but rather a function of district municipalities. Local government is at the coalface of service delivery and is the closest sphere to the people. It becomes easier to target local government as the sphere most accessible to local communities. Indeed it is important to highlight the fact it is not only local government that needs a turn around but the whole system of government needs a turn around. A more coordinated planning, implementation and close monitoring of government projects is necessary. The majority of municipalities visited by the Ad Hoc Committee are fraught with examples of incomplete housing projects or worse still houses that are in a dilapidated condition. The initiatives by the Department of Human Settlements to destroy dilapidated houses to poor workmanship as well as conducting investigations on housing tendering processes is a correct step that needs to be commended.

With specific reference to municipalities, the performance is very uneven. There are areas where municipalities are performing optimally and there are areas of grave concern. A good example of a municipality, albeit a high capacity municipality, is eThekweni Metro which is performing well in service delivery including housing, long-planning, building partnerships with the private sector to provide services and build catalysts for development. The other impressive initiative is the construction of a Gas to Electricity conversion Plant which contributes to clean energy generation and thus reduce the gas emissions.

There are numerous visible challenges, widespread in local government which need careful attention from government, for instance, corruption (perceived or real), political infighting, systemic weaknesses, poor service delivery, slow pace of delivery, poor financial controls, capacity constraints, lack of communication et cetera. Some of the municipalities visited by the Ad Hoc Committee were under administration as a result of collapse of municipal administration.

9.2 RECOMMENDATIONS

9.2.1 GOVERNANCE

Clarification of roles:

- The clarification of roles between the Mayor, Speaker and Chief Whip needs to be done urgently through amendment of section 53 of the Municipal Systems Act of 2000.

Political administrative interface:

- The political/ administrative interface and accountability needs to be further clarified. Managers or directors should not overlook mayoral committee members responsible for departments. The political accountability should be the mayoral committee head of portfolio as opposed to directors accounting to the municipal manager and thus to full council.

Professionalization of Local Government:

- The administrative apparatus needs to be depoliticised in order to focus on enhanced service delivery in the municipal sphere. Senior positions need to be filled by professionals who are registered with the professional institutes.

Relationship between Ward Committee and Ward Council:

- Relationship of the ward councillor and ward council members needs to be improved to ensure that issues emanating from ward committees are taken directly to council. A regulations needs to be passed to force ward councillors to provide the Speaker of the Council quarterly reports about activities of ward committees.

Accountability of CDWs:

- Another issue that has emerged with worrying trends is the different treatment and status of Community Development Workers versus Ward Committees. Community Development Workers are paid a stipend whereas Ward Committee membership is on a voluntary basis and only out-of-pocket expenses are paid. In addition the accountability of CDWs to the provincial government as opposed to municipal council is a problem. Therefore, it is imperative that the existing relationship and accountability chain needs to be reconfigured.

9.2.2 CORRUPTION

Procurement:

- The procurement system in municipalities needs to be tightened to close the gaps that allow corruption to flourish.

Prosecution of corrupt officials, politicians and contractors:

- Findings of forensic investigations must be made public and civil or criminal cases must be levelled against corrupt officials and/ politicians as well as unscrupulous contractors.

Anti-corruption body:

- In the public service the Public Service Commission plays a pivotal role in fighting corruption and such a body would play a greater role in curbing corruption in the local government sphere.

Conflict of interests:

- Councillors and senior municipal officials must declare interests in order to prevent dangers of conflict of interests etc. This needs to be done urgently.

Internal audit committees and Units:

- Internal audit committees and Internal Audit Units need to be established in every municipality to ensure that challenges are identified long before they become serious problems for municipalities.

9.2.3 SERVICE DELIVERY

IDP:

- Local government is the centre of gravity. Integrated Development Plans should be central in development planning. An intergovernmental structure like the Financial and Fiscal Commission needs to be established to consider plans, synchronise and budget. This will ameliorate the concern that departmental officials do not attend IDP meetings or that junior officials who do not have authority to take concrete decisions are sent to attend IDP meetings. This intergovernmental structure will ensure coordinated planning and implementation against national developmental trajectory. In this framework even entities such as Eskom would have to be involved in order to ensure understanding of the main priorities of government. This will foster cooperation as opposed to divergent plans and inconsistent implementation as current evidence suggest. The practice of municipality, informed by indigent policies, charging different amounts to Eskom would be addressed.

