AN INVESTIGATION OF THE ROLE OF SELECTED WARD COMMITTEES IN ENHANCING BASIC SERVICE DELIVERY: THE CASE OF BUFFALO CITY MUNICIPALITY

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DEDICATION

I dedicate this work to the following late members of my family who contributed to my upbringing: Namhla Alice; Vuyelwa Irene, Nolusapho Constance and Malusi Shepherd.

MAY THEIR SOULS REST IN PEACE.
DECLARATION

I, Xolile Christopher Jakatyana, hereby declare that I am the originator of all the work in this submission and all sources used have been cited and/or acknowledged. The treatise has not been previously submitted in whole or part in fulfilment of the requirements for any degree or diploma qualification at an institution of higher learning or university.

X.C. JAKATYANA

JANUARY 2010
ABSTRACT

This study investigated the role of selected ward committees 29 and 32 of Nompumelelo and Tsholomnqa respectively in the Buffalo City Municipality (BCM) in enhancing basic service delivery.

In terms of the White Paper on Local Government (1998:4), developmental local government promotes a system that centres on working with local communities to find sustainable ways to meet their needs and improve the quality of their lives. The study on that basis examines the nature and extent to which wards 29 and 32 committees enhanced basic service delivery within BCM.

The study is premised on the assumptions that:

- The involvement of party-elected Councillors in ward committees inhibits members of ward committees from playing an active role in their communities;
- Ward committees are not clearly communicating municipality programmes to their communities;
- BCM is biased in favour of urban wards in service delivery;
- If the committees of wards 29 and 32 were given more powers to play a much wider role in providing leadership and make decisions in their communities (being elevated from an advisory role to ward management structures), they would make an impact in enhancing basic service delivery; and
- With additional decision-making powers ward committees could play a more effective role in local government matters.

The perceived slow pace of service delivery by municipalities has resulted in growing impatience and dissatisfaction, in particular among poor communities. This has been demonstrated by the spontaneous protests and unrests directed at municipalities that have been taking place nationally since 2003. The uprisings explain two aspects, namely local government is considered by communities to be the delivery arm of government in South Africa and poor communities feel betrayed because their active participation in government-provided spaces for participation such as municipal elections, ward committees and IDPs did not yield the result of promised development (Theron, 2008:36).
The study employed the qualitative research design using an interview survey as a method of data collection and the reviewing of existing study material and documents to test the validity of the afore-mentioned assumptions.

Lastly, with the aim of assisting BCM in nurturing the potential of ward committees operating in its area of jurisdiction, the following recommendations based on the findings of the study are made:

- BCM considers subjecting ward committees to structured formal and accredited training;
- BCM delivers services in a legally compliant manner;
- BCM delegates sufficient powers to ward committees;
- Ward committees be trained together with officials that drive the CBP process when BCM starts implementing the process; and
- BCM provides support to ward committees.
# TABLE OF CONTENTS

CHAPTER ONE: RESEARCH DESIGN AND METHODOLOGY

1.1 BACKGROUND AND RATIONALE........................................................................... 1
1.2 LITERATURE REVIEW.......................................................................................... 5
1.3 PROBLEM STATEMENT AND ASSUMPTIONS...................................................... 7
  1.3.1 Problem statement .......................................................................................... 7
  1.3.2 Assumptions .................................................................................................... 9
1.4 RESEARCH QUESTIONS ...................................................................................... 9
1.5 RESEARCH OBJECTIVES .................................................................................. 9
1.6 DELIMITATION OF THE RESEARCH ................................................................ 10
1.7 RESEARCH DESIGN AND METHODOLOGY .................................................... 10
  1.7.1 Qualitative research explained ...................................................................... 12
  1.7.2 Data analysis ................................................................................................. 14
1.8 SAMPLE ............................................................................................................ 15
1.9 ETHICAL CONSIDERATIONS .......................................................................... 15
1.10 DEFINITION OF TERMS / CONCEPTS ............................................................. 15
1.11 CHAPTER OVERVIEW .................................................................................... 16

CHAPTER TWO: LOCAL GOVERNMENT REFORMS SINCE 1993 AND THE CONSTITUTIONAL BASIS FOR BASIC SERVICE PROVISION IN THE BUFFALO CITY MUNICIPALITY

2.1 INTRODUCTION ................................................................................................. 18
2.2 LOCAL GOVERNMENT AND THE BILL OF RIGHTS ........................................ 18
2.3 CONSTITUTIONAL REFORMS AND LOCAL GOVERNMENT RESTRUCTURING IN SOUTH AFRICA .......................................................................................... 19
2.3.1 Local Government Negotiating Forum (LGNF) ........................................... 20
2.3.1.1 Composition of LGNF .................................................................................... 21
2.3.2 Phases of local government reform in South Africa ..................................... 21
2.3.2.1 Pre-interim phase: 1994-1996 ....................................................................... 21
2.3.2.2 Interim phase: 1996-2000 ............................................................................. 22
2.3.2.3 Final phase: 2000 to date ................................................................................. 22
2.4 AN OVERVIEW OF THE LEGISLATIVE FRAMEWORK SINCE 1993 .......... 23
2.4.1 Local Government Transition Act 209 of 1993 .............................................. 23
2.4.2 Constitution of the Republic of South Africa Act of 1996 ......................... 24
2.4.3 White Paper on Local Government, 1998 ..................................................... 24
2.4.4 Municipal Demarcation Act 24 of 1998 .......................................................... 24
2.4.5 Local Government: Municipal Structures Act 117 of 1998 ......................... 24
2.4.6 Local Government: Municipal Systems Act 32 of 2000 .............................. 25
2.4.7 Local Government: Municipal Finance Management Act 56 of 2003 ....... 25
2.4.8 Municipal Property Rates Act 6 of 2004 .......................................................... 25
2.4.9 Other important legislation that impacts on local government .................. 26
2.5 CONSTITUTIONAL AND LEGAL MANDATE OF LOCAL GOVERNMENT FOR
SERVICE PROVISION ........................................................................................................ 27
2.6 NATURE OF PUBLIC SERVICES ........................................................................ 28
2.6.1 Collective services ......................................................................................... 28
2.7 SERVICE DELIVERY PRINCIPLES .................................................................... 29
2.8 MECHANISMS FOR PROVISION OF SERVICES ............................................... 31
2.8.1 Internal mechanism ...................................................................................... 31
2.8.2 External mechanism ..................................................................................... 32
2.9 PROVISION OF BASIC MUNICIPAL SERVICES WITH REFERENCE TO
BUFFALO CITY MUNICIPALITY .................................................................................. 33
2.9.1 Municipal services explained ........................................................................ 35
2.9.2 Local government matters ............................................................................. 35
2.9.3 Service delivery and development ................................................................. 38
  2.9.3.1 Construction, engineering and maintenance ........................................... 38
  2.9.3.2 Electricity provision ................................................................................. 39
  2.9.3.3 Provision of scientific services and waste-water management ............... 39
  2.9.3.4 Housing delivery ...................................................................................... 40
    2.9.3.4.1 Low cost housing ................................................................................ 40
  2.9.3.5 Public safety and health .......................................................................... 40
  2.9.3.6 Local economic development (LED) ....................................................... 41
  2.9.3.7 Mdantsane Urban Renewal Programme (MURP) .................................... 41
  2.9.4 2009 State of the City Address .................................................................. 42
    2.9.4.1 Institutional stability and performance .................................................. 43
    2.9.4.2 Community-building through service delivery ...................................... 43
    2.9.4.3 Way forward: making a difference to BCM ......................................... 45
  2.9.5 Identified service delivery ‘hotspots’ in BCM ............................................ 46

3 CONCLUSION ........................................................................................................ 47

CHAPTER THREE: THE ROLE OF WARD COMMITTEES IN THE SYSTEM OF
PARTICIPATORY LOCAL GOVERNANCE

3.1 INTRODUCTION ............................................................................................. 49

3.2 DEVELOPMENTAL LOCAL GOVERNMENT IN SOUTH AFRICA .................. 49

3.3 POLICY AND LEGAL FRAMEWORK FOR COMMUNITY PARTICIPATION ....... 50
  3.3.1 White Paper on Local Government of 1998 .............................................. 50
  3.3.2 Constitution of the Republic of South Africa Act of 1996 ......................... 50
  3.3.3 Local Government: Municipal Structures Act 117 of 1998 .................... 51
  3.3.4 Local Government: Municipal Systems Act 32 of 2000 ......................... 51

3.4 DEVELOPING A COMMUNITY BASED PLAN (CBP) ................................. 52
  3.4.1 CBP process .............................................................................................. 52
    3.4.1.1 CBP phase 0: Preparation ................................................................... 53
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.3.4</td>
<td>Constitution and local service delivery</td>
<td>94</td>
</tr>
<tr>
<td>4.3.5</td>
<td>Basic municipal services</td>
<td>95</td>
</tr>
<tr>
<td>4.3.6</td>
<td>Service delivery initiatives in BCM</td>
<td>96</td>
</tr>
<tr>
<td>4.3.7</td>
<td>Promotion of community participation in municipal affairs</td>
<td>96</td>
</tr>
<tr>
<td>4.3.8</td>
<td>Dissemination of information to communities</td>
<td>98</td>
</tr>
<tr>
<td>4.3.9</td>
<td>Relationship between BCM ward committees and ward councillors</td>
<td>99</td>
</tr>
<tr>
<td>4.3.10</td>
<td>Policy and decision-making powers in service delivery matters</td>
<td>99</td>
</tr>
<tr>
<td>4.3.11</td>
<td>Role of ward committees in the Integrated Development Planning (IDP) process</td>
<td>100</td>
</tr>
<tr>
<td>4.3.12</td>
<td>Role of ward committees in the process of developing a Community Based Plan (CBP)</td>
<td>101</td>
</tr>
<tr>
<td>4.3.13</td>
<td>Support of ward committees from BCM</td>
<td>102</td>
</tr>
<tr>
<td>4.3.14</td>
<td>Empowerment of community members in civic matters</td>
<td>103</td>
</tr>
<tr>
<td>4.3.15</td>
<td>Co-operation between ward committees and role-players in matters of development within BCM</td>
<td>104</td>
</tr>
<tr>
<td>4.3.16</td>
<td>Community meetings to monitor and evaluate the performance of BCM</td>
<td>104</td>
</tr>
<tr>
<td>4.3.17</td>
<td>Functionality of the ward committee system in the BCM</td>
<td>105</td>
</tr>
<tr>
<td>4.3.18</td>
<td>Community development projects in BCM</td>
<td>106</td>
</tr>
<tr>
<td>4.3.19</td>
<td>Ward committee members and the second term of office</td>
<td>107</td>
</tr>
<tr>
<td>4.3.20</td>
<td>Role by ward committees in improving local service delivery</td>
<td>108</td>
</tr>
<tr>
<td>4.3.21</td>
<td>General issues raised by ward committee members during the interview</td>
<td>109</td>
</tr>
<tr>
<td>5</td>
<td>CONCLUSION</td>
<td>110</td>
</tr>
</tbody>
</table>

CHAPTER FIVE: SUMMARY AND RECOMMENDATIONS

5.1 INTRODUCTION ............................................................................................................... 111

5.1.1 Problem statement ................................................................................................. 111

5.1.2 Research questions ................................................................................................. 112

5.1.3 Research objectives ............................................................................................... 113
**LIST OF ACRONYMS AND ABBREVIATIONS**

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADM</td>
<td>Amathole District Municipality</td>
</tr>
<tr>
<td>ANC</td>
<td>African National Congress</td>
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<tr>
<td>BCM</td>
<td>Buffalo City Municipality</td>
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<tr>
<td>CBP</td>
<td>Community Based Plan</td>
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<tr>
<td>DCGTA</td>
<td>Department of Corporative Governance and Traditional Affairs</td>
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<tr>
<td>DIMAFO</td>
<td>District Mayors’ Forum</td>
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<tr>
<td>DPLG</td>
<td>Department of Provincial and Local Government</td>
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<tr>
<td>GIS</td>
<td>Geographic Information System</td>
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<td>GTZ</td>
<td>German Technical Cooperation</td>
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<td>IDP</td>
<td>Integrated Development Planning</td>
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<td>LED</td>
<td>Local Economic Development</td>
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<td>LGNF</td>
<td>Local Government Negotiating Forum</td>
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<td>LIFE</td>
<td>Livelihoods and Innovation Fund Enhancement</td>
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<td>LGSETA</td>
<td>Local Government Sector Education and Training</td>
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<td>MAD</td>
<td>Making a Difference</td>
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<td>MEC</td>
<td>Member of Executive Council</td>
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<tr>
<td>MPNP</td>
<td>Multi-Party Negotiating Process</td>
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<td>MSC</td>
<td>Multi Party Sub-Committee</td>
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<tr>
<td>MURP</td>
<td>Mdantsane Urban Renewal Programme</td>
</tr>
<tr>
<td>NGOs</td>
<td>Non-Governmental Organisations</td>
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<tr>
<td>PMS</td>
<td>Performance Management System</td>
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<td>RDP</td>
<td>Reconstruction and Development Programme</td>
</tr>
<tr>
<td>SALGA</td>
<td>South African Local Government Association</td>
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<td>SANCO</td>
<td>South African National Civic Organisation</td>
</tr>
<tr>
<td>SASSA</td>
<td>South African Social Security Agency</td>
</tr>
<tr>
<td>SMME</td>
<td>Small Medium Micro-Enterprises</td>
</tr>
<tr>
<td>SWOT</td>
<td>Strengths, Weaknesses, Opportunities and Threats</td>
</tr>
<tr>
<td>UCASA</td>
<td>Urban Councils of South Africa</td>
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<tr>
<td>UME</td>
<td>United Municipal Executive</td>
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<tr>
<td>UMSA</td>
<td>United Municipalities of South Africa</td>
</tr>
<tr>
<td>WTW</td>
<td>Water Treatment Works</td>
</tr>
</tbody>
</table>
CHAPTER ONE

RESEARCH DESIGN AND METHODOLOGY

1.1 BACKGROUND AND RATIONALE

This research project investigated the role of selected ward committees in enhancing basic service delivery with reference to the Buffalo City Municipality (BCM).

The evolution of a democratic system of government in South Africa gained momentum through the finalisation of a negotiated settlement leading to the establishment of Provincial and National Government. The 1995 democratic local government elections heralded the beginning of a transitional local government system in South Africa. That consequently saw the introduction of a democratic developmental local government system which recognised its tenants as elected public office-bearers, appointed administrators and citizens who constitute communities within each municipal area of jurisdiction. For the first time in the history of South African local government, wall-to-wall municipalities were introduced as a sphere of government recognised by the Constitution of the Republic of South Africa, 1996 (hereinafter referred to as the Constitution). The other two spheres that constitute the government of South Africa are the National and Provincial spheres of government and each of the three spheres is bound by both political and administrative components with a single objective, namely to serve the people of South Africa.

Chapter 7 of the Constitution makes the following provisions:

Section 152 (1) (b) ensures the provision of services to communities in a sustainable manner.

Section 153 (a) lays down that a municipality must manage and structure its administration and budgeting and planning processes to give priority to the basic needs of the community and to promote the social and economic development of the community.

Section 155 (4) requires that national legislation must take into account the need to provide municipal services in an equitable and sustainable manner.
In support of the above provisions, Chapter 10, section 195 (1) (d) of the Constitution stipulates that services must be provided impartially, fairly and without bias.

In terms of section B of the White Paper on Local Government (1998), local government has the responsibility to provide household infrastructure and services as essential components of social and economic development. This refers to services such as, *inter alia*, water, sanitation, local roads, storm water drainage, refuse collection and electricity.

The point of departure is to prioritise the delivery of basic levels of service to those who at present have limited or no access at all to services. The services can be funded from various sources including the equitable sharing of national revenue which will enable municipalities to subsidise the operating costs of providing basic services to poor households (White Paper on Local Government, 1998:7 of 21, Section B). Craythorne (2006:153) argues that municipal services are of vital importance to the growth, development and stability of a municipality.

The following legislative framework makes provision for, *inter alia*, community participation in matters of local government in South Africa:

In terms of the White Paper on Local Government (1998:4) developmental local government promotes a system that centres on working with local communities to find sustainable ways to meet their needs and improve the quality of their lives.

Municipalities can become developmental through integrated development planning and budgeting, performance management and working together with local citizens and partners. They can also engage citizens and community groups in the affairs of the municipality in their capacities as voters and citizens affected by municipal resource mobilisation for the development of the municipal area (White Paper on Local Government, 1998:4-5).

In terms of section 152 of the Constitution, community participation is:

- To provide democratic and accountable local government for local communities; and
To encourage the involvement of communities and community organisations in the matters of local government [South African Local Government Association (SALGA) and German Technical Cooperation (GTZ), 2006:4].

Section 19 of the Local Government: Municipal Structures Act 117 of 1998 (hereinafter Act 117 of 1998) provides that municipalities:

- Develop mechanisms to consult the communities and community organisations in performance of their functions and in exercising powers; and
- Annually review the needs of the community and municipal priorities and strategies for meeting those needs involving the community in municipal processes (SALGA and GTZ, 2006:116).

