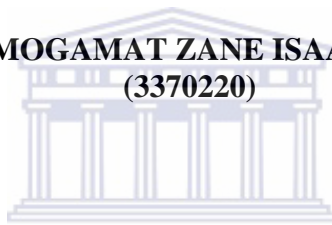


**UNIVERSITY OF THE WESTERN CAPE
SCHOOL OF GOVERNMENT**



Exploring government immovable asset management with reference to four selected case studies of closed down schools on the Cape Flats – post 1994 democracy.

**MOGAMAT ZANE ISAACS
(3370220)**



A mini thesis submitted to the School of Government, Faculty of Economic and Management Sciences, University of the Western Cape in fulfilment of the requirements for the degree of Magister in Public Administration (MPA),

Supervisor: Dr. Leon Gilbert Pretorius

October 2014

DECLARATION

I declare that “**Exploring government immovable asset management with reference to four selected case studies of closed down schools on the Cape Flats – post 1994 democracy**” is my own work, that it has not been submitted before for any degree or examination at any university, and that all sources I have quoted have been indicated and acknowledged as complete references.

Mogamat Zane Isaacs



October 2014

Signed:.....

ACKNOWLEDGEMENTS

Firstly, I thank my creator, the Almighty Allah (SWT), who has blessed me with the strength, wisdom, knowledge and sustenance to complete my studies.

My sincere and eternal gratitude to the following people, without whom this study journey and research document would not have been successful:

A special Shukran to my immediate family, my dear beloved wife, Mymoena, for all her support, motivation and sacrifices. Shukran to my children, Niyaaz, Muneer and Misam, for their understanding and making all those cups of tea during my long study sessions. I spare a special thought at this time for my late baby son, Mogamat Zahir, for always being with me in spirit.

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DEDICATION

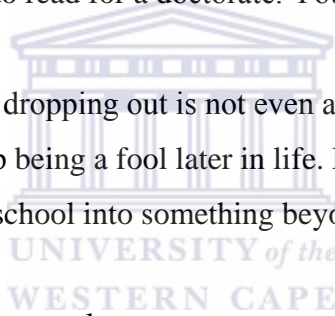
This study is dedicated to all the people of Hanover Park where I grew up as a youngster. Many of you did not have the opportunity to complete your formal schooling or further studies. Many of you have the ability but maybe not the opportunities to progress in secular education.

For those adults, parents and elderly who dream of completing their formal schooling, obtaining a matric certificate, diploma, a degree or even much more, make those dreams a reality. I know how you feel....I was there not too long ago.

I also admired the “gangstas”, but I became a graduate.....yes my “destiny” was to become a “mobster”, but now I’m completing my Master’s. I was once also a dropout, but look at me now, also wanting to read for a doctorate. You tell me.....brothers and sisters.

For those youth still at school, dropping out is not even an option...it might seem cool now, but you might just end up being a fool later in life. Reconsider brothers and sisters, you might be dropping out of school into something beyond your control...a vicious cycle.

Educate yourselves to liberate yourselves.



ABSTRACT

Government's immovable assets are fundamental in achieving its service delivery objectives. If not put to productive uses the welfare of a country, or even its national income, could be reduced significantly. The value for money principle should resonate through effective asset management. "Poor management" of closed school buildings worth millions may be regarded as "financial wastage". Four case studies reflecting various outcomes of re-use, abandonment and demolition will be reviewed. The application of legislation and policy on government immovable asset management are problematic when schools are closed down. The study focus will be on government immovable asset management and not the reasons for school closures.

Literature in this field is very limited. The research findings could add value to the subject field by minimising the chances of a possible repetition of "bad management" of closed schools. Currently in public discourse is the possible closure of 26 schools in the Western Cape. The research could be used as a guiding document for stakeholders, administrators and other research scholars.

The research objectives are to formulate a clear understanding on: The Governance of immovable asset management in government; The Responsibility of the different state stakeholders and their interaction on immovable asset management; and The participation of non-state stakeholders.

A Qualitative research design is followed. Tools consist of four case studies, semi-structured interviews and questionnaires. A literature review and study of applicable legislative and policy documents was done and empirical data analysed. An international best practice model is also discussed.