Housing:

- The executive authorities in municipal administrations must take responsibility for the allocation of RDP houses to prevent councillors from direct involvement and thereby reducing the propensity for corrupt tendencies. Approved housing list must be publicised within a reasonable period before houses are handed to such beneficiaries to ensure transparency and accountability.
- Poor workmanship by contractors is a function of collusion, corruption, lack of strict monitoring of compliance to specifications and weaknesses in municipal systems. The system needs to be strengthened and violation of the MFMA by paying contractors without work certificate must be prohibited and offenders must be prosecuted.
- On the question of housing accreditation, the Department of Human Settlements must accelerate the accreditation of metros and the top 21 high capacity municipalities. This will speed service delivery as housing is one of the critical services that cause uproar in the communities.

- Allocation of houses must be aligned to the housing list which should be made public. The actual allocation or handover must also be publicised and must be done by the administrative arm of local government or Mayoral Committee member responsible for housing as opposed to councillors as this opens the system to abuse or allegations thereof. There is also a common problem of illegal occupation of houses which can be resolved by vigilant municipal approach as well as ward committees. However, it must be stated that the allocation of houses once complete must be done without delay as people desperately need houses.

Sanitation:

- A policy on sanitation is necessary to speed up implementation of adequate standards and timeframes in order to meet the 2014 MDG targets. The target of eradication of the bucket system is not met as there are many communities that still use the bucket system. Urgent interventions guided by a concrete policy are critical.

Water:

- Bulk water systems and treatment works in many municipalities are lacking and in addition most communities are not linked to the bulk water supply which frustrates the hopes of realising provision of clean and safe drinking water. In some areas the dams are constructed but do not supply water to communities. It is critically important that provision of bulk infrastructure including water, sanitation, electricity and roads is informed by a clear comprehensive plan which integrates municipalities as well in order to ensure adequate reticulation in a sustainable manner.

Electricity:

- The main issue with regards to electricity provision is misalignment of municipal IDPs and Eskom electrification plans. In addition, municipalities' tariffs are informed by the indigent policies and Eskom is not bound by such policies hence there are discrepancies in charges. The process of IDP is a critical planning tool and plans of departments as well as Eskom should be based or informed by the IDP.

Settlements on Private Land:

- The tricky question of communities that have settled on private land and thus cannot get access to basic services is a serious concern as people live in squalid conditions and remain un-serviced because they are located in private land. Partnerships between the municipality concerned and private land owners need to be sought in order to allow municipalities to provide services and therefore able to collect rates and taxes to consumers. The case of Ingonyama Trust in eThekweni is a case in point and it should be possible to develop the land and provide services to residents without getting entangled in ownership disputes.

9.2.4 MUNICIPAL CAPACITY

Fill vacancies:

- The high vacancy rate of critical positions and the turn around times for filling such posts is a serious concern. Interventions by the Department of Cooperative Governance and Traditional Affairs in relation to capacity building needs to be more targeted in order to improve the situation.

Single service:

- Consider creating a local government service to enable adequate skills deployment and transfer to close the gaps in critical municipal positions.

Strengthen the role of LG SETA:

- In addition, the Local Government SETA needs to accelerate skills development to close the void in strategic positions in municipalities.

Shared Services:

- Municipalities can also cooperate and share services in order to keep the administration functioning and not allow collapse. The example of Ehlanzeni DM seconding a CFO to a local municipality is a good example that should be replicated in the short term.

9.2.5 FINANCIAL MANAGEMENT

Funding formula:

- The funding formula needs to be changed to be more relevant to the chronic needs of the most desperate areas. The rural municipalities are currently disadvantaged in the current system as it is bias mainly towards population without regard for other important considerations such as vastness of areas and backlogs.