Also in terms of Chapter 4 (Part 4) of the Local Government: Municipal Structures Act 117 of 1998, provision is made for the establishment of ward committees with the object of improving participatory democracy in local government (SALGA and GTZ, 2006:116).

Section 16 of the Local Government: Municipal Systems Act 32 of 2000 provides for municipalities to develop a culture of municipal governance that is compatible with formal representative government, with elected leaders in a system of participatory governance, in other words with community participation.

Furthermore, section 17 of the afore-mentioned Act provides for municipalities to develop mechanisms, processes and procedures for public participation.

Theron (2008:138) argues that a basic principle of the Reconstruction and Development Programme (RDP) is that it should be people driven, in other words, that members of the community should participate in defining their needs and contribute towards the satisfaction of those needs. Central to the RDP is the aim of democratising society politically and economically, thereby encouraging free political participation and facilitating equitable distribution of the fruits of development.

From the above discussion it could be inferred that the present South African Government has, since 1994, played a major role in creating an environment conducive to citizen participation in matters of governance. This has been done
through institutionalisation of a system of participatory governance. The adoption of a participatory governance system emphasises a people-centred development approach, that is, people participation in matters of development.

It is against this background that the study sought to investigate the role of selected ward committees in enhancing basic service delivery within the Buffalo City Municipality (BCM). The BCM established ward committees to fulfil its constitutional and legislative mandate towards its citizens in order to improve participatory democracy in municipal affairs.

Section 73 of Act 117 of 1998 provides for the establishment of ward committees while section 74 stipulates that a ward committee-

(a) may make recommendations on any matter affecting its ward -

(i) to the ward councillor, or
(ii) through the ward councillor, to the metro, or local council, the executive committee, the executive mayor or the relevant metropolitan sub-council;

and

(b) has such duties and powers as the metro or local council may delegate to it in terms of section 59 of the Local Government: Municipal Systems Act 32 of 2000.

At the time that this research was carried out, BCM comprised 45 wards which were urban, semi-urban, and rural in nature. Each ward consisted of ten (10) ward committee members. Five (5) ward committee members were drawn from interest groups, *inter alia*, women, youth and people with disabilities and the remaining five (5) represented the geographical spread of the ward. Women and youth representation was compulsory in ward committee structures within BCM (Nkula- Community Facilitator in BCM, personal interview, 25 March 2009).

From the above discussion it may be deduced that ward committees were a mechanism through which participatory governance could be achieved by municipalities. To establish whether or not BCM optimally utilised ward committees was the object of this research study.
The investigation focused on two (2) ward committees, viz ward 29 – Nompumelelo in particular and ward 32 – Tsholomnqa. These two wards were selected for the study because of the vastness of the Buffalo City municipal area of jurisdiction and also in view of their nature, that is ward 29 was both urban and semi-urban while 32 was rural. It was assumed that they might not have been seen as a priority by the BCM.

The rationale for the research was to establish the nature and extent to which the ward 29 and 32 committees enhanced basic service delivery within the BCM.

1.2 LITERATURE REVIEW

The process of obtaining (through reading) any information that has been published and is relevant to the research topic is called the literature review. Issues to be taken cognisance of when undertaking a literature review are: the purpose of the review, the literature sources and the reviewing techniques (Bless et al, 2006:24).

According to Shaidi (2006:19-20), the researcher’s interest in a study should also be in:

- The body of accumulated scholarship;
- Learning from other scholars on how they have theorised about and conceptualised issues;
- What other scholars have established empirically regarding topics similar to the one at hand;
- What instrumentation they have used, and to what effect; and
- Most recent credible and relevant scholarship in the area of interest.

In present South Africa, Local Government is the sphere of government closest to the community that is responsible for providing essential infrastructure and services to communities and also responsible for building sustainable communities. The municipality must play a vital role in encouraging multi-stakeholder participation in the formulation, implementation, monitoring and annual review of its IDP. That is the fundamental reason why ward committees were established and, also, as committees of community representatives, ward committees should work together with the elected Ward Councillor (Hangana-Botha, 2002:1).
Additional reasons for establishing ward committees were:

- Enhancing participatory democracy;
- Facilitating regular communication between the Councillors and the people; and
- Recognising that they are important instruments towards the realisation of the objective of a better life for all (Hangana-Botha, 2002:1).

The system for monitoring the performance of municipalities is one of the tools at the disposal of ward committees that they can utilise to discharge their mandate. It is through the performance monitoring system that communities through the ward committees will participate in determining performance measures together with municipalities. This ensures that communities are empowered to make an impact in the determination of service delivery standards and priorities. Communities through ward committees can ensure that local government on the basis of its constitutional mandate as the system for monitoring the performance of municipalities is, amongst other things, designed to improve service delivery and maximise development at a local level. Active participation by people in ward committees is the key to effective service delivery (Hangana-Botha, 2002:2).

The perceived slow pace of service delivery by municipalities has resulted in growing impatience and dissatisfaction, particularly among poor communities. This has been demonstrated by the spontaneous protests and unrest directed at municipalities that have been taking place nationally since 2003. The uprisings explain two aspects, namely local government is considered by communities to be the delivery arm of government in South Africa and poor communities feel betrayed because their active participation in government-provided spaces for participation such as municipal elections, ward committees and IDPs has not yielded the result of promised development (Theron, 2008:36).

In aligning himself with the argument above, Mhotsha (2005:5) states that it is pertinent that the establishment of ward committees in the Francistown Council and Nelson Mandela Bay Municipality fast-tracks service delivery to the community and involves them in decision making and development planning so that they are brought closer to the administrative functions of the municipality/city council.
From the above discussion it could be concluded that, amongst other things, a literature review would help analyse the approaches to be found in the literature and the emerging themes that are of relevance to this research study.

1.3 PROBLEM STATEMENT AND ASSUMPTIONS

In this section a problem statement and underlying assumptions will be discussed.

1.3.1 Problem statement

In terms of section 153 (a) of the Constitution, a municipality must manage and structure its administration and budgeting and planning processes to give priority to the basic needs of the community and to promote the social and economic development of the community.

The BCM established ward committees in terms of sections 72 – 78 of the Local Government: Municipal Structures Act 117 of 1998 for its forty-five (45) wards. The purposes of ward committees in the BCM are to broaden participation in the democratic process of the Council and to assist the Ward Councillor with organising consultation, disseminating information and encouraging participation from ward residents (BCM Integrated Development Plan (IDP), 2009 – 2010:149).

Since 2005, South Africa has seen service delivery protests in some provinces highlighting the lack of and/or poor service delivery by some municipalities.

The Province of the Eastern Cape has not been immune to the protests. Some ratepayers in the province have revolted against their municipalities, citing poor service delivery as the reason for their dissatisfaction. At least six Eastern Cape communities and about thirty across the country have resorted to withholding the payment of municipal rates (Daily Dispatch of 31 January 2009:4).

There have been similar protests in Buffalo City where, for example, the residents of Egoli chased away a group of Duncan Village residents who had invaded Council owned land to build shacks, claiming BCM had promised to give the land to ward 11 residents for a low-cost housing project meant for people on the waiting list for homes (Daily Dispatch of 19 May 2009:4).
In another incident, residents in ward 23 marched to the municipal offices in Mdantsane on 18 June 2009. They demanded the removal of ward councillors because no development had taken place in their ward.

The service delivery protests cited above happened despite the address by the then Deputy Minister Hangana-Botha of the former Department of Provincial and Local Government (DPLG), (current Department of Cooperative Governance and Traditional Affairs) at the Inauguration of the BCM ward committees in March 2002 where she explained the role of ward committees in South Africa and reassured the communities of improved service delivery.

From the above it can be inferred that local communities are aware that local government service provision is a right enshrined in the Constitution. Consequently in BCM, indigent citizens are provided with free basic services such as fifty (50) kWh of electricity and six (6) kilolitres of water (BCM Tariff Book, 2009/2010:1&12).

Protests against poor service delivery in some provinces indicated a reality of poor service delivery and/or a lack of service delivery by certain municipalities in South Africa.

It is imperative to investigate whether the introduction of ward committees in BCM has made an impact on the delivery of basic services. This research study was conducted to determine whether wards 29 and 32 committees played a role in enhancing basic service delivery.

Despite the sound intentions of government in establishing ward committees, it was clear that within BCM:

- Communities lack interest in civic matters;
- Communities do not fully participate in the IDP processes;
- Communities are dissatisfied with the pace of service delivery;
- Communities are dissatisfied with the manner in which development projects are decided;
- Prioritised development projects are not properly communicated to communities; and
• Politicisation of ward committees is unacceptable.

Because the above fell within the scope of operations of ward committees, it could be inferred that the major problem facing BCM ward committees was the poor understanding of their mandatory role.

1.3.2 Assumptions

It is assumed that the involvement of party-elected Councillors in ward committees inhibits members of ward committees from playing an active role in their communities. It is also assumed that ward committees are not clearly communicating municipality programmes to their communities and BCM is biased in favour of urban wards in service delivery. It is further assumed that if wards 29 and 32 committees were given more powers to play a much wider role in providing leadership and make decisions in their communities (being elevated from an advisory role to ward management structures), they would make an impact in enhancing basic service delivery.

1.4 RESEARCH QUESTIONS

Research questions for the study included but were not limited to:

• Does BCM play a significant role in providing support for the ward 29 and 32 committees?
• Do ward 29 and 32 committees play a role in influencing service delivery within BCM?
• Do ward 29 and 32 committees conduct awareness campaigns for communities about service delivery/provision?
• Do ward 29 and 32 committees meet regularly to discuss service delivery within their communities?

1.5 RESEARCH OBJECTIVES

The main objective of the research was to investigate the role of selected ward committees in enhancing basic service delivery within the Buffalo City Municipality (BCM). The specific objectives of the research are as follows:
To provide an overview of the Local Government Reforms and constitutional basis for service delivery by municipalities in South Africa;

To establish the nature and extent to which ward committees in the BCM enhance basic service delivery;

To establish whether ward committees are optimally utilised by BCM; and

To determine whether ward committees are viewed as mechanisms to promote participatory governance by BCM.

1.6 DELIMITATION OF THE RESEARCH

This study has been limited to an investigation of the role of selected ward committees in enhancing basic service delivery within BCM.

For the purpose of this study, the focus has been kept on two wards, viz wards 29 and 32 of the said municipality. Legislation requires that each ward committee be composed of ten (10) members. As stated above under 1.1, the said wards have been selected for the study because of the vastness of the Buffalo City municipal area of jurisdiction and also because, by nature, ward 29 is both urban and semi-urban and ward 32 is rural. It is assumed that BCM when delivering services might be biased in favour of urban wards.

1.7 RESEARCH DESIGN AND METHODOLOGY

The research design specifies the most adequate activities to be undertaken in order to test a specific hypothesis under given conditions and is different to research management (Bless, Higson – Smith and Kagee, 2006:71). According to Mouton (2001:55), it is a plan or blueprint of how one will conduct research.

According to Hysamen (1994:163), there are three different levels of research methodology:

- The creation and development of techniques and strategies to collect data;
- The development of methods to investigate and improve the psychometric properties, namely reliability and validity of data obtained by means of these techniques; and
- The statistical analysis of the data collected by means of such techniques.
The design employed in this study is the qualitative approach using an interview survey as a method of data collection and the reviewing of existing study material and documents.

The researcher collected data through an interview schedule with structured questions. Face-to-face interviews were undertaken for the study to cater for the possibility of a lack of literacy skills among members of selected ward committees.

Garbers (1996:288-289) states that one of three basic research designs can be selected for a research study, namely:

- A survey;
- An experiment; or
- Fieldwork.

Garbers (1996:283) further states that the objective of qualitative research is to promote better self-understanding and increase insight into the human condition. He further points out that in qualitative research the emphasis is on improved understanding of human behaviour and experience and that researchers try to understand the ways in which different individuals make sense of their lives and to describe those meanings. In qualitative research empirical observation is important as researchers need to study real cases of human behaviour if they are to be in a position to reflect on the human condition meaningfully and with clarity.

Because this study was conducted in a social sciences context or setting, the selected methodology had to be appropriate for probing in depth the complexities of processes and exploring the policy of selected ward committees in the BCM through questionnaires with open-ended questions.

Babbie and Mouton (2001:262-263), amongst others, further identify the following as strengths of survey research:

- Surveys are particularly useful in describing the characteristics of a large population;
- Surveys - especially self-administered ones – make large samples feasible;
- Surveys are flexible;
- Surveys allow you to develop operational definitions based on actual observations; and
- Standardised questionnaires have an important strength in regard to measurement generally.

A fifty percent (50%) response to the questionnaire was regarded as adequate for the purposes of this study.

The qualitative research method was selected for the purposes of this study primarily because of the vast geographical area of the wards which BCM comprises. An anticipated response rate of a minimum of fifty percent (50%) was expected from the empirical survey which would adequately justify any conclusions or recommendations made in terms of the two wards selected for the purpose of the study.

1.7.1 Qualitative research explained

According to Creswell (2003:18), a qualitative approach is one in which the inquirer often makes knowledge claims based primarily on constructivist perspectives, or advocacy/participatory perspectives or both. He further states that it also uses strategies of inquiry such as narratives, phenomenologies, ethnographies, grounded theory studies or case studies.

Hair, Money, Page and Samouel (2007:193) state that there are two broad approaches to qualitative data collection, namely observation and interviews. According to these authors, if the objective of the research is to investigate the behaviour of people or events, then observation is the suitable method, whereas, if the objective is to understand why something happens, the appropriate approach is to interview people.

The qualitative research paradigm is described as the general research approach in social research in terms of which research takes as its point of departure the insider perspective on social action. It is further asserted that qualitative researchers always attempt to examine human action from the perspective of the social actors themselves, also referred to as the “emic” perspective by anthropologists. The basic
The qualitative research paradigm arises from an antipositivistic, interpretative approach, is idiographic and holistic in nature and its goal is to understand social life and the meaning that people attach to everyday life. It elicits participant accounts of meaning, experience or perceptions and generates descriptive data in the participant’s own written or spoken words. Participant’s beliefs and values that underlie the phenomena are thus identified by the qualitative paradigm. The key elements that a qualitative research is concerned with are understanding rather than explanation; naturalistic observation rather than controlled measurement; and the subjective exploration of reality from the perspective of an insider as opposed to the outsider perspective that dominates the quantitative paradigm (De Vos, 2002:79).

According to Babbie and Mouton (2001:270), the key characteristics of a qualitative research are:

- Research is conducted in the natural setting of the social actors;
- A focus on processes rather than outcome;
- The actor’s perspective (the insider or “emic” view is emphasised);
- The primary aim is in-depth (“thick”) descriptions and understanding of actions and events;
- The main concern is to understand social action in terms of its specific context (idiographic motive) rather than attempting to generalise to some theoretical population;
- The research process is often inductive in its approach, resulting in the generation of new hypotheses and theories; and
- The qualitative researcher is seen as the “main instrument” in the research process.

Neuman (2006:151) identifies the following as strengths offered by qualitative research:

- Qualitative researchers often rely on interpretive or critical social science;
- Qualitative researchers apply “logic in practice” and follow a non-linear research path;
qualitative researchers speak a language of “cases and contexts”; qualitative researchers emphasise conducting detailed examinations of cases that arise in the natural flow of social life; and qualitative researchers try to present authentic interpretations that are sensitive to specific social-historical contexts.

The qualitative research methodology applied in this study was appropriate as it enabled the researcher to interact closely with the subjects in their natural settings.

1.7.2 Data analysis

According to Creswell (1994:153), data analysis requires that:

- The researcher be comfortable with developing categories and making comparisons and contrasts; and
- The researcher is open to possibilities and sees contrary or alternative explanations for the findings.

Fox and Bayat (2007: 104-110) state that data analysis is not limited to the mass media, but can also include, inter alia, transcriptions of personal interviews, political documents and minutes of meetings.

During the interview, the structured questions were tape recorded subject to prior permission from the interviewees. The information collected was transcribed by the researcher in order to conduct a content analysis of the transcriptions. In the case of a respondent unwilling to grant permission for data to be tape recorded, the researcher was prepared to take down extensive notes and do a content analysis on that basis.

The data collected from the study were broken down into themes for the purpose of analysis and interpretation.
1.8 **SAMPLE**

BCM consists of 45 wards each of which has a ward committee made up of ten (10) members. For the purpose of this study two (2) ward committees, namely ward committees 29 and 32 were selected as a sample population.

Because ward committees in BCM are constituted of ten (10) members, twenty (20) committee members were targeted for the purpose of the study. The above-mentioned wards were selected for this study because of the vastness of the Buffalo City municipal area of jurisdiction and also because, by nature, ward 29 is both urban and semi-urban and ward 32 is rural.

1.9 **ETHICAL CONSIDERATIONS**

Babbie and Mouton (2001:520) describe ethics as typically associated with morality and dealing with matters of both right and wrong.