This study has revealed various research findings through the primary and secondary sources collected. Based on these findings specific recommendations are made to the various stakeholders. The wellbeing of all stakeholders and respondents were set above outcomes and objectives that the research could generate.

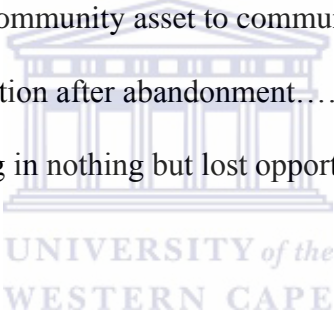
Key words: Closed schools, asset management; value for money; financial wastage; re-use; abandonment; demolition; stakeholders; management plans; custodian; user.

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ABBREVIATIONS

AM	Asset Management
AMP	Asset Management Plan
AR	Asset Register
CBO-	Community Based Organisation
GIAM	Government Immovable Asset Management
GIAMA-	Government Immovable Asset Management Act, 2007
IA-	Immovable Asset
IAM-	Immovable Asset Management
IAMP-	Immovable Asset Management Plan
NDPW-	National Department Of Public Works
PDPW-	Provincial Department of Public Works
PFMA-	Public Finance Management Act, 2009
PGWC-	Provincial Government of the Western Cape
WCED-	Western Cape Education Department

CHAPTER 1: INTRODUCTION AND CONTEXT OF THE STUDY

1. Introduction

After 1994 the new South African government inherited a state of affairs that reflected relatively “little” investment in resources. Skewed infrastructural and asset investment in the country favoured development in so-called “white” areas with little, if any, development in so-called ‘african’ and ‘coloured’ communities on the Cape Flats.

Democratic South Africa adopted a Constitutional Democracy based on the principles of non-discrimination, openness and transparency. The government attempts to bring “the good life” to its citizens. To achieve this it will have to focus on responsible spending of public funds and effective and efficient utilisation of public resources, infrastructure and assets. The aim of the state is to satisfy the unlimited needs of the people with the limited resources and assets at its disposal. Government immovable assets have to be managed responsibly. These assets must be used optimally throughout its life cycle.

“According to the South African Auditor General’s Report (2012). The state’s capital expenditure budget annually cost the tax payers billions of rand’s for the erection and maintenance of immovable state assets”.

When schools are closed many of the buildings become deserted and in some cases they are re-used for other purposes. In other areas they fall into disrepair or are demolished. However some communities in the same vicinity of these multi-million rand’s state assets are in desperate need of essential facilities and infrastructure such as housing, police stations, clinics and drug rehabilitation centres. Some of these schools become “white elephants” and are abandoned. These abandoned schools fall prey to vandalism becoming crime “hotspots” in some communities on the Cape Flats.

While some of these school buildings has been re used for the benefit of communities others are lying “wasted” and have basically changed from “a community asset to a community hazard”, a breeding ground for crime.

The approach of the research is based on the premise that immovable state assets i.e. closed school buildings and its vast plots of land, should be managed like any valuable state asset. From a “value for money” perspective, the state should handle the disposal of these assets at the end of its life cycle in a strategic, co-ordinated and holistic manner as part of its strategic immovable asset management plans.

According to the policy document (South Africa. Government wide immovable asset management policy 2005)

“Improvements to the management of government’s immovable assets are required in South Africa to ensure that such assets are optimally utilised for service delivery. This must be achieved by the systematic, integrated and appropriate management of all decision-making processes throughout the life-cycle of an immovable asset. Immovable asset management is therefore a key element in enabling better service delivery in line with Batho Pele”.

From above, government’s intentions with the policy statement are clear in the sense that a holistic approach should be followed in government immovable asset management.

The policy document (South Africa. Government wide immovable asset management policy 2005) further states that

“The extensive and diversified immovable asset portfolio of government has significant impact on the overall macro-economic, socio-political and physical landscape of South Africa. Investment in immovable assets contributes substantially (approximately 16% in the past few years) to Gross Domestic Product and therefore plays a vital role in economic growth. In addition, government has put increased focus on an expansionary public infrastructure programme. Improved immovable asset management will play an important role in attaining government’s objectives of economic growth and employment creation.