Billing system:

- There needs to be a national programme to improve the billing system of municipalities as this is currently a major problem affecting the revenue generation capability of municipalities and thus cash-flow and ultimately service delivery. This can augment the good citizenship campaign of COGTA.
- Improvement of databases to ensure proper billing and accurate accounts and statements. An accurate and detailed billing system would avoid current system of estimating consumer debt and thus reluctance to pay.

Intergovernmental debt

- The intergovernmental debt needs to be prioritised as this is totally unacceptable and causes strain in the intergovernmental relations. Intergovernmental debt negatively affects the cash-flow of municipalities and therefore frustrates service delivery. Parliament must forcefully apply the Public Finance Management Act Regulations of 2001 to compel departments that owe municipalities to pay within 30 days which is stipulated in section thirteen (13) of the PFMA Regulations.

Financial statements:

- Submission of monthly financial statements needs to be intensified and in addition submission of quarterly reports should be done and a thorough analysis ought to be conducted in order to identify problems and improve financial management and expenditure. This would provide space for early warning system before things degenerate to unacceptable levels.

9.2.6 LOCAL ECONOMIC DEVELOPMENT

Private sector investment in local economies:

- It is critically important to ensure that the Local Economic Development plans are developed which identify the key economic sectors that would create economic growth opportunities for the local communities. The role of government is important in creating a conducive environment for private sector investments and community initiatives to flourish. This can be done through municipalities leveraging on government support systems and collaboration with the Department of Trade and Industry.

Development of cooperatives:

- Furthermore, development of cooperatives at a local level with adequate support from provincial and national government through a coordinated framework may yield more tangible results and bring communities to mainstream economy.

Youth empowerment:

- Another pressing issue is that of youth empowerment and employment. This issue is critically important to tackle through a multi-pronged approach employing training and development as well as unlocking economic and employment opportunities for the youth. Once again government, private sector and community collaboration is central. Often there are complaints about migration of economically active population from rural communities to the major metropolitan areas. This calls for radical transformation of the countryside to be able to offer educational and economic opportunities. Most youths in the municipalities complained about lack of access to educational facilities in order to train and equip them to develop entrepreneurial skills. It is therefore important to ensure that FET colleges are also provided to ensure that educational and training facilities are available to youths in townships and rural communities which would also curb the exodus of youths to metropolitan areas where educational facilities are concentrated.

9.2.7 COMMUNICATION

Responsiveness:

- Community interface, based on the evidence, is inadequate and more needs to be done to ensure government responsiveness to community concerns timeously and with regular update and feedback.

Public participation:

- Public participation offices need to be established by municipalities to facilitate interaction with community members and organisations.

Utilisation of ICT:

- It is important to use ICT to ensure that community concerns are not lost. The usage of ICT would ensure that community concerns are packaged and there is a tracking mechanisms as well as update in response to issues of community interest. Interactive websites could also be very useful in ensuring that information for community feedback and update on development programmes is readily available.

Public consultation and regular interaction:

- It is important to underscore that the suggestions above do not replace the legitimate process of public consultation and regular engagement. Regular ward committee meetings must be held and quarterly mayoral community meetings are necessary.

9.3 PROPOSED IMPLEMENTATION PLAN

	RECOMMENDED ACTION	RESPONSIBLE AUTHORITY	TIMEFRAME
1.	<p>Governance:</p> <ul style="list-style-type: none"> Amend section 53 of Municipal Systems Act of 2000 to provide clarity of roles of political structures, office bearers and administration. Amend legislation to ensure that Directors of line function departments must be accountable to a Member of Executive Committee or Mayoral Committee. Chairpersons of section 79 and 80 committees in terms of the Municipal Structures Act must be elected from among council members for effective oversight. Establishment of Municipal Public Accounts Committees. 	Parliamentary Committees on CoGTA.	March 2011
2.	<p>Corruption:</p> <ul style="list-style-type: none"> Outcomes of forensic reports must be made public and criminal charges must ensue. Contractors that either abandon or do not fulfil contract Specifications must be listed in the National Treasury database and the Register for Tender Defaulters. Establishment of a local government body like the Public Service Commission (or extension of the scope of PSC to include Local Government) to implement anti-corruption, encourage and protect whistleblowers, investigate corrupt and fraudulent activities in local government and initiate prosecution of transgressors 	<p>National and Provincial CoGTA Departments, Treasury, SAPS and Municipalities.</p> <p>Municipalities and national and provincial Treasuries</p> <p>Parliament</p>	<p>November 2010</p> <p>November 2010</p> <p>January 2011</p>