In this study the following major principles of ethics in social science research were upheld:

- Voluntary participation;
- Participants could withdraw from the study at any stage;
- No harm to the participants; and
- Anonymity and confidentiality (Babbie and Mouton, 2001:523).

1.10 **DEFINITION OF TERMS / CONCEPTS**

Community – De Beer and Swanepoel (2000:211) define community as referring to the relationships and interactions between individuals, living and working in a geographically demarcated area. The human dimension of community reflects the values and norms governing individual action, setting parameters for acceptable social behaviour.

*Community development* – De Beer and Swanepoel (2000:125) describe community development as an activity seeking to promote human development. It is aimed at
empowering communities and strengthening their capacity for self-sustaining development.

Community participation – Theron (2008:127) describes participation as a strategy for achieving human development, social development, or people centred development.

Sustainable development – According to Fox and Van Rooyen (2004:102), sustainable development is the integration of social, economic and environmental factors into planning implementation and decision-making so as to ensure that development serves present and future generations.

Accountability - Webster (in Hanekom and Thornhill, 1983:185) defines accountability as the quality of being accountable; “liable to be called on to explain: answerable, responsible (to persons for things)”.

1.11 CHAPTER OVERVIEW

This research study is reported in five (5) chapters. A brief outline of the chapters is as follows:

Chapter 1: This chapter presents a background and rationale for the study. It also discusses the research methodology used when conducting the study.

Chapter 2: This chapter will discuss local government reforms in South Africa for the period 1993 to date and the constitutional basis for service provision with reference to local government. A developmental perspective of local government in contemporary South Africa will be analysed.

Chapter 3: This chapter will examine the framework for community participation, community based planning (CBP) and the Integrated Development Planning (IDP) consultation processes. The discussion will be in relation to the role of ward committees in the system of participatory governance.

Chapter 4: In this chapter, the empirical survey research findings on the role of selected ward committees in enhancing basic service delivery within the Buffalo City Municipality will be presented and analysed.

Chapter 5: As the concluding chapter of the study, a summary of and recommendations arising from the research will be presented.
CHAPTER TWO
2.1 INTRODUCTION

Local government is the third sphere of government. It is the government closest to the people and is regarded as a vehicle for delivery of services to communities.

The first ever democratic general election that was held on 27 April 1994 to elect a democratic government was the turning point in the politics of this country. After the elections fundamental changes were effected in local government.

Chapter Two of this study will provide an overview of legislation that has brought about fundamental changes in the status and nature of local government and will also focus on the local government constitutional mandate for basic service provision with particular reference to the BCM. However, it is proper first to deal with constitutional reforms and local government restructuring because this will create an enabling environment to discuss the collapse of the apartheid form of local government in the 1990s. This will enable an understanding of the legislation that made it possible for the creation of the modern democratic, non-racial and developmental nature of local government.

2.2 LOCAL GOVERNMENT AND THE BILL OF RIGHTS
Gutto (1996:9) writes that section 178 of the Interim Constitution Act 200 of 1993 demands that local government should conduct its administrative and financial affairs along sound principles of public administration, good government and public accountability. In essence this means that local government must be restructured and adjusted to meet the dictates of Chapter 3 of the Bill of Rights. The Constitution of 1996 assigns these responsibilities to local government systems and officials upfront.

It is apparent from the afore-mentioned legislation that the Bill of Rights constituted the founding principles of a transitional system of local government in South Africa even before the 1995 democratic local government elections.

The constitutional reforms and local government restructuring in South Africa will be discussed briefly in the next section.

2.3 CONSTITUTIONAL REFORMS AND LOCAL GOVERNMENT RESTRUCTURING IN SOUTH AFRICA

The Constitution of the Republic of South Africa Act 108 of 1996 makes provision for three spheres of government, namely national, provincial and local government. It envisages that local government will be a distinctive sphere of government that is interdependent with and interrelated to the other two spheres of government (SALGA and GTZ South Africa, 2006:2).

Negotiations for transformed local government structures were started before the national legislation but they were disjointed and by and large depended on the initiatives of some of the stakeholders such as individual local authorities and political and civic organisations. However, it is noted that the address to Parliament by the
former state president, Mr F.W. de Klerk, in 1989 acted as an impetus to negotiations and a number of local government negotiating forums were established throughout South Africa within the framework of the Interim Measures for Local Government Act 128 of 1991. Initially, the African National Congress (ANC) was of the view that government was trying to manipulate local government initiatives by unilaterally, introducing the said Act which gave more power to the then administrator. On the other hand, government argued that the legislation gave effect to agreements reached at the local government negotiating table. Both parties later agreed that a framework for local government would need to be negotiated at a national level so that it answered to a constitution that would result from the multi-party talks (Reddy, 1996:57).

2.3.1 Local Government Negotiating Forum (LGNF)

In 1993, the South African National Civic Organisation (SANCO) engaged the then Minister of Local Government, convincing him to establish a formal national LGNF which would serve as the main negotiating forum on local government matters. This structure served as a feeder to the Multi-Party Negotiating Process (MPNP) as its recommendations were later endorsed by it (Cloete, 1995:4).

The negotiation process at the LGNF ran parallel to the main constitutional negotiations. The two structures, namely the MPNP and LGNF consulted each other on matters of common interest so as to ensure acceptance at both local and national levels. The mandate of the LGNF was to contribute to the democratisation of local government and to bring about a democratic, non-racial, non-sexist and financially viable local government system. The LGNF was not a statutory body and had no legal status (Reddy, 1996:58).
2.3.1.1 Composition of LGNF

The LGNF was composed of two delegations, statutory and non-statutory. The statutory delegation comprised representatives of central, provincial and local government, as well as representatives of the United Municipal Executive (UME) and representatives from the then four provincial affiliates, the National Committee for Local Government Associations representing the United Municipalities of South Africa (UMSA) and Urban Councils of South Africa (UCASA). The non-statutory delegations served under the banner of SANCO. The forum was co-chaired by one person from each organisation. The Local Government Transition Act 209 of 1993 resulted from discussions that took place at the Multi-Party Negotiation Council (Reddy, 1996:58).

The negotiations were difficult. Different stakeholders were adamant regarding their respective policy viewpoints and the issue of time was a factor that forced them to reach compromises. The end-product of the LGNF was a model for local government reform which was ratified by the MPNP after minor amendments (Cloete, 1995:5).

2.3.2 Phases of local government reform in South Africa

The final, democratic phase that ushered in the local government elections of December 2000 was preceded by two other phases: the pre-interim and the interim phases. The three phases will be described briefly below.

2.3.2.1 Pre-interim phase: 1994-1996
The Local Government Transition Act 209 of 1993 provides for the local negotiation process during the first phase to be undertaken by all communities to select one of three specified transitional options to take over some or all of the functions of existing local government bodies (Cloete, 1995:9).

The first phase paved the way for the creation of local government structures through combining the existing apartheid councils (statutory bodies) with oppositional organisations (non-statutory structures). The end-product of this phase was the creation of a nominated form of local government (Sutcliffe, 2000:7).

2.3.2.2 Interim phase: 1996-2000

The interim phase referred to the period immediately after the 1995 and 1996 local government elections. The interim phase occurred just before the establishment of democratic municipalities in terms of the 1996 Constitution. The main feature of the interim councils was that they were not fully democratic and they only covered a part of South Africa. They only managed to deracialise South Africa by combining formerly urban African areas with formerly urban white, coloured and Indian areas (Sutcliffe, 2000:7).

2.3.2.3 Final phase: 2000 to date

The final phase is the democratic phase of local government which ensured that municipalities were established in terms of the 1996 Constitution and the relevant legislation representing the policy of national government. The democratic local government order in South Africa envisaged the new dispensation based on the principles of:
• Developmental municipal governance;
• Integrated service delivery within integrated development plans;
• Ensuring there is equity and sustainability in the system; and
• Ensuring democratic representation and accountability through encouraging participation in the system (Sutcliffe, 2008:8).

In the following paragraphs an overview of the legislative framework since 1993 will be discussed.

2.4 AN OVERVIEW OF THE LEGISLATIVE FRAMEWORK SINCE 1993

This section provides an overview and a brief description of the legislative framework within which local government has operated from 1993 onwards.

2.4.1 Local Government Transition Act 209 of 1993

According to Craythorne (2006:156), the Local Government Transition Act 209 of 1993 in its original form made provision for amongst others the following:

• The three phases which have already been discussed above;
• The establishment of local and metropolitan negotiating forums to choose one of the options in the Act;
• A Provincial Committee for Local Government;
• The MEC being given the power to "recognise" each forum so as to ensure compliance with the Act;
• Each forum having to negotiate the establishment of a transitional council within available options; and
• MECs being given extraordinary legislative powers to make enactments and also to amend or repeal other laws.

2.4.2 Constitution of the Republic of South Africa Act of 1996

The above Constitution provides for the establishment of local government as a distinct sphere of government in charge of service delivery. It further imposes a specific set of responsibilities on the national and provincial spheres of government, thereby creating an enabling environment for strengthening and supporting the capacity of municipalities (SALGA and GTZ, 2006:4).

2.4.3 White Paper on Local Government, 1998

The White Paper on Local Government is a broad policy framework that paved the way for the creation of a new developmental local government system that promotes community participation in municipal affairs. Several Acts of Parliament were promulgated to give effect to the principles of the White Paper (SALGA and GTZ, 2006:4).

2.4.4 Municipal Demarcation Act 24 of 1998

The need to re-demarcate the boundaries of municipalities was regarded as the first priority in the process of transforming local government. To facilitate the process, a Demarcation Board was established. When demarcating boundaries, the Board had to take cognisance of factors listed in section 25 of the Demarcation Act. The reduced number of municipalities from 843 to 284 is a result of the requirement to rationalise the number of municipalities (Zybrands, 2000:3).

2.4.5 Local Government: Municipal Structures Act 117 of 1998
The Local Government: Municipal Structures Act 117 of 1998 determines the status of municipalities and provides the framework for municipalities regarding the requirements and criteria relating to categories and types of municipalities. It also determines the division of powers and functions between district and local municipalities and regulates governance structures and electoral systems for the newly demarcated municipalities.

2.4.6 Local Government: Municipal Systems Act 32 of 2000

It is in terms of the Local Government: Municipal Systems Act 32 of 2000 that the internal systems of municipalities are provided for. This Act also affords the municipalities the legal status they deserve and provides for a set of governance mechanisms that must be pursued irrespective of the political party in office. It further stipulates how the municipality should govern its activities and outlines the requirements in connection with the Integrated Development Plans, Performance Management Systems and public participation.

2.4.7 Local Government: Municipal Finance Management Act 56 of 2003

The Local Government: Municipal Finance Management Act promotes sound and sustainable management of the financial affairs of municipalities and other institutions. It also provides for uniform treasury norms and standards for the local sphere of government.

2.4.8 Municipal Property Rates Act 6 of 2004

The Municipal Property Rates Act 6 of 2004 guides on how property rates should be levied by municipalities and it also covers the properties that previously fell outside municipal boundaries.
2.4.9 Other important legislation that impacts on local government

- The Intergovernmental Relations Framework Act 13 of 2005 helps to facilitate co-ordination in the implementation of policy and legislation between the three spheres of government and all organs of state within those governments;

- The Division of Revenue Act 12 of 2009 is enacted annually. It promotes equitable distribution of revenue to be raised nationally among the three spheres of government. This revenue is normally referred to as an equitable share, and local government normally utilises it to subsidise the costs of rendering basic services to the poor;

- The Organised Local Government Act 52 of 1997 - The aim of this Act is to give recognition to one national government that represents the majority of the municipalities in each province. The South African Local Government Association (SALGA) is the only officially recognised structure formed in terms of the Act with the mandate to discuss and represent the issues affecting its members;

- The Promotion of Administrative Justice Act 3 of 2000 was amended in 2003 and its main purpose is to provide for specific procedures to ensure that any administrative action taken is “lawful, reasonable and procedurally fair”. In terms of the Act, administrative action refers to a decision taken or failure to take a decision by an organ of state when exercising its constitutional power and/or public power/function that negatively affects the rights of a person;

- The Promotion of Access to Information Act 2 of 2000 is aimed at giving effect to the constitutional right of access to any information held by the state and any information that is held by another person which is needed for the exercise or protection of any rights and makes provision for matters connected therewith; and
• The International Relations Policy Framework of 1998 has not been promulgated as legislation. It guides municipalities on how best they may interact with other nations and international forums.

The constitutional and legal mandate of local government for service provision will be discussed in the next section.

2.5 CONSTITUTIONAL AND LEGAL MANDATE OF LOCAL GOVERNMENT FOR SERVICE PROVISION

Chapter 7 of the Republic of South Africa Constitution Act of 1996 makes the following provisions for local government:

Section 152 (1) (b) provides for the provision of services to communities in a sustainable manner.

Section 153 (a) provides that a municipality must manage and structure its administration and budgeting and planning processes to give priority to the basic needs of the community and to promote the social and economic development of the community.

Section 155(4) provides that national legislation must take into account the need to provide municipal services in an equitable and sustainable manner.

In support of the above provisions, Chapter 10 of the Republic of South Africa Constitution of 1996, section 195 (1) (d) provides that services be provided impartially, fairly and without bias.
The Constitutional obligation of municipalities is further emphasised in Section B of the White Paper on Local Government, 1998, which states that one of the key outcomes of developmental local government is the maximising of social development and economic growth.

The nature of public services will be discussed briefly in the next section.

2.6 NATURE OF PUBLIC SERVICES

The public services are described to be of a collective, particular or quasi-collective nature (Gildenhuys 1993:31).

In this section, the characteristics of collective services will be discussed.

2.6.1 Collective services

According to Gildenhuys (1993: 31-32), the following characteristics help to explain the nature of collective services:

- Collective services are non-apportionable, meaning that they cannot be divided into consumption units and cannot therefore be supplied per unit according to market demand and sold at a price per unit determined by the interaction of supply and demand in the market place;
- Collective services are non-exclusive. This refers to the fact that the members of the public cannot, under normal circumstances, be excluded from utilising the services regardless of whether or not they are paying for them;
- Thirdly, collective services can be financed by taxation only, because a price per unit cannot be charged;
Fourthly, the principle of “non direct quid pro quo” applies to taxpayers for tax payments. This means that taxpayers do not receive commensurate values in return for the value of the tax they pay; and

Lastly, collective services are monopolistic in nature.

Service delivery principles as outlined in the White Paper on Local Government of 1998 will be discussed in the following section.

2.7 SERVICE DELIVERY PRINCIPLES

In terms of the White Paper on Local Government (1998:3, Section F), municipalities should be guided by the following principles in choosing delivery options for their areas:

- Accessibility of services – municipalities must make sure that all citizens, regardless of race, gender or sexual orientation have access to at least a minimum level of service;
- Affordability of services – There is a close relationship between accessibility and affordability. Affordability always translates into accessibility and therefore services will remain beyond the reach of many unless they are financially affordable to the municipality;
- Quality of products and services – Quality refers to attributes such as suitability for purpose, timeliness, convenience, safety, continuity and responsiveness to services users;
- Accountability for services – Regardless of the delivery mechanism used, municipal councils remain accountable for ensuring the provision of quality services which are affordable and accessible;
• Integrated development and services – Municipalities should utilise an integrated approach to planning and ensuring the provision of municipal services;

• Sustainability of services – Continuous service provision depends on financial and organisation systems which support sustainability. This covers both financial viability and the environmentally sound and socially just use of resources;

• Value for money – This principle requires that the best possible use is made of public resources to ensure universal access to affordable and sustainable services;

• Ensuring and promoting competitiveness of local commerce and industry – The job generating and competitive nature of commerce and industry must not be negatively affected by higher rates and services charges for industry and commerce in order to subsidise domestic users. Investors must be made aware of full costs of doing business in a specific local area; and

• Promoting democracy – Local government administration must also promote the democratic values and principles enshrined in the Constitution and including those provided for by section 195 (1).

In addition to the above, Gildenhuys (2004: 389-391) highlights the following as other principles of service delivery:

• Consultation;

• Service standards;

• Access;

• Courtesy;

• Information;

• Correction of mistakes and redressing failures; and
Local government is the sphere of government closest to the people and is regarded as a vehicle for delivery of services to communities. It is, therefore, imperative to discuss the mechanisms for provision of services in the section that follows.

2.8 MECHANISMS FOR PROVISION OF SERVICES

2.8.1 Internal mechanism

Section 76 (a) of the Local Government Municipal Systems Act 32 of 2000 stipulates that a municipality may provide a municipal service in its area or part of its area through an internal mechanism, which may be:

- A department or other administrative unit within its administration;
- Any business unit devised by the municipality, provided it operates within the municipality’s administration and under the control of the council in accordance with operational and performance criteria determined by the Council; or
- Any other component of its administration.