	<ul style="list-style-type: none"> Officials who resign under the cloud or as a result of investigations conducted against them should be blacklisted by CoGTA to prevent them from accessing employment elsewhere without resolution of investigations. 	CoGTA	Immediately
3.	<p>Service delivery:</p> <ul style="list-style-type: none"> Establishment of an overarching (FFC like) IGR structure to liaise with the National Planning Commission in planning, budgeting, forecasting and tracking expenditure in municipalities. Metro, District, Secondary and large cities' municipalities must develop and implement long term Bulk Integrated Infrastructure Plans as contemplated in section 86 of Municipal Systems Act. Plans must detail economic development areas, service backlogs and infrastructure maintenance plans. These must be encapsulated within IDPs. Metro and high capacity municipalities must be accredited to provide housing. Executive authorities in Municipal administrations must be responsible for handing RDP houses to prevent councillors from direct involvement and thus propensity to corrupt tendencies. Housing lists must be publicised to ensure transparency and accountability. 	<p>CoGTA & National Planning Commission</p> <p>CoGTA and National Planning Commission</p> <p>Department of Human Settlements.</p> <p>CoGTA and Human Settlements must issue Regulations.</p>	<p>June 2011</p> <p>June 2011</p> <p>February 2011</p> <p>November 2010</p>
4.	<p>Finance:</p> <ul style="list-style-type: none"> Change the funding formula to cater to disparities and backlogs. Close monitoring of financial statements and expenditure (FFC like body). Elimination of the Intergovernmental debt. 	<p>Treasury & CoGTA</p> <p>Department of Public Works</p>	<p>June 2011</p> <p>March 2011</p>

	<ul style="list-style-type: none"> 100% improvement of billing systems and revenue collection in municipalities. Improvement of databases to ensure proper billing and accurate accounts and statements. Parliament needs to support the initiative by CoGTA to build relations between municipalities and Ratespayers Associations which are withholding rates payable to municipalities. 	<p>CoGTA, SALGA & municipalities</p> <p>Parliamentary Committees on CoGTA</p>	<p>November 2011</p> <p>May 2011</p>
5.	<p>Skills development and Capacity:</p> <ul style="list-style-type: none"> Through partnership with higher education institutions, establish a Municipal Government Service Academy to recruit and train local government officials. Ensure skills development and through a local government service deploy based on need gaps analysis. Amend sections 67 and 68 of the Municipal Systems Act to create uniform municipal service conditions and remuneration. Senior positions must be occupied by professionals that are registered with competent professional institutes to promote professionalism and ethics. This therefore warrants the establishment of a database by professional associations to facilitate this process. Regulations encouraging this practice need to be made urgently. 	<p>CoGTA and LGSETA</p> <p>Parliamentary Committees on CoGTA</p> <p>CoGTA and Professional Associations</p>	<p>June 2011</p> <p>March 2011</p> <p>June 2011</p>
6.	<p>Communication:</p> <ul style="list-style-type: none"> Councillors must convene regular ward committee meetings Mayors and Members of Mayoral Executive Committees must call quarterly community meetings. 	<p>Council Speaker & Ward Councillors</p> <p>Mayor and Executive Members</p>	<p>November 2010</p> <p>October 2010</p>

	<ul style="list-style-type: none"> Updated and Interactive websites for all municipalities must be developed. The role of the State Information Technology Agency (SITA) needs to be more prominent in this regard. Hotlines should be established to allow Ward Committees and communities to raise grievances with Provincial MEC's and where that is not adequate with the National Department so that timely and thorough interventions can occur. 	CoGTA & SITA	June 2011
		CoGTA and Provincial Departments of CoGTA	June 2011
7.	Parliamentary Oversight:		
	<ul style="list-style-type: none"> Based on a comprehensive model, Parliament must develop a coordinated sectoral oversight program to monitor and oversee service delivery at local level. 	Collaboratively Parliament, Provincial Legislatures and Municipal Council	May 2011
	<ul style="list-style-type: none"> Link parliamentary programmes i.e. NCOP week, Taking Parliament to the People etc to a service delivery tracking mechanism. 	Parliament	February 2011
	<ul style="list-style-type: none"> Establish research capacity to focus on critical sectoral oversight tracking approach to monitor and conduct primary research. 	Parliament	February 2011
	<ul style="list-style-type: none"> Create a mechanism for constituency or Parliamentary Democracy Office liaison system to detect and prevent eruption of 'service delivery' related turmoil. 	Parliament	February 2011
	<ul style="list-style-type: none"> Publish reports and outcomes of monitoring exercises and actions thereof in quarterly reports. 	Parliament	April 2011

ANNEXURE 1

Provinces and municipalities visited

Dates	Provinces	City/Municipalities
22-24 February 2010	Western Cape	City of Cape Town: Khayelitsha and DuNoon
22 – 25 February 2010	Eastern Cape	Buffalo City and Great Kei Local Municipalities
22 – 26 February 2010	Mpumalanga	Mbombela, Thaba Chweu, Mkhondo and Dipaleseng
15-17 March 2010	North West	Taung and Ramotshere
15 -17 and 19 March 2010.	Gauteng	Nokeng Tsa Taemane and eMfuleni Local Municipality and Gauteng Disaster Management(Haiti team)
15 – 17 March 2010	Free State	Kopanong Local Municipality Nala Local Municipality
17-20 May 2010	Limpopo	Thulamela and Molemole Local Municipalities
16 – 20 May 2010	KwaZulu Natal	eThekwini Metropolitan Municipality and Msunduzi Local Municipality
17-21 May 2010	Northern Cape	Dikaglong and Renosterberg Local Municipalities

ANNEXURE 2: LIST OF STAKEHOLDERS

1. Eastern Cape

- Beacon Bay Rate Payers & Civic Association
- Taxpayers action Organisation
- Eastern Cape NGO Coalition
- Black Sash
- Ndlambe Action Group/ Ndlambe Ratepayers Forum
- East Coast Rate Payers and Resident Forum
- Provincial Department of Cooperative Governance and Traditional Affairs
- Provincial Treasury
- Provincial Department of Education
- South African Social Services Association

2. Free State

- South African Local Government Association (SALGA)
- Department of Energy
- Department of Health
- Department of Cooperative Governance and Traditional Affairs
- Department of Social Development
- South African Social Security Agent

Written submissions

- MICRA
- GHSED
- Dihlabeleng Local Municipality
- Sekwele for Social Assistance
- Chamber of Commerce

3. Gauteng

- Local Business Chamber
- Nokeng Forum and Roodeplaat
- Cullinan Agricultural Union
- Resident from Onverwacht area
- NFSOS
- Denokeng Rate Payers Association
- Refilwe Bamabanani branch
- School Governing Vody of Jiba Tabane High School
- Dinokeng Agricultural Union
- Overwacht Landowners Association
- Rifilwe Development Forum
- Black Sash
- National Department of Energy
- Eskom

- Department of Social Development
- Department of Human Settlements
- Sebokeng SAPS Community forum
- Department of Health
- Department of Rural Development

4. KwaZulu-Natal

- Department of Energy
- Department of Basic Education
- Department of Cooperative Governance and Traditional Affairs
- Department of Human Settlements
- Department of Health
- South African National Civic Organisation (SANCO)
- Austerville Rate Payers Association
- eThekweni Disability Programme
- Diakonia Council of Churches
- South African Social Security Agent (SASSA)
- MIDI
- Mvula Trust
- Rater payers union

5. Limpopo

- South African Local Government Association
- Department of Water Affairs
- Provincial Department of Rural Development and Land Affairs
- Limpopo Department of Agriculture
- South African Social Security Agent
- Department of Social Development
- Department of Education
- Provincial Department of Housing and Local Government
- Department of Health