Section 77 (a) of the Local Government Municipal Systems Act 32 of 2000 stipulates that a municipality must review a municipal service provided through an internal mechanism when an existing municipal service is to be significantly upgraded, extended or improved, or when a performance evaluation in terms of Chapter 6 requires a review of the mechanism, or when the municipality is restructured or re-organised in terms of the Local Government: Municipal Structures Act.
2.8.2 External mechanism

Gildenhuys and Knipe (2000:72) argue that the inability of many poor countries to construct large public works and non-sophisticated public enterprises has forced them to seek assistance when required.

Section 76 (b) of the Local Government: Municipal Systems Act 32 of 2000 stipulates that a municipality may provide a municipal service in its area or part of its area through an external mechanism by entering into a service delivery agreement with:

- A municipal entity;
- Another municipality;
- An organ of state, including
  - a water services committee established in terms of the Water Services Act 108 of 1997;
  - a licensed service provider registered or recognised in terms of national legislation; and
  - a traditional authority;
- A community based organisation or other non-governmental organisation legally competent to enter into such an agreement; or
- Any other institution, entity or person legally competent to operate a business activity.

Section 77 (b) of the Local Government: Municipal Systems Act 32 of 2000 further stipulates that a municipality must review a municipal service provided through an external mechanism when:

- Performance evaluation requires a review of the service delivery agreement or the service delivery agreement is anticipated to expire or be terminated within the next 12 months or an existing municipal service is to be significantly
upgraded, extended or improved, or a performance evaluation requires a review of the service delivery agreement;

- A review is required by an intervention in terms of section 139 of the Constitution;
- A new municipal service is to be provided;
- Requested by the local community through mechanisms, processes and procedures established in terms of Chapter 4; or
- A review of its integrated development plan requires a review of the delivery mechanism.

The discussion below will form part of the basis of the empirical survey aiming at investigating the role of selected ward committees 29 and 32 in BCM in enhancing basic service delivery.

2.9 PROVISION OF BASIC MUNICIPAL SERVICES WITH REFERENCE TO BUFFALO CITY MUNICIPALITY

Buffalo City’s vision is to be a people-centred place of opportunity, where the basic needs of all are met in a safe, healthy and sustainable environment.

In terms of the White Paper on Local Government (1998: 7 of 21, Section B), local government has the responsibility to provide household infrastructure and services, and that is regarded as an essential component of social and economic development. This refers to services such as water, sanitation, local roads, storm-water drainage, refuse collection and electricity.
The point of departure should be to prioritise the delivery of a basic level of services to those who currently enjoy little or no access at all to services. The services can be funded from capital grants, the Consolidated Municipal Infrastructure Programme, local cross-subsidisation or by mobilising private investment in municipal infrastructure. Also, the equitable share of national revenue will enable municipalities to subsidise the operating costs of providing basic services to poor households (White Paper on Local Government 1998: 7 of 21, Section B).

Craythorne (2006: 153) argues that municipal services are of vital importance to the growth, development, and stability of a municipality.

The African National Congress (ANC), the leading party in government, at its 52nd National Conference held in Polokwane in 2007, amongst others, noted that:

- Many rural areas still lack basic infrastructure such as roads, water, and electricity supply and this situation entrenches the problems of chronic poverty and limits the potential of communities to sustain economic growth, rural livelihoods, and social development. The efforts to extend free basic services to all people are not moving at a desired pace to reach rural areas and farm dwellers, even while the majority have access to free basic services in the urban areas; and

- Municipalities in the poorest and most rural parts of South Africa are amongst the most deprived in terms of human, physical, and financial resources and this lack of capacity limits the extent to which rural municipalities can act as catalysts for growth and development (52nd ANC National Conference Report, 2007:35).
With regard to the above concerns, the ANC resolved to build the capacity of rural local government to lead the process of development, land reform and agrarian change, including utilising the leadership of decentralized, participatory and people-centred programmes that are linked with wider development priorities, particularly through the Integrated Development Plan of municipalities (52nd ANC National Conference Report, 2007:39).

2.9.1 Municipal services explained

According to Craythorne (2006: 158-159), the Local Government: Municipal Systems Act as amended provides two relevant definitions of municipal services which may be summarised as follows:

*The first refers to basic municipal service which means a municipal service that is necessary to ensure an acceptable and reasonable quality of life and, if not provided, would endanger public health or safety or the environment.*

*The second one which is wider in its scope means a service that a municipality in terms of its powers and functions provides or may provide to or for the benefit of the local community irrespective of whether:

- Such a service is provided, or to be provided by the municipality through an internal mechanism or by engaging an external mechanism, and
- Fees, charges or tariffs are levied in respect of such a service or not.*

2.9.2 Local government matters
The discussion below will make specific reference to section 156 and Schedules 4 and 5 of the 1996 Constitution. Schedules 4 and 5 are divided into two parts designated as A and B.

The right to administer and to vest in municipalities the executive authority over local government matters listed in Part B of Schedule 4 and Part B of Schedule 5 and any other matter assigned to a municipality by national or provincial legislation is conferred by section 156 (1) of the Constitution.

Schedules 4 and 5 Part B below reflect local government matters as follows:

**Table 1: Local Government matters: Constitution, 1996: 144-147**

<table>
<thead>
<tr>
<th>SCHEDULE 4 PART B</th>
<th>SCHEDULE 5 PART B</th>
</tr>
</thead>
<tbody>
<tr>
<td>The following local government matters to the extent set out in section 155 (6) (a) and (7):</td>
<td>The following local government matters to the extent set out for provinces in section 155 (6) (a) and (7):</td>
</tr>
<tr>
<td>Air pollution</td>
<td>Beaches and amusement facilities</td>
</tr>
<tr>
<td>Building regulations</td>
<td>Billboards and the display of advertisements in public places</td>
</tr>
<tr>
<td>Child-care facilities</td>
<td>Cemeteries, funeral parlours and crematoria</td>
</tr>
<tr>
<td>Electricity and gas reticulation</td>
<td>Cleansing</td>
</tr>
<tr>
<td>Fire-fighting services</td>
<td>Control of public nuisances</td>
</tr>
<tr>
<td>Local tourism</td>
<td>Control of undertakings that sell liquor to the public</td>
</tr>
<tr>
<td>Municipal airports</td>
<td>Facilities for the accommodation, care</td>
</tr>
<tr>
<td>Municipal planning</td>
<td>Fencing and fences</td>
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<tr>
<td>Municipal health services</td>
<td>Licensing of dogs</td>
</tr>
<tr>
<td>Municipal public transport</td>
<td>Licensing and control of undertakings that sell food to the public.</td>
</tr>
<tr>
<td>Municipal public works only in respect of the needs of municipalities in the discharge of their responsibilities to administer functions specifically assigned to them under this Constitution or any other law</td>
<td>Local amenities</td>
</tr>
<tr>
<td>Pontoons, ferries, jetties, piers and harbours, excluding the regulation of international and national shipping and matters related thereto.</td>
<td>Local sport facilities</td>
</tr>
<tr>
<td>Storm-water management systems in built-up areas.</td>
<td>Markets</td>
</tr>
<tr>
<td>Trading regulations</td>
<td>Noise pollution</td>
</tr>
<tr>
<td>Water and sanitation services limited to potable water supply systems and domestic waste water and sewage disposal systems</td>
<td>Pounds</td>
</tr>
<tr>
<td></td>
<td>Public places</td>
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<tr>
<td></td>
<td>Refuse removal, refuse dumps and solid waste disposal</td>
</tr>
<tr>
<td></td>
<td>Street trading</td>
</tr>
<tr>
<td></td>
<td>Street lighting</td>
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</tbody>
</table>
2.9.3 Service delivery and development

The BCM’s annual report for the 2007/2008 financial year provides an overview of how the municipality performed in that twelve-monthly period. A brief summary of the municipality’s performance is provided below.

2.9.3.1 Construction, engineering and maintenance

The BCM amongst others, through its various Branches, achieved the following projects:

- Provision of gravel and asphalt /concrete, access to water and waste water facilities within the municipal area;
- Road-widening to 4 kilometres of the Gonubie Main Access Road to provide two outgoing lanes;
- Installation of approximately 3 kilometres of guardrails along the Ziphunzana By-Pass to improve pedestrian safety;
- 700 m$^2$ of vegetation controlled;
- Sidewalks repaired – 4410m$^2$ slurried;
- 161,9 m$^3$ potholes repaired;
- 58,3 Km of roadworks bladed;
- 29,3 Km re-graveled and 18,5 km reconstructed;
- 40 Km of gravel roads in rural areas reconstructed; and
2.9.3.2 Electricity provision

BCM achieved the following performance in as far as electricity provision is concerned:

- Construction of a Reeston Substation;
- Construction of a Queenspark Zoo Substation;
- 1890 houses provided with electrical connections;
- 35 industrial / commercial / housing development connections on the system;
- Compilation of the Electrical Asset Register;
- Installation of unique decorative type street lighting along the beachfront; and

2.9.3.3 Provision of scientific services and waste-water management

According to the BCM Annual Report (2007/2008:26), the following performance highlights were achieved:

- Augmentation of Water Treatment Capacity at Umzoniana Water Treatment Works (WTW) – R15 million;
- Addressing water losses and deferred maintenance on the WTW to ensure an improved capacity of 20 ml/day;
- Relocation of mid-block water mains in Mdantsane – R2,5 million;
- Bulk water supply to Newlands – R0,75 million;
- To provide basic services due to expansion of villages;
- Rural sanitation – R6,5m;
• Phased eradication of backlogs;
• Reeston Bulk Services – R2,3 million; and
• Buffer Strip sanitation – R12,8 million

2.9.3.4 Housing delivery

According to Crwys-Williams (1997:38), a man is not a man until he has a house of
his own. She further argues that the families who live in shacks with no running
water, sanitation, and electricity are a reminder that the past continues to haunt the
present.

2.9.3.4.1 Low cost housing

The BCM Housing Department implemented the following low cost housing projects:

• Reeston Phase 1 and 2: Stage 1 – provision of 1000 top structures;
• Reeston Phase 1 and 2: Stage 2 – provision of 1000 top structures;
• Reeston Phase 1 and 2: Stage 3 – provision of 500 top structures;
• Reeston Phase 3: Stage 1 – provision of internal services and 796 top
  structures;
• Airport Phase 2A: provision of 614 top structures;
• Postdam Unit P: Stage 1 – provision of 500 top structures; and
• Tyutyu Phase 2: provision of 373 top structures (BCM Annual Report,

2.9.3.5 Public safety and health

BCM implemented various projects in the following areas to benefit its citizens:
• Traffic and law enforcement;
• Fire and rescue services;
• Disaster management; and

2.9.3.6 Local economic development (LED)

Local economic development mainly focused on two intervention programmes, namely the Small Medium Micro-Enterprises (SMME) Development and Agriculture and Rural Development. Each of the programmes had specific achievements which BCM celebrated (BCM Annual Report, 2007/2008:31-32).

2.9.3.7 Mdantsane Urban Renewal Programme (MURP)

MURP was introduced as a catalyst to fast-track service delivery and improve the quality of lives of communities living in Mdantsane. It is under the flagship of the National Renewal Programme of the Department of Provincial and Local Government (DPLG), now referred to as the Department of Co-operative Governance and Traditional Affairs. The aim of MURP is to fight poverty and underdevelopment through job creation, infrastructure development and the stimulation of growth. The programme implemented the following projects:

• LED partnership between Buffalo City, Motherwell and Galashewe Urban Renewal Programmes;
• Livelihoods and Innovation Fund Enhancement (LIFE) Project;
• MURP Internship Programme;
• Information, Communication, and Technology Centre;
• Street and Neighbourhood Naming; and

It is evident from the activities listed above that BCM attempted to address the service delivery needs of its constituency in the 2007/2008 financial year. The service delivery initiatives during that period focused on basic essential human needs such as water, electricity provision, upgrading of roads, housing, public health and safety, sanitation, LED and urban renewal. BCM’s 2007/2008 Annual Report revealed that the municipality has during the period under review been on the right track in delivering on its constitutional mandate.

2.9.4 2009 State of the City Address

In August 2009, the BCM Executive Mayor delivered a State of the City Address in which she reflected on past performances whilst at the same time laying a solid foundation for the coming year.

In the State of the City Address, the Mayor committed Council to going back to the basics. According to her, going back to the basics means:

• Focusing on aspects that matter the most to the various sections of BCM;
• Focusing on issues that make BCM a great place to live, work and play in - not just in marketing efforts but in the reality of people’s individual and collective experiences; and
• Focusing on empowering communities so that they can empower themselves (BCM State of the City Address, 2009:2).
The State of the City Address focused on three areas, namely institutional stability and performance, community-building through service delivery and the way forward – Making A Difference (MAD).

A brief overview of the three areas is provided below.

2.9.4.1 Institutional stability and performance

In her address, the Mayor acknowledged that BCM has been the subject of ridicule for some time, which included consistent comments about the capabilities of staff, their level of professionalism and responsiveness. This ridicule necessitated that the political and administrative leadership convene a strategic work session that looked at how to deal with the situation (BCM State of the City Address, 2009:3).

In the endeavours to stabilise the BCM administration, new values of service would be instilled. The Mayor argued that they could not claim values of service when employees at all levels were being mentioned for appalling action and behaviour. The journey towards creating a new culture of service would be undertaken in partnership with both management and unions (BCM State of the City Address, 2009:3).

2.9.4.2 Community-building through service delivery

The Mayor emphasised that the Integrated Development Plan (IDP) would not be a process that Council would go through just for compliance sake. She argued that it should guide them and they would report back to communities not for the
purpose of compliance but to ensure that they are meeting their expectations. All resources at BCM’s disposal will be channelled to address the basics. She acknowledged that the break of trust and confidence in BCM by the public had been brought about by, amongst others, leaking pipes, the water main breaks, the dysfunctional street lights, the malfunctioning traffic lights, the unkempt recreational parks, the uncut grass, the erroneous municipal accounts, all of which appear to be simple straightforward things but are too costly when the municipality is unable to address them (BCM State of the City Address, 2009:4).

Buffalo City Municipality lacks a high quality and reliable waste collection service and this leads to the mushrooming of illegal dump sites throughout the municipality. In addressing the anomaly, provision has been made to procure new equipment to support better service delivery and unions have committed to providing an efficient and effective service. All known illegal dump sites will be closed whilst, on the other hand, a high quality and reliable waste collection service will be provided to meet the objectives of public health, public safety and economic development (BCM State of the City Address, 2009:4-5).

Below are other community-building issues that the Mayor touched on in her Address:

- Provision of clean and safe water to both urban and rural communities in Buffalo City;
- Upgrading of the electrical infrastructure, thereby installing new lighting services in all Buffalo City areas, including street lights and high mast lighting within the next three (3) years;
- Acceleration of the development approach towards women, youth, disabled people and the elderly citizens;
• Prioritising the provision of high quality health services – to ensure that communities situated more than five kilometres from the nearest health facility are provided with permanent or mobile clinics;
• Improving the billing system to make it efficient and credible;
• Repairing and maintaining road infrastructure – all existing potholes to be repaired throughout the municipality by the end of the calendar year and a roads maintenance management process to be established;
• Tarring of roads in Mdantane – 55 kilometres by end of this year;
• Rehabilitation and tarring of about 20 kilometres of gravel roads in Duncan Village at a cost of R20 million currently underway;
• Housing – 19000 housing units at various stages of construction, 5000 units to be developed during the current financial year with an option to increase if and more funding becomes available; and
• R40 million invested for upgrading the Zwelitsha bulk infrastructure – aim is to unlock housing delivery in the area (BCM State of the City Address, 2009:5-9).

2.9.4.3 Way forward: making a difference to BCM

The five key priority areas that emerged amongst urban and rural communities during BCM’s IDP hearings were: roads and transport, electricity, water and sanitation, housing, and land and waste management. BCM has approved a record budget of R3.1 billion that will go a long way to meeting its development and service delivery objectives and obligations (BCM State of the City Address, 2009:12).
The Mayor pledged to respect the will and expectations of the people that the Municipality serves. This could be done by ensuring that funds set aside for development and service delivery are utilised efficiently and timeously, thereby discouraging the despicable culture of budget rollovers while communities are in need of service delivery. The level of service delivery to BCM communities needed to be improved and every citizen be afforded access to sufficient water, sanitation, housing and health services. The fact that rural communities still relied on water tankers and used pit latrines for toilets needed urgent attention. For rural communities, agricultural development must go hand in hand with village tourism, improving rural transport networks, improving sports and recreation facilities, and providing access to clean running water, reliable electricity and sanitation (BCM State of the City Address, 2009:12-13).

The Executive Mayor’s State of the City Address was well received by the public because of her honesty. Her address brought hope to many of Buffalo City’s citizens, in particular those in rural areas. All that is needed now is for the political leadership of Buffalo City to exercise its oversight role effectively. On the other hand, communities also have a role to play to making Buffalo City’s leadership accountable to them for the delivery and/or non-delivery of expected services through recognised structures like ward councillors and ward committees.