6. Mpumalanga

- South African National Civic Organization (SANCO)
- Ward Committees
- Community Development Workers (CDW)
- South African Local Government Association (SALGA)
- Business Sector
- Mashishing Youth forum
- Thaba Chweu Council
- Fatih Commission
- Mashishing Activist Forum
- Youth Mbisho

7. North West

- South African Local Government Association (SALGA)
- Department of Human Settlement
- South African Social Security Agent (SASSA)
- Department of Water Affairs
- Department of Education
- Premier of North West
- MEC of Grater Taung and Ramotshere
- Mayoral Council
- Traditional Leaders
- Municipal manager of both Taung and Ramotshere
- Provincial Police Commissioner

8. Northern Cape

- Department of Rural Development and Land Reform
- Independent Development Trust (IDT)
- South African Local Government Association (SALGA)
- National Department of Water Affairs
- National Department of Energy
- National Department of Health
- Department of Cooperative Governance and Traditional Affairs
- Provincial Treasury

9. Western Cape

- Department of Human Settlement
- Mayoral Council
- Department of Basic Education
- Eskom
- Mayor
- South African National Civic Organisation (SANCO)
- Black Sash
- Deputy Minister of Human Settlement
- Councillors
- Hillview Residence Committee

ANNEXURE 3: MEDIA PUBLICITY CAMPAIGN

Public Hearings on the Service Delivery Protests 22 February 2010 – 21 April 2010

1. BACKGROUND

The National Assembly passed a resolution on 22 September 2009 to establish an Ad Hoc Committee to conduct public hearings on service delivery under the theme “Working together to ensure the delivery of quality services to communities”. The Committee consisted of 43 members from the following committees: Human Settlements, Energy, Social Development, Health, Water and Environmental Affairs, Basic Education, Transport, and Rural Development and Land Reform, in accordance with the political organizations represented proportionally as follows: ANC; DA; Cope ; IFP and other parties 2.

2. PROBLEM STATEMENT

The public hearings were expected to draw a lot of attention, most of which might be negative. A media publicity plan therefore needed to be developed to raise awareness, give Parliament its own voice to inform the public and create platforms for an informative and educational discourse on the service delivery issues.

3. OBJECTIVES OF THE PLAN

- In line with one of Parliament’s core objectives to enhance public participation in its processes, the public’s access to the institution and its members, the institution sought to exercise oversight and involve the public in legislative processes in relation to the service delivery protests.
- To raise awareness about the public hearings
- Inform the public – those directly and indirectly impacted by the event – so that they could be able to fully participate during the hearings.

4. PUBLIC HEARINGS SCHEDULE

The public hearings were scheduled as follows: following the hearings held in Parliament one week was spent in each Province.

Province	Venue	Date	Time
Parliament	Old Assembly Chamber	02 – 04 February 2010	10:00
Mpumalanga	eMkhondo Local Municipality (Piet Retief Town Hall)	22 February 2010	16:00
	Dipaleseng Local Municipality (Balfour)	24 February 2010	

Eastern Cape	Buffalo City Local Municipality (Mdantsane Indoor Sports)	22 February 2010	16:00
	Great Kei Local Municipality (Makazi Public School in Mooiplaas)	24 February 2010	
Western Cape	City of Cape Town (OR Tambo Hall in Khayelitsha)	22 February 2010	16:00
	City of Cape Town (Du Noon Sports Ground)	24 February 2010	
Gauteng	Nokeng Tsa Taemane Municipality (Rayton)	15 March 2010	16:00
	Emfuleni Local Municipality Vanderbijlpark	17 March 2010	
Free State	Kopanong Local Municipality (Madikgetla Community Hall)	15 March 2010	16:00
	Nala Local municipality (Mhlaboloha Public School Sports Grounds)	17 March 2010	
North West	Greater Taung Local Municipality (Mmabana Theatre)	15 March 2010	16:00
	Ramotshere Moiloa Local Municipality (Lehurutse Civic Centre)	17 March 2010	
Limpopo	Thulamela Local Municipality (Malamulele Boxing Gym)	17 March 2010	16:00
	Molemole Local Municipality (Matseke Resources Centre)	19 April 2010	
Northern Cape	Dikgatlong Local Municipality (Mataleng Sports Grounds)	19 April 2010	16:00
KwaZulu-Natal	eThekweni Metro Municipality (EThekweni City Hall)	19 April 2010	16:00
	Msunduzi Local Municipality (Harry Gwala Stadium)	21 April 2010	

5. MESSAGES

- Parliament wants to hear your voice as it visits provinces to inquire into service delivery challenges.
- Parliament passes laws.
- It holds the Executive (Government) accountable for implementation of those laws which are aimed at efficient and effective service delivery.
- Parliament can investigate any aspect of government's functioning

6. SPOKESPEOPLE

- Chairperson
- Leaders of each delegation
- Members of the delegations nominated by chairpersons of the delegations

7. MEDIA PUBLICITY

This report of Media Coverage report highlights attempts to balance budgetary considerations against the attainment of the stated objectives as informed by Parliament's strategic objectives and the problem statement indicated. In that regard, the plan covered both mass media communication at the editorial (news/current affairs) level and at the advertising and promotional level.

The intention was to reach as many South Africans as possible using mass communication tools. For the publicity to have the maximum impact and desired outcomes, available high viewership slots on a repeat broadcast basis were selected with the assistance of the various stations.

Following hereunder is a breakdown of the promotional campaign for awareness-raising purposes and to inform the public. The campaign commenced on January 25, until 21 May 2010.

7.1. MEDIA SCHEDULE

7.1.1. PARLIAMENTARY RADIO PROGRAMME – PAID FOR SLOTS

Station	Language	Pre-recorded	Status	Format	Interviewee
Umhlobo Wenene	IsiXhosa	5 MINUTER	DONE	19 MINUTER	Mr Joel Matshoba
Phalaphala	TshiVhenda	5 MINUTER	DONE	19 MINUTER	No interviewee
Thobela	Sepedi	5 MINUTER	DONE	19 MINUTER	Mr Mamasega Ncabeleng
Motsweding	SeTswana	5 MINUTER	DONE	19 MINUTER	Mr Lechesa Tseenoli
Lesedi	SeSotho	5 MINUTER	DONE	19 MINUTER	
Ikwekwezi	IsiNdebele	5 MINUTER	DONE	19 MINUTER	Mr Jonas Sibanyoni
Ukhozi	IsiZulu	5 MINUTER	DONE	19 MINUTER	Pumzile Ngwenya Mabila
Ligwalagwala	IsiSwati	5 MINUTER	DONE	19 MINUTER	Dumisile Nhlengethwa
XKFM	Afrikaans	5 MINUTER	DONE	19 MINUTER	Wendy Nelson
Good Hope FM	English	5 MINUTER	DONE		
Lotus FM	English	5 MINUTER	DONE		
Tru FM	English	5 MINUTER	DONE		
RSG	English	5 MINUTER	DONE		
SAFM	English	5 MINUTER	DONE		
RADIO 2000	English	5 MINUTER	DONE		
Metro	English	5 MINUTER	DONE		

7.1.2.NEWS & CURRENT AFFAIRS (Not paid for Time)

Hearings in Parliament:

Interviews with Mr Tsenoli

- Eye Witness News
- Mungana Lonene
- Lesedi
- East Coast Radio
- SAFM News and Current Affairs
- Mail & Gurdian
- Guest on SAFM's Weekend Live

Provincial Hearings:

Round One:

Eastern Cape:

- Daily Dispatch – wrote three stories about the visit (one about the hearings, one about the findings and the profile of the delegation leader Nkosi Zwelivelile Mandela)
- SABC radio interviewed him (the story ran on UWFM and TruFM news)
- SABC television ran a story on the 7pm news