2.9.5 Identified service delivery ‘hotspots’ in BCM

In order to quell possible unrest over poor service delivery, the BCM has identified the most neglected areas needing urgent attention. The neglected areas are regarded as breeding grounds for community protests and the urgent issues to be addressed are refuse removal, housing, water and sanitation and the installation of street lights to
improve safety. The troubled areas include Duncan Village (wards 8 and 9), Fynbos and Ndancama, Reeston / Newlands / Smiling Valley / Eluxolweni and Cuba, Mdantsane East, Club View Extension 30, Phumlani / Needs Camp, Mdantsane Highway Taxi Rank, Ezigodweni and New Rest, Cambridge Location and Berlin (Daily Dispatch of 21 August 2009:5).

3 CONCLUSION

It is clear from the information in the first part of this chapter that the road to where local government finds itself today in South Africa has been long and tedious. The last phase in the local government reform and restructuring which took place immediately after the local government elections held on 5 December 2000 was the last milestone reached in shaping the political landscape of this country, and attempted to ensure that the values of fairness, reasonableness and equity would be achieved in all quarters of society.

All playing fields in the political arena have now been levelled, but this does not mean that South Africa as a country is where it should be. To support this argument, it can well be pointed out that South Africa is faced with obvious challenges in meeting infrastructure requirements, service delivery needs and the lack of capacity on the part of municipalities. These are matters of some urgency for local government in South Africa.

The situation, however, is not all gloomy. What is needed are individuals of calibre who can take these developments in the field of local government a step further.
Local government service provision is a right entrenched in the Constitution of the Republic of South Africa. It is on the basis of this right that deserving citizens are provided with a basic level of free basic services such as electricity and water.

In as far as Buffalo City Municipality is concerned, it can be concluded that the municipality is fully aware of its developmental mandate as a local sphere of government. This became apparent in the Mayor's Inaugural State of the City Address in which she clearly spelt out her service delivery agenda for the city.

In the chapter that follows, the role of ward committees in participatory local governance will be examined.
CHAPTER THREE

THE ROLE OF WARD COMMITTEES IN THE SYSTEM OF PARTICIPATORY LOCAL GOVERNANCE

3.1 INTRODUCTION

In this chapter, a framework for community participation in the Community Based Planning (CBP) and Integrated Development Planning (IDP) consultation processes will be examined in relation to the role of ward committees in participatory local governance.

The discussions will revolve around the concept of developmental local government in South Africa, and the policy and legislative framework for community participation in the Community Based Planning and Integrated Development Planning processes. CBP and IDP frameworks and consultation processes will be outlined to highlight the expected roles of ward committees in the afore-mentioned processes.

3.2 DEVELOPMENTAL LOCAL GOVERNMENT IN SOUTH AFRICA

The democratisation of local government in South Africa ensured that municipalities were established in terms of the 1996 Constitution and relevant legislation representing the policy of the national government. Democratic local government in South Africa is underpinned by the principles of:

- Developmental municipal governance;
• Integrated service delivery within integrated development plans;
• Ensuring there is equity and sustainability in the system; and
• Ensuring democratic representation and accountability through encouraging participation in the system (Sutcliffe, 2000: 8).

Developmental local government is defined as local government committed to working with citizens and groups within the community (SALGA and GTZ, 2006: 115).

The policy and legal framework for community participation will be discussed briefly in the following section.

3.3 POLICY AND LEGAL FRAMEWORK FOR COMMUNITY PARTICIPATION

3.3.1 White Paper on Local Government of 1998

The White Paper on Local Government is a broad policy framework that paved the way for the creation of a new developmental local government system that promotes community participation in municipal affairs (SALGA and GTZ, 2006:4).

3.3.2 Constitution of the Republic of South Africa Act of 1996

In terms of Section 152 of the Constitution, community participation is an imperative objective with the following aims:

• To provide democratic and accountable local government for local communities; and
• To encourage the involvement of communities and community organisations in the matters of local government (SALGA and GTZ, 2006:115).
3.3.3  Local Government: Municipal Structures Act 117 of 1998

Section 19 of the Local Government: Municipal Structures Act 117 of 1998 provides that municipalities:

- Develop mechanisms to consult the communities and community organisations in the performance of their functions and exercising of powers; and
- Annually review the needs of the community and municipal priorities and strategies for meeting those needs involving the community in municipal processes (SALGA and GTZ, 2006:116).

Also in terms of Chapter 4 (part 4) of the above Act, provision is made for the establishment of ward committees, the aim being to improve participatory democracy in local government (SALGA and GTZ, 2006:116).

3.3.4  Local Government: Municipal Systems Act 32 of 2000

The Local Government: Municipal Structures Act 32 of 2000 provides for municipalities to develop a culture of municipal governance that is compatible with formal representative government, that is with elected leaders in a system of participatory governance implying community participation. Municipalities should develop mechanisms, processes and procedures for public participation as required by the Act (SALGA and GTZ, 2006:116).

It is apparent from the preceding discussion that in South Africa, legislation plays a major role in inculcating a culture of participation by communities in municipal affairs.
In the following paragraphs, the process followed in developing a CBP will be outlined.

### 3.4 DEVELOPING A COMMUNITY BASED PLAN (CBP)

In his presentation to the Amathole District Municipality on 1 June 2005, Councillor Zongezile Zumane, the Speaker for Mangaung Local Municipality, referred to CBP as a system of participatory governance that enables ordinary citizens to influence the municipal resources allocation system. Furthermore, its intention is to improve the linkages between the community, council and other stakeholders to enable, especially the poor, to improve their livelihood in a sustainable manner (Cllr Zumane, 2005:2).

He also argued that CBP is important because it ensures that decisions are based on:

- People’s development priorities (ward planning);
- Knowledge of available and accessible resources (including opportunities and strengths);
- Proper information and a profound understanding of the dynamics and trends influencing the development in Mangaung Municipality; and
- To ensure proper preparation for and involvement of stakeholders in the IDP process (Cllr Zumane, 2005:1).

#### 3.4.1 CBP process

The CBP process is made up of six phases. Within the phases there are planning events which must be undertaken by the stakeholders in the process (CBP Facilitator’s Guide, 2005:30-38). The phases are briefly outlined in the sections below.
3.4.1.1 CBP phase 0: Preparation

Within this phase, there are two events that are normally undertaken, namely a pre-planning community meeting and the community planning launch meetings (CBP Facilitator’s Guide, 2005:30-38).

*Pre-planning community meeting*

It is preferred that the above meeting takes place two weeks before the main planning week. The attendees should be ward committee members, opinion leaders, *inter alia*, teachers, clinic staff, religious leaders, youth leaders and women’s groups. The main aim of the meeting, amongst others, is to bring to the stakeholders’ attention the planning process and its outputs (CBP Facilitator’s Guide, 2005:30-38).

*Community planning launch meetings*

Ideally, the planning week should be unveiled a week prior the main planning week. It presents an opportunity to get people to think about the product, that is, the envisaged ‘plan’ and also the process itself. The result of the pre-planning meeting should be tabled at this bigger meeting for validation, especially the week’s timetable (CBP Facilitator’s Guide, 2005:36).
3.4.1.2 CBP phase 1: Gathering planning information

The key events in this phase are briefly outlined below:

**Analysis of existing background information**

The starting point in any planning process is to make use of available information or secondary information in the ward. This refers to the type of information recorded prior to the planning phase. The information may be in various forms such as statistics, reports, minutes of meetings and articles. The IDP will serve as the key source of information for overall priorities, and where the municipality is likely to provide funding. Examples of sources of information include but are not limited to economic development plans, environmental action plans, health and agricultural records (CBP Facilitator’s Guide, 2005:40-41).

**Interviews with key stakeholders in the community**

Interviewing can be carried out as a lone exercise during this phase or in conjunction with another type of exercise, for example, mapping. Interviews can be formal or informal (CBP Facilitator’s Guide, 2005:42).

**Timeline – Analysing community trends and dynamics**

The above event helps to provide insight into where the community comes from, that is, its background history. One way of doing this is by creating a timeline where the community members develop a sequence of events jointly with the aim of discovering what has worked and what has not in the community. By doing this, general trends
over the years will emerge and this will assist with improved planning (CBP Facilitator’s Guide, 2005:43).

**Analysing seasonability**

Analysing seasonability is important because some elements in community life are highly seasonal, for example disease patterns, labour use, agricultural cycles and nutrition. This analysis will help understanding of these dynamics (CBP Facilitator’s Guide, 2005:45).

**Long term trends and dynamics**

Analysing long term trends assists everyone to understand people’s perceptions of important positive and negative changes within a ward over a period of time, whilst seasonability analysis helps with the identification of activities that take place on a regular annual basis. The time span for this activity can be between ten to forty years and, amongst others, is of importance when historical patterns of issues that affect development, namely, crime rate, human population, number of schools and HIV and AIDS are investigated (CBP Facilitator’s Guide, 2005:47).

**Venn diagram – Analysing services and providers**

The understanding of the roles played by various organisations in the community is very important. Perceptions held by the community regarding their helpfulness and accessibility are important because they can then be followed up with the aim of investigating or exploring challenges presented by services whilst at the same time offering technical inputs into the plans and their implementation (CBP Facilitator’s Guide, 2005:49).
Service provider interviews

The essence of the above exercise is to understand the capacity of organisations operating within the community, the problems the organisations face, as well as to get them involved in the planning process with the aim of making the plan realistic and achievable (CBP Facilitator’s Guide, 2005:53).

Transect

A mapping and transect walk is a method used to capture views of a community on the current spatial layout of the community as well as how it was introduced and to consider possible future options (CBP Facilitator’s Guide, 2005:55).

Mapping spatial / geographical issues

The above method is used to capture community perceptions about the existing spatial layout, issues of concern affecting different parts of the area, natural resources and urban environment. The aim is not to get an accurate picture of the area, but the thinking of the community on issues and priorities with a spatial dimension (CBP Facilitator’s Guide, 2005:57).

Analysing people’s livelihoods

Livelihoods of social groups within the community have to be known, that is, assets they possess or have access to, their challenges and desired outcomes and opportunities. The above process assists participants with setting in motion their own development as it focuses on what they already have (CBP Facilitator’s Guide, 2005:60).
3.4.1.3 CBP phase 2: Consolidating planning information

*Consolidation of spatial and environmental data*

This stage involves the analysis of the spatial data sourced from the mapping and transect exercises. Timeline and long-term trends pointing to environmental issues and the applicable trends may also be considered (CBP Facilitator’s Guide, 2005:66).

*Strengths, weaknesses, opportunities and threats (SWOT) of social groups*

The above event involves analyses of information collected during the livelihood analysis event with the aim of identifying the strengths, weaknesses, opportunities and the threats facing the community. All the information gathered during this event should be handed over to the CBP Manager (CBP Facilitator’s Guide, 2005:68).

*Consolidated SWOT against outcomes*

Outcomes across various groups are consolidated and must include major risks. At the end of this exercise, the priorities of the key outcomes are decided (CBP Facilitator’s Guide, 2005:70).

*Verification and prioritisation*

The opportunity is provided for the community to review, cross-check and validate the data that have been collected, analysed and discussed in smaller groups. All the information is presented to the ward to review and the five outcomes can be prioritised by the community and be planned for during the planning process (CBP Facilitator’s Guide, 2005:73).
3.4.1.4 CBP phase 3: Planning the future

Reconciliation of prioritised outcomes

The end result of this event is to identify the most important five outcomes. An imperative is that all data to be used for planning must be captured accurately (CBP Facilitator’s Guide, 2005:76).

Visioning

During visioning, the community is encouraged to look to the future and indicate where it would want to be in terms of its own development. This encourages a shift away from the problem-based planning to a more visionary approach (CBP Facilitator’s Guide, 2005:78).

Developing objectives

It is now time to develop the working objectives. Key role-players are ward committee members, key resource persons knowledgeable in the subject from within the community and relevant service providers. This activity is undertaken in smaller working groups. At this stage contributions to the IDP are made (CBP Facilitator’s Guide, 2005:80).

Strategies

Strategies are the key activities that need to be undertaken to achieve the objective, for example, the main strategy to improve health may be “eradicate malaria” (CBP Facilitator’s Guide, 2005:81).
Developing projects / activities

The above are the key activities that need to be undertaken to achieve the strategy. Depending on the size of the projects or activities, they may require outside funding (CBP Facilitator’s Guide, 2005:82).

3.4.1.5 CBP phase 4: Preparing implementation

Developing proposals for submission to IDP

What is important at this stage is to decide what the community will do to take forward their plan. It is important for the IDP to reflect on the projects suggested by the ward as they can provide a concrete idea of requirements at community level and also creativity in how projects can be addressed. It is recommended that each ward should propose up to five projects (CBP Facilitator’s Guide, 2005:85).

Developing IDP project concept sheets

A project concept sheet needs to be completed for each project that requires external support. The project concept sheet helps to define the elements of a project and also assists with monitoring the project’s progress and ensuring that the community will be accountable for its actions (CBP Facilitator’s Guide, 2005:87).
Developing a discretionary ward fund project

It is recommended that all municipalities involved with CBP make funds available to support immediate implementation of the ward plan. An approximate sum of R25 000 to R50 000 per ward is recommended (CBP Facilitator’s Guide, 2005:89).

Developing a ward action plan

As at this stage the community based plan will have been developed. It is imperative that an action plan be developed for the ward committee and other stakeholders to take the plan forward (CBP Facilitator’s Guide, 2005:91).

Approval of plan by ward

The plan is developed and at this stage it should be validated with the wider community. This could be done either on a Friday or Saturday evening (CBP Facilitator’s Guide, 2005:93).

Documentation of the ward plan

It is an essential requirement that the plan be well documented to mirror what the community wishes to see and that in the same vein it is developed in a standard way that will make it possible to be utilised by high level authorities and service providers (CBP Facilitator's Guide, 2005:94).
Submission and approval of budget

Upon completion, the plan is submitted to the CBP Manager in order for him/her to approve the discretionary fund budget. The CBP Manager will appraise the plan in consultation with the CBP Specialist and thereafter approve the budget (CBP Facilitator’s Guide, 2005:96).

Feedback to community before implementation

The above takes place after the Council has reviewed the discretionary fund budget and the provision of support has been agreed to.

3.4.1.6 CBP phase 5: Monitoring implementation

Monitoring and evaluation process at ward committee meetings

It is the responsibility of the community together with technical and/or political staff from the ward or district or municipality to regularly review the plan once it is in place. The appropriate forum for reviewing the plan is the ward committee meeting on a monthly or bi-monthly basis or at least regularly depending on the intensity during implementation (CBP Facilitator’s Guide, 2005:99).

Two monthly public meetings

The ward committee must remain answerable to the broader community for implementation of the plan. This will ensure that the community is abreast of developments and can pressurise the ward committee if they are not performing.
From the above discussion it can be inferred that CBP is a comprehensive step by step process through which communities at ward level determine developmental priorities and influence the project identification process by their local municipality.

The municipal integrated development planning process will be discussed in the next section.

### 3.5 MUNICIPAL INTEGRATED DEVELOPMENT PLANNING

Integrated development planning is defined as a process through which municipalities prepare a strategic development plan for a five-year period. The process involves the municipality in its entirety and its citizens to participate in finding feasible solutions to achieve effective sustainable development. This sustainable development requires planning over a long term and it helps municipalities in developing an overall framework for development (SALGA and GTZ, 2006:63).

According to de Visser (2005:219), the concept of integrated development planning (IDP) is one of the most important instruments of coordination between national, provincial and local government and service delivery by all spheres of government comes together in a focal point of coordination and alignment at local government level.

Coetzee (2000-2001:13) states that the IDP is the written plan that results from the integrated planning process and it is the principal strategic planning instrument in a municipality that guides and informs all planning, development and management actions and decisions. The core components of the IDP will be described briefly below.
3.5.1 Core components of the IDP

The following aspects must be reflected in the IDP:

- The municipal council’s vision for the long term development of the municipality with special emphasis on the municipality’s most critical development and internal transformation needs;
- An assessment of the existing level of development in the municipality, which must include an identification of those communities without access to basic municipal services;
- The council’s development priorities and objectives for its elected term, including its local economic development aims and its internal transformation needs;
- The council’s development strategies, which must be aligned with any national or provincial sector plans and planning requirements binding on the municipality in terms of legislation;
- A spatial development framework, which must include the provision of basic guidelines for a land-use management system for the municipality;
- The council’s operational strategies;
- Applicable disaster management plans;
- A financial plan, which must include a budget projection for at least the next three years; and

In the following paragraphs the policy and legal framework for the integrated development planning process will be discussed.
3.6 POLICY AND LEGAL FRAMEWORK FOR THE INTEGRATED DEVELOPMENT PLANNING PROCESS


The White Paper on Local Government of 1998 explains integrated development planning as a tool for developmental local government to achieve objective oriented resource allocation, institutional transformation within municipalities, interaction with other spheres of government and transparent interaction between municipalities and residents in line with the principle of accountability.