Western Cape

- Cape Argus – Wrote a story
- Radio Zibonele – 5 minute interview (Chairperson Stone Sizani)
- SABC Umhlobo wene FM (5 minute interview Chairperson – Apha naphaya)
- Radio Zibonele 5minute interview (Chairperson)
- Cape Argus (wrote and published a story)
- Cape Times (wrote and published a story)
- Etv live coverage (Interviewed chairperson)
- SABC radio Umhlobo wenene FM (Apha naphaya)
- Cape Argus – written and published a story
- Cape Times – written and published a story
- Etv
- Cape Argus – written and published a story

Mpumalanga

- Ligwalagwala Fm (interviewed Ms Dumisile Nhlengethwa in the morning before the visit started). They also interviewed her in the afternoon.
- Ofm (interviewed Chairperson)
- SABC Radio (Mpumalanga)
- Mpumalanga Mirror (written and published a story)
- Sowetan
- Beeld

March round – North West

Greater Taung (2 days)

Day one – Public hearings

- Vaaltar F.M – Live broadcast
- Motwedind FM – 5 minute interview (Chairperson)

- SABC – Mainbox interview (Chairperson)

Day two

- SABC TV & Radio
- North West FM

Lehurutshe

Day one – Public hearings

- North West FM
- media briefing: Youth Today (paper), Mafeking Mail (paper), North West FM, Vaaltar FM, North West Gazette (paper), North West Mirror (paper), The Messenger, Mafikeng FM

Gauteng

- Ikwewezi Fm
- Jozi Fm
- Khaya Fm
- 702 fm
- Sunday Times
- Classic Fm
- Radio Islam
- Jacaranda Fm
- Y-Fm
- SABC TV

Round Three

May-KwaZulu Natal

- Ukhozi Fm (Parliament Live)
- Ukhozi Fm (Afternoon news bulletin)
- Ikhwezi Fm
- East Coast Radio
- The Mercury Newspaper
- The Natal Witness
- Sunday Times
- The Times
- Natal Echo
- Igagasi Fm
- Durban Youth Radio

May – Limpopo

Day One

- SABC Radio
- Radio Pulpit
- Limpopo Mirror
- Sowetan

Day Two

- SAFM (PM Live)
- Motsweding FM
- Thobela FM
- Lesedi FM

- Mohodi FM
- SABC Radio

Day Three

- SABC Radio
- Jacaranda Fm
- Classic Fm
- Mohodi Fm

Day Four

- SABC Radio

Day Five

- SABC Radio

7.2 TARGET MEDIA

Radio, TV and various major newspapers were lobbied for purposes of interviews with Spokespeople to highlight the critical importance of the public hearings and to reflect on issues that emerged during interactions with people on the ground.

The following are interviews that resulted from that exercise

ACTIVITIES:

- 1. Media statement/invite – 28/01/10**
- 2. Media invite (reminder) - 01/01/10**
- 3. Media statement/invite for provincial hearings - 19/02/10**
- 4. Press conference – 24/02/10**

NB: The statements lead to requests for interviews.

REFERENCES

CoGTA, Presentation to the Ad Hoc Committee on Service Delivery February 2010

Daily Dispatch (2010)

Department of Water Affairs February 2010 Presentation to the Ad Hoc Committee on Service Delivery

Department of Human Settlements February 2010 Presentation to the Ad Hoc Committee on Service Delivery

Department of Energy (February 2010) Presentation to the Ad Hoc Committee on Service Delivery

Empowerdex (February 2010) Presentation to the Ad Hoc Committee on Service Delivery

iLGM Presentation to the Ad Hoc Committee on Service Delivery (February 2010)

Local Government: Municipal Structures Act (117 of 1998)

Local Government: Municipal Systems Act (32 of 2000)

Local Government Municipal Finance Management Act (56 of 2003)

Supply Chain Management Regulations (27636 of 2005)

Zuma, Inaugural Address at the Union Buildings 9 May 2009

ENDNOTES

ⁱ See Ngxiza et al (2009) *The wave of 'Service Delivery Protests' in South Africa* RSA Parliament Research Unit

ⁱⁱ Municipal managers appointed in terms of Section 57 of the Local Government: Municipal Systems Act, no. 32 of 2000