It further provides the principles that integrated development planning is expected to follow, namely, basic needs orientation, poverty alleviation and environmental sustainability [DPLG IDP Guide 1, (s.a.):5].

3.6.2 Constitution of the Republic of South Africa Act of 1996

Section 152 (1) of the Constitution makes provision for the following objects of local government:

- To provide an accountable government for local communities;
- To ensure the provision of services to communities in a sustainable manner;
- To promote social and economic development;
- To promote a safe and healthy environment; and
- To encourage the involvement of communities and community organisations in matters of local government.

In accordance with section 153 of the Constitution, a municipality must perform the following developmental duties:
- Structure and manage its administration and budgeting and planning processes to give priority to the basic needs of the community, and to promote the social and economic development of the community; and
- Participate in national and provincial development programmes.

3.6.3 Local Government: Municipal Systems Act 32 of 2000

Chapter 5 of the Local Government: Municipal Systems Act is entirely dedicated to the Integrated Development Planning (IDP) process.

De Visser (2005:219) writes that the basic tenet of IDP is that it is a strategic planning model for local government. He also states that section 25 of the Act provides for certain characteristics of the IDP such as:

- Links, integrates and co-ordinates plans;
- Aligns the municipality’s resources and capacity (for example, budget) with the implementation of the plan;
- Forms the basis on which the budget must be based; and
- Is compatible with national and provincial development plans that are binding on the municipality in terms of the legislation (De Visser, 2005:219).

Section 27 of the Local Government: Municipal Systems Act provides that:

1) Each district municipality within a prescribed period after the start of its elected term and after following a consultative process with the local municipalities within its area must adopt a framework for integrated development planning in the area as a whole.
2) A framework referred to in sub-section (1) above binds both the district municipality and the local municipalities in the area of the district municipality.

3.6.4 Local Government: Municipal Finance Management Act 56 of 2003

Sections 21 and 24 of the Local Government: Municipal Finance Management Act provide that:

- The budget and the IDP schedule be adopted by Council by the end of August of each financial year;
- The budget and the IDP be tabled before Council in March; and
- Budget and the IDP be adopted by Council in May.

3.7 FRAMEWORK PLAN FOR IDP: IDP IN PRACTICE

This section of the chapter outlines an approach in providing a framework plan for an IDP. For practical purposes the Amathole District Municipality (ADM) Framework Plan for IDP Review (2010 / 2011:3-12) will be used as a source document. At the end of this section, the reader will have an understanding of what aspects/elements should be included in an IDP framework plan.

3.7.1 Introduction of the framework plan

The introduction of the framework plan should first explain what it seeks to achieve, that is, as a means of ensuring that the IDPs of a particular district municipality and those of local municipalities within its area of jurisdiction are aligned. This is in terms of section 27(1) of the Local Government: Municipal Systems Act 32 of 2000.
Also, the introduction spells out the function of a framework plan and indicates whose responsibility it is to develop it (ADM Framework Plan, 2010-2011:3).

3.7.1.1 Legal context

Amongst others, the framework plan will make specific reference to section 153 of the 1996 Constitution and section 27(2) of the Local Government: Municipal Systems Act 32 of 2000. Also reference should be made to the Local Government: Municipal Finance Management Act 56 of 2003, particularly sections 21 and 24 which deal with deadlines for particular activities such as the periods within which the IDP Process Plan and the budget and the IDP should be adopted by Council, respectively (ADM Framework Plan, 2010 - 2011:3-4).

3.7.1.2 Elements of the IDP process

There are three main sources from which changes to the IDP process may be required during the IDP review cycle, namely:

- Comments from the Member of the Executive Council (MEC), if any;
- Amendments in response to changing circumstances; and
- Improvements to the IDP process and content.

Furthermore, numerous other components of the IDP process may consist of, amongst others:

- A reviewed Spatial Development Framework;
• A reviewed Performance Management Framework;
• Reviewed sector plans;
• Updated list of projects;
• Budget; and
• Organisational and Service Delivery and Budget Implementation Plan (SDBIP)

3.7.1.3 The IDP process

At this stage of the framework plan, the IDP process is emphasised as a continuous cycle of planning, implementation and review. An indication is given of when the implementation will commence. During the course of the year, implementation/performance must be monitored as new information that may necessitate changes to planning and implementation becomes available. In this part of the framework, a link between the Performance Management System (PMS) and the review process is determined (ADM Framework Plan, 2010-2011:4-5).

A schematic diagram of the IDP process is depicted below.
3.7.1.4 Organisational arrangements

3.7.1.4.1 IDP / PMS / Budget representative forums

According to the former Department of Provincial and Local Government (DPLG) now known as the Department of Corporative Governance and Traditional Affairs IDP Guide 6 [(s.a.):22], the IDP Representative Forum is the structure which institutionalises and guarantees representative participation in the IDP process. Geographical and social representation is key criteria in the selection of members for the IDP Representative Forum.

It is under this section of the framework that the time span for the involvement of the IDP Representative Forums during the IDP Review is determined. The Circumstances
for extending their terms of reference or representation are specified. The involvement of ward committees at local municipalities is clarified in the terms of reference for the Representative Forums (ADM Framework Plan, 2010-2011:5-6).

3.7.1.4.2 IDP / PMS / Budget steering committees

A steering committee is described as a technical working team of dedicated Heads of Departments and senior officials who support the IDP Manager and ensure a smooth planning process. Functions are often delegated by the IDP Manager to members of the steering committee and in municipalities where relevant portfolio councillors exist, they may be included in the IDP Steering Committee [DPLG IDP Guide 6, (s.a.):21].

This structure is formed as part of the IDP process and should function throughout the IDP development. The terms of reference or representation of the committees may be extended should circumstances dictate this to suit changed circumstances or any shortcomings that have been identified during the IDP process. The role of the committee is mainly to monitor progress (ADM Framework Plan, 2010-2011:6).

3.7.1.4.3 IDP cluster teams

Clarity about what usually constitutes IDP clusters is given. The relationship with other structures of council is also considered to minimise unnecessary delays and bureaucracy. Strategic Clusters that may be adopted by a district municipality and which all local municipalities in its area of jurisdiction should use are as follows:

- Institution and Finance;
- Local Economic Development and Environment;
- Social Needs; and
3.7.1.4.4 Technical intergovernmental forum (IGF)

In this section, the composition of the technical IGF is explained. The roles of the technical IGF include:

- Coherent planning and development in the district;
- Co-ordination and alignment of the strategic and performance plans and priorities, objectives and strategies of the municipalities in the district; and
- Any matter of strategic importance which affects the interests of the municipalities in the district (ADM Framework Plan, 2010-2011:7).

3.7.1.4.5 District Mayors’ Forum (DIMAFO)

The roles of the Mayors and Municipal Managers of all municipalities within the jurisdiction of a district municipality are clarified during the development of IDPs. The frequency of the meetings of this structure is specified. The role of Government Department representatives during this round of IDPs is also clarified (ADM Framework Plan, 2010-2011:7).

3.7.1.4.6 IDP / PMS task team

According to DPLG IDP Guide 2 [(s.a.:18)], the project task teams are small operational teams composed of a number of relevant municipal sector departments and officials with technical expertise, actors involved in the management of implementation and, where appropriate, community stakeholders directly affected by the project.
According to ADM Framework Plan (2010-2011:7), this task team is made up of representatives from departments within a district municipality and is responsible for integrating IDP, budget and PMS information between departments and the office of the Strategic Manager. The role of the departmental representatives in the task team is to align departmental activities with the IDP, PMS and budget process.

3.7.1.4.7 Budget task team

It is the responsibility of the budget task team to recommend the budget document before approval by Council (ADM Framework Plan, 2010-2011:7).

In the section that follows, mechanisms for public participation will be discussed.

3.8 MECHANISMS FOR PUBLIC PARTICIPATION

The involvement of community and stakeholder organisations is regarded as the main feature of the IDP process. This ensures that the IDP addresses the real issues that have a bearing on the citizens of a municipality. The mechanism by which a district municipality may invite the interested parties to participate in the representative forums of all municipalities is specified, for example, placement of a blanket notice in the local newspapers (ADM Framework Plan, 2010-2011:7).

3.8.1 Principles of public participation

The issues that a municipality must take into consideration when designing a participation strategy are the following:
• The ultimate decision-making forum on IDPs is an elected Council. Participatory democracy involves informing stakeholders and negotiating with them on issues;

• Relevant legislation requires municipalities to create appropriate conditions that will enable participation;

• Structured participation – participation in the integrated development planning requires clear rules and structured participation because most of the new municipalities are too big in terms of population size and area to allow for direct participation by the majority of the residents in a complete planning process;

• Diversity – it is the determining factor of how public participation must be structured in a municipal area. Key considerations are: different cultures, gender, language and education levels; and

• Participation costs – if the participation costs are to be kept at an acceptable level, potential participants must be made aware that it is in their own interest to be involved in the planning process and it is a task they have to volunteer their services for [DPLG IDP Guide 6, (s.a.):26].

3.9 MECHANISMS AND PROCEDURES FOR ALIGNMENT

This section of the framework places emphasis on the sector plans that have been undertaken at the district level.

The sector plans include but are not limited to:

• Water Services Development Plan;

• Land Reform and Settlement Plan;
• Integrated Environment Management Plan;
• Waste Management Plan;
• Transport Plan;
• Spatial Development Plan; and
• Local Economic Development (LED) Strategy (ADM Framework Plan, 2010-2011:8).

3.9.1 Process of integration of district level sector plans with the involvement of local municipalities

3.9.1.1 Municipalities undertaking sector plans

This section of the framework advises local municipalities which have sector plans to link up with relevant district municipalities and service providers thereby ensuring integration and co-operation (ADM Framework Plan, 2010-2011:8).

3.9.1.2 Municipalities without sector plans

Municipalities where no sector plans exist are encouraged to integrate with the district level processes. At a district level, the central point of contact is normally the Municipal Support Unit (ADM Framework Plan, 2010-2011:9).

3.9.1.3 Role of consultants

Skills and expertise of consultants that may be appointed are suggested, namely, general planning and project management. The role of the appointed consultants is explained in both the IDP Process Plan and the contract entered into (ADM Framework Plan, 2010-2011:9).
3.10 ACTION PROGRAMME

The framework plan must contain the action programme broken down into activities and time frames for the IDP Process Plan. It must be borne in mind that each municipality’s process plan should be in line with the action programme. Also of importance is adherence to the time frames as provided for in the Local Government: Municipal Finance Management Act 56 of 2003. There has to be alignment of the action programme with the following phases of the IDP:

• Phase 0: Pre – Planning Phase;
• Phase 1: Analysis Phase;
• Phase 2: Strategies Phase;
• Phase 3: Integration Phase; and

3.11 MONITORING AND AMENDING THE FRAMEWORK PLAN

This section emphasises the possibility that unanticipated results may arise during actual implementation of the framework, monitoring and review mechanisms which must be part of the planning process. In monitoring and amending the Framework Plan the following procedure is suggested:

• Strategic Manager and IDP / PMS Manager co-ordinate and monitor the whole process;
• Progress to be reported to the Executive Mayor and any deviations from the municipality’s Process Plan that might have a bearing on the district-wide activities be highlighted; and
• Executive Mayor be mandated to make amendments should the need arise, for example, revising time frames in the event of unforeseen delays (ADM Framework Plan, 2010-2011:9).

### 3.12 CONSULTATION PROCESS FOR IDP

3.12.1 Legal context for the IDP consultation process

3.12.1.1 Local Government: Municipal Finance Management Act 56 of 2003

Section 21(1) of the Local Government: Municipal Finance Management Act 56 of 2003 provides that the mayor of a municipality must:

a) Co-ordinate the process of preparing the annual budget and reviewing the municipality’s integrated development plan and budget related policies to ensure that the tabled budget and any revisions of the integrated development plan and budget related policies are mutually consistent and credible.

Section 21(2) further provides that when preparing the annual budget, the mayor of a municipality must:

a) Take into account the municipality’s integrated development plan; and
b) Take all reasonable steps to ensure that the municipality revises the integrated development plan in terms of section 34 of the Local Government: Municipal Systems Act 32 of 2000, taking into account realistic revenue and expenditure projections for future years.
In terms of section 22(a) (i) and (ii), after the annual budget is tabled in a municipal council, the accounting officer must in accordance with Chapter 4 of the Local Government: Municipal Systems Act 32 of 2000 make public the annual budget and invite the local community to submit representations in connection with the budget.


Section 16(1) provides that a municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance, and must for this purpose:

a) Encourage, and create conditions for the local community to participate in the affairs of a municipality including the preparation, implementation and review of its integrated development plan in terms of Chapter 5; and the preparation of its budget.

Section 17 makes provision for mechanisms, processes, and procedures for community participation.

Section 18(1) provides that a municipality must communicate to its community information concerning –

a) the available mechanisms, processes and procedures to encourage and facilitate community participation;
b) the matters with regard to which community participation is encouraged;
c) the rights and duties of members of the local community; and
d) municipal governance, management and development.
Whereas section 21(1) provides that when anything must be notified by a municipality through the media to the local community in terms of this Act or any other applicable legislation, it must be done –

a) in a newspaper or newspapers circulating in its area and determined by the council as a newspaper of record; or

b) by means of radio broadcasts covering the area of the municipality.

3.12.1.3 BCM IDP and Budget public hearings in 2009/2010

In 2009/2010, BCM conducted the IDP/Budget public hearings as follows:

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<tr>
<th>Day</th>
<th>Areas Covered</th>
<th>Wards Covered</th>
<th>Venue, Date &amp; Time</th>
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<td>12, 13</td>
<td>Living Waters, Friday, 8 May 2009</td>
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<td>(b)</td>
<td>Dimbaza</td>
<td>34</td>
<td>Moses Twebe Hall, Friday, 8 May 2009</td>
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Table 1: Adapted from BCM IDP and Budget Public Hearings 2009/2010:8-20
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<td>20, 18, 17, 22</td>
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**Saturday, 9 May 2009**

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**Monday, 11 May 2009**

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<td>(d)</td>
<td>Unit 11a &amp; 12</td>
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<td>NU 12 Community Hall</td>
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The establishment of Ward Committees in the BCM will be discussed in the next section.

3.13 ESTABLISHMENT OF WARD COMMITTEES IN THE BCM

Internationally, there are generally three opposing ideas on the role of citizens in the governance of their own affairs and these are described briefly below:

- The new liberal market approach calls for the continued weakening of the State through a combination of decentralisation with privatisation. Citizens become consumers who express preferences through market choices and joint provisioning of services at the local level with little real democratic power;
- The liberal representative approach involves getting the institutions and procedures of democracy right. This approach argues that the role of citizens is passive as they participate through elections and enjoy certain individual rights; and
- The participatory democracy approach is also referred to as the “deepening democracy” approach. According to this school of thought, democracy is a set of rules, procedures and institutional designs, whereas participation can not be reduced to engagement in the electoral process (Theron, 2008:101-102).

Craythorne (2006:116) argues that only metropolitan and local municipalities established as a type with ward committees, may establish such committees. Council determine rules by which ward committees are established and their main object is to improve participatory democracy in local government.
Section 73(1) of the Local Government: Municipal Structures Act 117 of 1998 stipulates that if a metro or local council decides to have ward committees, it must establish a ward committee for each ward.

The Member of the Executive Council (MEC) for Local Government and Housing determined in the Section 12 Notice that the Buffalo City Council in accordance with section 9(d) of the Local Government: Municipal Structures Act 117 of 1998 would have an Executive Mayoral System combined with a ward participatory system [BCM Concept Document for Establishment of Ward Committees, (s.a.).]

BCM, in fulfilment of the above requirements embarked on a process of establishing ward committees in its forty-five (45) wards. Four hundred and fifty (450) ward committee members were elected during the period from 19 November to 4 December 2001 with each ward represented by ten (10) members.

3.13.1 Objectives of ward committees in BCM

BCM adopted the following objectives for ward committees operating within its area of jurisdiction:

- To enhance participatory democracy in local government;
- To assist and advise the Ward Councillor with regard to matters affecting the ward;
- To act as a direct link between Council and residents;
- To contribute to the improvement of the quality of life for all residents by pursuing the objectives of participatory democracy by:
  - Encouraging residents to become actively involved in local government issues at ward level;
- Eliciting from residents their needs and requirements;
- Conveying these to the Ward Councillor for submission to Council or other structures of Council;
- Monitoring progress and providing feedback to residents on relevant issues;
- Acting as a communication channel between the residents and Council via the Councillor; and
- To provide the mechanisms for the participation of residents in municipal governance [Establishment of Buffalo City Ward Committees Guidelines, (s.a.):1].

3.13.2 Functions and powers of BCM ward committees

Section 74(a) and (b) of the Local Government: Municipal Structures Act 117 of 1998 makes specific provision for powers and functions of Ward Committees in general. In line with the afore-mentioned section of the Local Government: Municipal Structures Act 117 of 1998, BCM adopted the following as functions and powers of Ward Committees operating within its area of jurisdiction:

- To do research with the purpose of understanding the conditions, problems and needs of residents in the ward;
- To do outreach work to sectors and general consultation meetings to consult and inform residents on municipal issues like IDP, budget priorities and service delivery options;
- To spread relevant information to residents that will help them access municipal services;
- To interact with relevant forums like Community Police Forums and NGOs;
• To play a resource and advice role for residents with problems;
• To co-ordinate ward programmes of council, for example, on HIV / AIDS;
• To consult at regular intervals with ward residents on matters relating to the ward, to develop and submit reports and recommendations on such matters as and when required, via the Ward Councillor to Council;
• To at all times actively promote and further the best interests of the ward; and
• To make recommendations to Council on planned capital projects affecting a particular ward (Terms of Reference of BCM Ward Committees, 2002).

3.13.3 Structural composition and term of office of BCM ward committees

According to the Establishment of Buffalo City Ward Committees Guidelines [(s.a.): 2-3], five (5) members of a ward committee are directly elected to represent each of the possible areas that make up a ward as demarcated by the Multi Party Sub – Committee (MSC). The remaining five (5) members are elected to represent as far as possible the various sectors within the ward and include the following:

• 1x Youth and Culture;
• 1x Women;
• 1x Business / Professional;
• 1x Faith / Religion; and
• 1x Sport.

The term of office for elected ward committees in BCM is two and half years (30 months) and is effective from the date of election.
3.13.4 Review of BCM ward committees performance in 2003

The BCM Mayoral Committee meeting held on 22 July 2003 recommended, amongst other recommendations, the following matters for adoption by Council:

- The proposed review of allowances for Ward Committee members and Secretaries in the total amount of R121 500, 00 to be accepted with effect from 1 July 2003;
- The standardised ward committee meetings agenda format;
- The compulsory holding of ward committee meetings by no later that the second Friday of each month;
- The compulsory submission of minutes of ward committee meetings by no later than the last Tuesday of each month;
- The general meetings of constituencies to be held immediately after the Ward Committee meetings or between the consecutive ward committee meetings;
- The acceptance of ward committee meetings quorum as $33\frac{1}{3}$%; and
- The ward committee members’ allowance to be paid out to members who are present when a meeting is not held due to the lack of a quorum (BCM Mayoral Committee Minute, 2003).

4 CONCLUSION

It is evident from the preceding discussions that Community Based Planning is a ward based planning process. In simple terms it is IDP at a micro level or ward level. It is empowering to communities because it requires them to be hands on in issues of their own development. Where Community Based Planning is implemented, it provides ward committees with an opportunity to determine their programme of action for their term of office as it is through the community based plans that developmental
projects within wards are identified and prioritised. The ward plans keep ward committees occupied as they need to be implemented, monitored and evaluated continually.

On the other hand, an IDP process is a mechanism by which local municipalities ensure the implementation of the principle of developmental local government in South Africa. To support the developmental mandate of local government and to ensure its sustainability, the present government through Parliament promulgated numerous forms of legislation.

In as far as the consultation process is concerned, IDP / Budget road shows are embarked upon to gather comments, queries, suggestions and recommendations from various communities and consider them for input in the final IDP document. During the process a record is kept of discussions at each meeting and a special question and answer document is prepared for future referencing.

Through the integrated development planning process ordinary people have a say in developmental issues affecting them and this demands that ward committees have a thorough understanding of development as needs identification and prioritisation are carried out within wards.

It can be inferred from the preceding discussion that in South Africa legislation plays a major role in inculcating a culture of participation by communities in municipal affairs.

In the chapter that follows, empirical research findings will be discussed.
CHAPTER FOUR

EMPIRICAL RESEARCH FINDINGS AND DISCUSSION OF RESULTS

4.1 INTRODUCTION

The focus of this chapter is to investigate the role of selected ward committees in enhancing basic service delivery within the Buffalo City Municipality (BCM). In Chapter One the researcher proposed assumptions, indicated the research questions and highlighted the objectives of the study. The afore-mentioned laid a foundation for the study and on that basis an interview schedule was developed.

The findings to be presented in this chapter will either justify or dispel the assumptions, provide answers to the research questions and aim at achieving the objectives of the study. Graphs will be used to illustrate the findings.

4.2 RESEARCH DESIGN AND METHODOLOGY

An interview survey method of data collection was used in this study. The design employed for the study was in accordance with the qualitative approach. Garbers (1996:283) states that the objective of qualitative research is to promote better self-understanding and increase insight into the human condition. He further writes that in qualitative research the emphasis is on improved understanding of human behaviour and experience and researchers try to understand the ways in which different individuals make sense of their lives and to describe those meanings. In qualitative research, empirical observation is important as researchers need to study real cases of human behaviour if they are to be in a position to reflect on the human condition meaningfully and with clarity. Because this study was conducted within a social sciences context or setting, the selected methodology was appropriate for probing in
depth the complexities and processes involved and explored the policy of selected ward committees within BCM through questionnaires with open-ended questions.

Hair, Money, Page and Samouel (2007:193) state that there are two broad approaches to qualitative data collection, namely, observation and interviews. If the objective of the research is to investigate the behaviour of people or events, then observation is the suitable method, whereas, if the objective is to understand why something happens, the appropriate approach is to interview people.

The qualitative research paradigm arises from an antipositivistic, interpretative approach, it is idiographic and holistic in nature and its goal is to understand social life and the meaning that people attach to everyday life. It elicits participant accounts of meaning, experiences or perceptions and generates descriptive data in the participant's own written or spoken words. The participants' beliefs and values that underlie the phenomena are thus identified by the qualitative paradigm. The key elements that qualitative research is concerned with are understanding (Verstehen) rather than explanation; naturalistic observation rather than controlled measurement; and the subjective exploration of reality from the perspective of an insider as opposed to the outsider perspective that dominates the quantitative paradigm (De Vos, 2002:79).

The qualitative research methodology applied in this study was appropriate as it enabled the researcher to interact closely with the subjects in their natural settings.

The researcher collected data through an interview schedule comprising twenty-one (21) questions (Annexure B). Face-to-face interviews were undertaken to cater for the possibility of lack of literacy skills among members of wards 29 and 32 committees in the BCM.
4.3 RESEARCH FINDINGS

Ward committees within the BCM constitute ten (10) members. Twenty (20) committee members were targeted for the purpose of the study. Ward committees 29 and 32 were selected and out of approximately twenty (20) committee members, only ten (10) respondents were interviewed. This equals a fifty percent (50%) response rate from the empirical survey and this adequately justifies conclusions or recommendations made in terms of the two wards selected for the purpose of the study.

4.3.1 Election of ward committee members in BCM

Section 73 (3) (a) of the Local Government: Municipal Structures Act 117 of 1998 provides that a metro or local council must make rules regulating the procedure to elect the subsection (2) (b) members of a ward committee.

Ninety percent (90%) of the respondents indicated that the ward committees in which they are serving were elected at a properly constituted meeting, whereas ten percent (10%) of the respondents reported that a ward committee member was not elected at a meeting. Instead some community leaders offered a member a portfolio to represent the youth sector in the ward committee structure. This was attributed to the ward committee member’s high involvement in sporting activities within the community. The respondents’ views on the nature of the meeting that elected ward committees are depicted below.
4.3.2 Community support for ward committees in BCM

Seventy percent (70%) of the respondents are of the view that ward committees enjoy maximum community support in the BCM, while thirty percent (30%) indicated that the opposite is true. One of the respondents justified the view by linking the lack of community support to apathy shown by communities during the election period, whereas two gave no reasons for their views. The perceptions held by respondents regarding the community support for ward committees in BCM are reflected below.
4.3.3 Legislative roles of ward committees

Section 74 of the Local Government: Municipal Structures Act 117 of 1998 stipulates that a ward committee –

(c) may make recommendations on any matter affecting its ward-

(iii) to the ward councillor, or

(iv) through the ward councillor, to the metro, or local council, the executive committee, the executive mayor or the relevant metropolitan sub-council; and

(d) has such duties and powers as the metro or local council may delegate to it in terms of section 59 of the Local Government: Municipal Systems Act 32 of 2000.

The respondents displayed limited knowledge and understanding of the legislative roles of ward committee members as provided for in the above Act. Only ten percent (10%) provided a response that could be linked to the applicable legislation, whilst
sixty percent (60%) provided responses which were inclined to the duties and powers that may be delegated to ward committees by municipalities, namely:

- Identification of community needs and challenges;
- Giving information from the councillor to community;
- Assisting the ward councillor in the development of the ward;
- Monitoring of projects in the ward; and
- Being aware of community needs, communicating them to the ward councillor to make a submission to Council and providing feedback to the ward committees on Council’s response while the committee will in turn report back to the community.

The Department of Corporate Governance and Traditional Affairs Draft Guidelines for the Establishment and Operation of Municipal Ward Committees [(s.a.):5-6] stipulate what may be delegated to ward committees by municipalities.

Thirty percent (30%) of the respondents provided vague responses and this made the researcher’s analysis inconclusive regarding whether they understand the legislative roles. The figure below depicts the respondents’ knowledge and understanding of the legislative roles of ward committee members as provided for in the Local Government: Municipal Structures Act 117 of 1998.
4.3.4 Constitution and local service delivery

Sections 152 (1) (b), 153 (a) and 155 (4) of the Constitution of 1996 provide for the requirements pertaining to local service delivery.

Only ten percent (10%) of the respondents made reference to section 152 (1) (e) of the Constitution which stipulates that the object of local government is to encourage the involvement of communities and community organisations in the matters of local government. Ninety percent (90%) showed a lack of knowledge and understanding of the constitutional requirements pertaining to local service delivery. The figure below depicts the respondents' knowledge and understanding of constitutional requirements pertaining to local service delivery.
4.3.5 Basic municipal services

All the respondents demonstrated an understanding of basic services that a municipality should deliver to its citizens. The basic services mentioned by respondents were water, sanitation, housing, electricity, refuse collection, primary health care (clinics), high mast lighting and community halls.

Since one of the selected wards is rural in nature, respondents also identified the agriculture related infrastructure as a basic service including dams and fencing of camps. In addition to the above services, the respondents also mentioned poverty alleviation, crime prevention, schools, job creation and roads which belong to the Government’s Social Needs Cluster Departments.

The respondents’ understanding of basic municipal services is in line with some of the local government matters as provided for in Schedules 4B and 5B of the Constitution of 1996.
4.3.6 Service delivery initiatives in BCM

Sixty percent (60%) of the respondents indicated that BCM’s service delivery initiatives are mainly focused in urban areas, whereas ten percent (10%) specifically mentioned the Urban Renewal Programmes (URPs). A further ten percent (10%) highlighted the service delivery initiatives’ focus as in both urban and rural areas and the other 10 percent (10%) suggested that the focus must be in the townships. Finally, ten percent (10%) provided a response that was irrelevant to the question. Figure 5 below depicts the respondents’ views on the focus of service delivery initiatives in BCM.

Figure 5: Views on the focus of service delivery initiatives in BCM

4.3.7 Promotion of community participation in municipal affairs

According to the Ward Committee Resource Book (2005:38), amongst others, a ward committee:
- Will facilitate public participation in the process of development, reviewing and implementing of the management of the Integrated Development Planning of the municipality;
- Will act as advisory body on council policies and matters affecting communities in the ward;
- Will serve as a mobilising agent for community action; and
- May receive and record complaints from the community within the ward and provide feedback on council’s responses.

Ninety percent (90%) of the respondents demonstrated that they fulfil the aforementioned roles within their wards in as far as promoting a culture of community participation in municipal affairs is concerned, whereas ten percent (10%) did not express a view. Respondents’ views on promotion of community participation are as depicted in Figure 6 below.

Figure 6: Respondents’ views on promotion of community participation in municipal affairs
4.3.8 Dissemination of information to communities

Ninety percent (90%) of the respondents affirmed that they played a role in disseminating information to the community regarding prioritised projects. According to their reports, they fulfil that role by:

- Convening community meetings and providing a report back to the community to avoid community uprisings; and
- Getting involved in the process of IDP and Budget public hearings.

The above is in line with the objectives of establishing ward committees in BCM, which, amongst others, are to contribute to the improvement of the quality of life for all residents by acting as a communication channel between the residents and Council via the councillor and acting as a direct link between Council and residents.

Ten percent (10%) of the respondents reported that no role is played by the ward committee in keeping the community informed about prioritised projects. Respondents’ role in keeping the community informed regarding prioritised projects is depicted below.

**Figure 7: Respondents’ views on keeping the community informed regarding prioritised projects**
4.3.9 Relationship between BCM ward committees and ward councillors

Sixty percent (60%) of the respondents reported that the working relationship between the BCM ward committees and the ward councillors was good, whilst one cited problems of racism and favouritism in some wards.

Twenty percent (20%) of the respondents indicated a poor or bad working relationship with ward councillors, whereas a further twenty percent (20%) appeared not to have understood the question. Their responses were irrelevant. The figure below represents the nature of the working relationship between the BCM ward committees and Ward Councillors.

Figure 8: Respondents’ views on the relationship between ward committees and ward councillors

4.3.10 Policy and decision-making powers in service delivery matters

All the respondents agreed that they do not have sufficient powers to influence the policy and decision-making processes in matters pertaining to service delivery. They all concurred that their powers are limited to:
• Making recommendations;
• Identifying community problems and communicating them to ward councillors to work on them together; and
• Soliciting community needs and submitting them to the BCM.

4.3.11 Role of ward committees in the Integrated Development Planning (IDP) process

Ten percent (10%) of the respondents expressed the opinion that there is no understanding of the role played by ward committees in the IDP process, whereas twenty percent of the responses were irrelevant. Seventy percent (70%) of the respondents expressed the following opinions about the understanding of the role played by ward committees in the IDP process:

• Co-ordinating and mobilising role;
• Doing needs analysis with the community in preparation for the IDP process;
• Explaining the IDP process to the community;
• Informing the process as they are better positioned within communities; and
• Assisting the municipality in identifying community needs.

The opinions expressed by the respondents are reflected below.
4.3.12 Role of ward committees in the process of developing a Community Based Plan (CBP)

The researcher's analysis showed that ward committees have a very limited or no understanding of the CBP process.

The above argument is illustrated by the fact that sixty percent (60%) of the respondents' opinions limited the role to that of identifying and prioritising the community's development needs, whereas the forty other percent of respondents either indicated that ward committees play no role, expressed no opinion or provided irrelevant responses. On the contrary, the opposite is true as the process is supposed to take place within wards driven by ward committees (see pp.53-61). This may be attributed to the fact that BCM has not implemented the CBP process as yet. In the figure below, respondents' opinions on the role played by ward committees in the process of developing a CBP are displayed.
4.3.13 Support of ward committees from BCM

All the respondents stated that they were not getting the necessary support from BCM. They are not provided with office space, furniture, stationery, a transport allowance for executing duties within wards, cellphone allowance or cellphone airtime. BCM officials fail to attend community meetings when invited and monitoring by BCM is limited to only attendance of scheduled meetings.

The above means that BCM fails to perform its responsibilities as provided for in section 73 (4) of the Local Government: Municipal Structures Act 117 of 1998. In terms of this Act, a metro or local council may make administrative arrangements to enable ward committees to perform their duties and exercise their functions and powers effectively.
4.3.14 Empowerment of community members in civic matters

Seventy percent (70%) of the respondents expressed the view that they enlighten members of the community about civic matters at scheduled general ward meetings. They claimed that they do so by providing information or entertaining complaints about rates, providing information about BCM operations (rules and regulations), making available reports from BCM and discussing issues therein and making them aware of the Batho Pele Principles. The other thirty percent (30%) of the respondents reported that they do not engage in the exercise because meetings are not held due to the lack of a quorum, BCM officials fail to attend community meetings when invited and ward committee members themselves lack knowledge of civic matters.

The thirty percent (30%) segment of the respondents fail to carry out some of their responsibilities such as being entrusted with ensuring contact between the municipality and the community through the use of, and payment for services, and serving as mobilising agent for community action (Ward Committee Resource Book, 2005:38).

One of the powers and functions of ward committees operating within BCM’s area of jurisdiction is to spread relevant information to residents that will help them access municipal services (see pp.84-85). The figure below illustrates the opinions on empowerment of community members about civic matters.
4.3.15 Co-operation between ward committees and role-players in matters of development within BCM

Respondents were unanimous in their views that there is co-operation between ward committees and other role-players and/or community based organisations in matters of development within BCM.

4.3.16 Community meetings to monitor and evaluate the performance of BCM

Twenty percent (20%) of the respondents reported that the ward committees do not hold regular meetings with communities to monitor and evaluate the performance of BCM because the ward councillor does not convene ward meetings, whereas eighty percent (80%) of the respondents reflected that they do so. Respondents’ perceptions about community meetings to monitor and evaluate the performance of BCM are depicted below.
3.17 Functionality of the ward committee system in the BCM

Thirty percent (30%) of the respondents expressed the opinion that the ward committee system is functioning well in the BCM. They felt that it gave them an opportunity to have a say in community affairs although it needs to be strengthened. Forty percent (40%) of the respondents reported that the system was not functioning well because they felt that the challenges facing the system render it ineffective for the following reasons:

- Ward committees in urban areas are advantaged in comparison with those in rural areas. The latter cannot regularly attend ward committees activities, such as training workshops due to a poor transport system in their areas. The former are in close proximity to the arranged venues;
- Insufficient stipends;
- Short notification by BCM;
- Non-availability of official transport; and
- BCM does not exercise its oversight role, that is, does not monitor the work of ward committees and the ward councillor.
A further twenty percent (20%) of the respondents were not sure whether the system was functioning well as they recommended that if the stipend could be increased, the situation would improve, whereas another ten percent (10%) did not express an opinion. The diagram below depicts the opinions of the respondents on the functionality of BCM ward committees.

**Figure 13: Views on whether the ward committee system functions well in the BCM area of jurisdiction**

![Pie chart showing opinions on BCM ward committee functionality](chart.png)

4.3.18 Community development projects in BCM

Forty percent (40%) of respondents reported a perception that community development projects are equitably allocated amongst wards in BCM citing the Ward Development Funds that were distributed equally amongst wards as an example. Each ward received a R100 000 grant to implement projects of their choice.

On the other hand, sixty percent (60%) of the respondents were unanimous in reporting that the community development projects were not distributed equitably amongst wards in BCM. They asserted that the Urban Renewal Programmes in Mdantsane and Duncan Village were amongst the areas allocated the most projects.
The figure below represents the perceptions regarding the allocation of community development projects in BCM.

**Figure 14: Perceptions regarding the allocation of community development projects amongst wards in BCM**

4.3.19 Ward committee members and the second term of office

Fifty percent (50%) of the respondents are of the view that they would accept a nomination to serve a second term as a ward committee member, but fifty percent (50%) claimed that they would not accept a nomination because of the political infighting within the community. Additional reasons given were: BCM does not consult sufficiently with the ward committees on issues, ward committees work under pressure and BCM does not provide the necessary support either financially or materially. The respondents’ views are as reflected in the diagram below.
4.3.20 Role by ward committees in improving local service delivery

Ninety percent (90%) of the respondents are of the opinion that ward committees play an important role in improving local service delivery as they mobilise people for municipal programmes, serve as a communication channel between the community and the ward councillor and operate from within a particular community.

The remaining ten percent (10%) of the respondents believed ward committees do not play an important role in improving local service delivery as their role is that of a “messenger”. The respondents’ opinions are as reflected below.
4.3.21 General issues raised by ward committee members during the interview

The respondents raised various issues regarding their involvement in the ward committee structure, namely:

- Ward committees should be given sufficient powers, strengthened and made independent of Ward Councillors;
- Serving members of a ward committee should be paid a salary or a stipend;
- Ward committees members should be provided with a cellphone allowance or airtime;
- Ward committee members should be trained;
- BCM should prioritise village roads; and
- BCM should exercise its oversight role on ward committees effectively and follow up on the funded projects.
5 CONCLUSION

In investigating the role of selected ward committees in enhancing basic service delivery within BCM, the Nompumelelo Ward Committee 29 and the Tsholomnqa Ward Committee 32 were selected as a sample population.

The data presented in the preceding discussion revealed various issues, including but not limited to a lack of understanding of the applicable legislation and constitutional requirements pertaining to local service delivery, poor understanding of municipal processes, capacity constraints, lack of support from the BCM, insufficient delegation of powers and the biased manner in which community development projects are allocated by BCM. All the mentioned factors inhibit the role of ward committees in enhancing basic service delivery.

In the next chapter, the summary and recommendations of the study will be presented.
CHAPTER FIVE

SUMMARY AND RECOMMENDATIONS

5.1 INTRODUCTION

The previous chapter dealt with the empirical research findings. The empirical survey was premised on the following key elements:

- Problem statement;
- Research questions; and
- Research objectives.

5.1.1 Problem statement

BCM established ward committees in terms of sections 72 – 78 of the Local Government: Municipal Structures Act 117 of 1998 for its forty-five (45) wards. The purpose of ward committees in BCM is to broaden participation in the democratic process of Council and to assist the ward councillors to consult, disseminate information and encourage participation by ward residents (BCM Integrated Development Plan (IDP), 2009 – 2010:149).

Since 2005, South Africa has seen service delivery protests in some provinces highlighting the lack of and/or poor service delivery by some municipalities. The poor service delivery protests provide an indication of the condition of the poor and/ or lack of service delivery by certain municipalities in South Africa.

The Province of the Eastern Cape has not been immune to the protests. Ratepayers in the province revolted against their municipalities, citing poor service delivery as the reason for their dissatisfaction. At least six Eastern Cape communities and about thirty across the country resorted to withholding payment of municipal rates (Daily Dispatch of 31 January 2009:4).
There have been similar protests within Buffalo City where, for example, the residents of Egoli chased away a group of Duncan Village residents who had invaded Council owned land to build shacks, claiming BCM had promised to give the land to ward 11 residents for a low-cost housing project meant for people on the waiting list for homes (Daily Dispatch of 19 May 2009:4).

In another incident, residents in ward 23 marched to municipal offices in Mdantsane on 18 June 2009. They demanded the removal of the ward councillor because no development had taken place in their ward.

In Chapter One an inference was made that the major problem facing BCM ward committees is the poor understanding of their mandatory role.

5.1.2 Research questions

The research questions stated in Chapter One include but are not limited to the following:

- Does BCM play a significant role in providing support for the ward 29 and 32 committees?
- Do ward 29 and 32 committees play a role in influencing service delivery within BCM?
- Do ward 29 and 32 committees conduct awareness campaigns for communities about service delivery/provision?
- Do ward 29 and 32 committees meet regularly to discuss service delivery within their communities?

To augment the research questions, an interview schedule comprising twenty-one (21) structured questions was designed to capture responses from ward committee members of the selected wards.
5.1.3 Research objectives

As stated in Chapter One of this study, the main objective of the research is to investigate the role of selected ward committees in enhancing basic service delivery within Buffalo City Municipality (BCM). Further to the main objective, there were specific objectives which were indicated as follows:

- To provide an overview of the Local Government Reforms and constitutional basis for service delivery by municipalities in South Africa;
- To establish the nature and extent to which ward committees in the BCM enhance basic service delivery;
- To establish whether ward committees are optimally utilised by BCM; and
- To determine whether ward committees are viewed as mechanisms to promote participatory governance by BCM.

In the next section, the summary of the research findings will be discussed briefly.

5.2 SUMMARY OF RESEARCH FINDINGS

The research findings discussed in the preceding chapter are summarised as follows:

- Ward committees 29 and 32 of Nompumelelo and Tsholomnqa respectively were elected at properly constituted community meetings;
- Ward committees enjoyed community support in the BCM;
- There is a lack of knowledge and understanding of legislative roles of ward committee members as stipulated in the Local Government: Municipal Structures Act 117 of 1998;
- There is a lack of knowledge and understanding of the constitutional requirements pertaining to local service delivery;
- There is a general understanding of the basic services that a municipality is expected to deliver to its citizens;
The BCM service delivery initiatives are biased in favour of urban wards;

BCM ward committees played a role in promoting a culture of community participation in municipal affairs;

Ward committees 29 and 32 play a role in keeping the community informed about prioritised projects;

BCM ward committees and ward councillors have a good working relationship;

BCM ward committees lack sufficient power to influence the policy and decision-making processes in matters pertaining to service delivery;

There is an understanding of the role played by ward committees in the IDP process;

There is no understanding of the role played by ward committees in the process of developing a Community Based Plan (CBP);

Ward committees do not get the necessary support from BCM in order to execute their responsibilities in an effective and efficient manner;

At scheduled general ward meetings, ward committee members enlighten members of the community about civic matters;

There is co-operation between ward committees and other role-players and/ or community based organizations pertaining to development in BCM;

Ward committees hold regular meetings with communities to monitor and evaluate the performance of BCM;

There are mixed feelings amongst respondents about the functionality of the ward committee system in the BCM area of jurisdiction;

Community development projects are not allocated equitably amongst wards in BCM;

There are balanced views amongst respondents about the acceptance of nominations to serve a second term as ward committee members during the next term of office; and
Ward committees play an important role in improving local service delivery.

To strengthen the role of ward committees in enhancing basic service delivery, there is, amongst others, a need for ward committee members to understand the legal policy framework within which they operate, for BCM to deliver on its service delivery mandate without bias and to provide necessary support to ward committees in order to influence the policy and decision-making processes in matters pertaining to service delivery.

Recommendations are discussed in the section below.

5.3 RECOMMENDATIONS

According to the findings discussed in the previous chapter, critical challenges facing Nompumelelo ward 29 and Tsholomnqa ward 32 committees have been identified. The challenges are obstacles to the ward committees in playing a meaningful role in enhancing basic service delivery within BCM.

The following recommendations based on the findings of the study aim at assisting BCM to nurture the potential of ward committees operating within its area of jurisdiction. If this is done, they will be enabled to play a meaningful role in enhancing service delivery.
5.3.1 Training/capacitating ward committee members

To overcome the challenge of lack of knowledge and/or lack of understanding of the legal policy framework on the part of ward committee members, it is recommended that BCM consider subjecting ward committees to structured formal and accredited training offered by the Local Government Sector Education Training Authority (LGSETA), South African Local Government Association (SALGA) or a recognised training institution with the requisite expertise.

In addition to the above, other training needs including but not limited to the fundamentals of community development and project management, and specialised training in the areas of monitoring and evaluation, meeting procedures and budgeting need to be offered to ward committee members during their induction and thereafter periodical workshops should be conducted in order for them to sustain their level of understanding and knowledge. BCM can utilise the services of experienced internal officials for this purpose.

5.3.2 Delivery of services in a legally compliant manner

Section 155 (4) of the Constitution of 1996 stipulates that national legislation must take into account the need to provide municipal services in an equitable and sustainable manner.

Furthermore, section 195 (1) (d) of the Constitution of 1996 provides that services must be provided impartially, fairly and without bias.

Based on the above provisions of Chapter 7 of the Constitution, it is recommended that BCM upholds the principles of the prescripts when servicing its constituencies.
This can lead to stability within wards. This can also avert possible legal challenges by affected communities.

5.3.3 Delegation of sufficient powers to ward committees

Section 74 (b) of the Local Government: Municipal Structures Act 117 of 1998 stipulates that a ward committee may perform functions and exert such powers as the metro or local council may delegate to it in terms of section 59 of the Local Government: Municipal Systems Act 32 of 2000.

However, it must be noted that SALGA’s Legal Unit has advised against such delegation to ward committees. It is claimed that it is difficult to discern the functions a ward committee should be entrusted with (Ward Committee Resource Book, 2005:37).

To prove the practicability of the afore-mentioned legal opinion, it is recommended that BCM in consultation with the Department of Corporative Governance and Traditional Affairs (DCGTA) consider a pilot project with one or two of its ward committees to explore the possibility of delegating more powers to influence the policy and decision-making processes in matters pertaining to service delivery. The results of the pilot study can be used as a reference point for future capacitation programmes for ward committees in all municipalities.

5.3.4 CBP process and ward committees

BCM has not started with the process of implementing the CBP process and this explains the lack of understanding of the roles of ward committees by the respondents in this respect.
On the above grounds, it is recommended that when BCM starts implementing the CBP process, ward committees be trained together with officials that drive the process to close the possible knowledge gap that may arise at a later stage when CBP is implemented in the wards.

5.3.5 Provision of support to ward committees by BCM

In order for BCM ward committees to be able to perform their functions and exercise their powers effectively, it is recommended that BCM provides adequate support to its ward committees in the form of facilities, stationery, office equipment, decent stipends/monthly allowances, transport allowances, cellphone allowances/airtime, and that municipal officials attend meetings when invited and exercise a meaningful oversight role in regard to ward committees.

6 CONCLUSION

In conclusion it is argued that if BCM implements the afore-mentioned recommendations, ward 29 and ward 32 committees will play a significant role in enhancing basic service delivery within the municipality.
BIBLIOGRAPHY

Books


**Dissertations**


Legislation


**Newspaper Articles**


**Official Publications**


South Africa. Buffalo City Municipality Concept Document for Establishment of Ward Committees. (s.a.). (Place and Publisher not reflected).

South Africa. Establishment of Buffalo City Ward Committees Guidelines. (s.a.). (Place and Publisher not reflected).

South Africa. 2002. Terms of Reference of Buffalo City Municipality Ward Committees. (Place and Publisher not reflected).

South Africa. 2003. Buffalo City Municipality Mayoral Committee Minute. (Place and Publisher not reflected).
Handbooks/Manuals


South Africa. DPLG IDP Guidelines: Guide 1(s.a.).

South Africa. DPLG IDP Guidelines: Guide 6 (s.a.).

South Africa. DPLG. Draft Guidelines for the Establishment and Operation of Municipal Ward Committees.

Conference Report


Presentation Paper

South Africa. 2005. Presentation to Amathole District Municipality by Councillor Zumane of Mangaung Local Municipality. Bloemfontein
Internet

ANNEXURES

ANNEXURE A: A Copy of a Letter of Authority from BCM.

ANNEXURE B: A Copy of Interview Schedule.

ANNEXURE C: A Copy of Certification Letter from a Registered Language Practitioner.

ANNEXURE D1: Ward 29 Map

ANNEXURE D2: Ward 32 Map
2 April 2009

X.C. Jakatyana
7 6th Avenue
Gonubie
EAST LONDON
5257

Dear Sir or Madam,

RE: REQUEST FOR PERMISSION TO CONDUCT A RESEARCH PROJECT WITHIN BUFFALO CITY MUNICIPALITY

Your letter dated 30th March 2009 regarding the above matter is hereby acknowledged.

I wish to advise that your request has been approved. Kindly contact the Manager: Public Participation, Mr. M. Jikazana to discuss possible dates to undertake the research on 043-7051169 or mzobanzili@buffalocity.gov.za.

Yours faithfully,

V. ZAMBOOLA
DIRECTOR: EXECUTIVE SUPPORT SERVICES
TM/uf

CC: The Manager: Public Participation
Interview Schedule

Structured interview schedule for ward committee members of wards 29 and 32 respectively in the Buffalo City Municipality

The researcher will introduce himself to the ward committee members and provide a brief explanation for the purpose of the study. Time will be permitted for the respondents to ask questions pertaining to the study as well as the interview process. All respondents will be asked to sign a consent form. They will also be informed that they may withdraw from the interview at any stage and emphasis will be placed on their participation being voluntary and all information will be kept in the strictest of confidence.

The questions below will be put to the respondents.

1. Was the ward committee in which you are serving elected in a properly constituted meeting?

2. Do you think ward committees enjoy maximum community support in the Buffalo City Municipality (BCM)?

3. What are the legislative roles of ward committee members as provided for in the Municipal Structures Act 117 of 1998?

4. What are the constitutional requirements pertaining to local service delivery?

5. In your understanding what are the basic services that a municipality is expected to deliver to its citizens?

6. Where, do you think are the BCM service delivery initiatives mainly focused?

7. What role do the BCM ward committees play in ensuring active participation by communities in municipal affairs?

8. What role does your ward committee play in keeping the community informed about prioritised projects?

9. What type of working relationship exists between the BCM ward committees and the ward councillors?
10. What powers do the BCM ward committees have to influence the policy and decision-making processes in matters pertaining to service delivery?

11. What is your understanding of the role ward committees play in the Integrated Development Plan (IDP) process?

12. What is the role played by ward committees in the process of developing a Community Based Plan?

13. In your opinion do you think ward committees get necessary support from BCM in order to carry out their responsibilities in an effective and efficient manner? Give reasons for your response.

14. In scheduled general ward meetings do ward committee members empower members of the community about civic matters e.g. obligations and rights of ratepayers? Substantiate your answer.

15. In your opinion do you think there is co-operation between ward committees, role-players and/or community based organizations (e.g. Community Development Workers, Community Policing Forums, Development Forums) in matters of development in BCM?

16. Do ward committees hold regular meetings with communities to monitor and evaluate the performance of BCM? Give a reason for your response.

17. Is the ward committee system functioning well in the BCM area of jurisdiction? Please explain.


19. Given an opportunity, would you accept a nomination to again serve as a ward committee member during the next term of office? Explain your response.

20. In your opinion do you think ward committees play an important role in improving local service delivery?

21. Any other issues you would like to mention as a ward committee member?

Thank all interviewees for their time and their participation in the survey.
TO WHOM IT MAY CONCERN

We hereby certify that we have language edited the treatise prepared by Mr Xolile Christopher Jakatyana entitled AN INVESTIGATION OF THE ROLE OF SELECTED WARD COMMITTEES IN ENHANCING BASIC SERVICE DELIVERY: THE CASE OF BUFFALO CITY MUNICIPALITY and that we are satisfied that, provided the changes we have made are effected to the text, the language is of an acceptable standard, fit for publication.

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ANNEXURE “D2”