Black Economic Empowerment (BEE) is a key priority of government and the objectives of BEE are set out in the Broad-based Black Economic Empowerment Act, 2003. Immovable asset management should therefore seek to advance BEE objectives. This must be achieved through the way government procures leases, maintains, operates and disposes immovable assets. The introduction of immovable asset management principles will enable BEE to be implemented in a systematic, planned and consistent manner in this area of government’s activities.”

“Land is a finite resource and all immovable assets are linked to land. Past land policies were a major cause of insecurity, landlessness, homelessness and poverty in South Africa. Such policies resulted in inefficient urban and rural land use patterns and a fragmented system of land administration. This has severely restricted effective resource utilisation and development. Government’s land policy and land reform programme recognise that land, its ownership and use, has always played an important role in shaping the political, economic and social processes in the country and that it should contribute to reconciliation, stability, growth and development in an equitable and sustainable way. Improved efficiency and effectiveness in the management of government’s immovable assets would facilitate a more systematic and accelerated release of assets for land reform purposes”.

The above sentiments also resonate throughout the Western Cape Department of Transport and Public Work’s White Paper on the Management of Provincial Property (2004) and the Government Immovable Management Act, 19 of 2007. These legislative and policy documents form the foundation of government immovable asset management in the context of this study and conceptualize the intentions of the state.

The rest of the chapter deals with the following subsections. Section 1.1 provides a background to the study. In section 1.2 the problem statement is discussed. In section 1.3 the purpose and objectives are illuminated. Section 1.4 discusses the significance of the study. Section 1.5 defines the research questions. Section 1.6 explains the research methodology and 1.7 elaborates on the scope and delimitation of the study and finally section 1.8 gives a framework of how the rest of the chapters in the study are arranged.

1.1 Background and context to this study

The possible re-use of government immovable assets must be seen as crucial to the South African society to free up money to be used for other purposes. To avoid the wasteful use of immovable assets requires a co-ordinated, structured, planned approach to achieve government objectives.

Empirical data seem to indicate that in the South African context the attention is focused on the actual reasons for school closures. Community participation is focused on keeping

schools open and closures are strongly opposed. In many communities school closures are an emotional and sometimes political issue. The actual re-use options seem to get very little or no attention. School closures and the processes that must be followed are regulated by the South African Schools Act no.84 of 1996. The jurisdiction to close a school is the prerogative of the Minister of Executive Council (MEC) of the provincial education department, in this instance the Western Cape Education Department (WCED).

“School closures occur for many reasons and happen in both urban and rural areas. Some of the reasons for school closures include instances where the school-age population is growing, larger school facilities replace schools that are now too small; in rural areas, however, it is more likely a steady decline in enrollment”.... that has forced districts to consolidate and close one, or more, school buildings still in usable condition. Other reasons for closure can include lack of money for needed repairs and pressures to build new, rather than renovate, old facilities, as well as a lack of public support for preserving existing school buildings”.

As indicated by Spader (2007) above there are many reasons that partly provide explanation for the closures of schools. Although these reasons are important they are hotly contested and the subject of political debate, it does not fall within the ambit of the research document and is not the focus of this investigation.

The main reason is that they do not indicate what happens to the physical buildings and grounds once schools are closed by the Department of Basic Education or the Western Cape Education Department. These buildings can become either an asset or a liability in communities.

In the statement below Mr. Donald Grant, Western Cape Education, MEC, (2012) on public participation process suggest that closing down schools is neither ‘new’ nor ‘unique’ to the Western Cape Province.

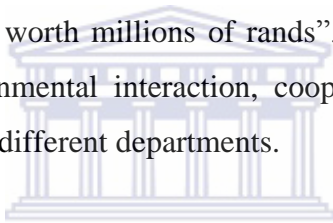
“Since 2000 provincial governments across the country have closed down more than 1100 schools in the Free State, more than 640 schools in North West, more than 590 schools in the Eastern Cape, approximately 215 schools in Mpumalanga, more than 110 schools in the Northern Cape and more than 170 schools in Limpopo. The facts simply speak for themselves. School closures are not unique to the Western

Cape. Provincial governments across the country have closed thousands of public schools to date, many of which affected children in the poorest of communities”.

The reality of school closures are that they create knock-on effects. What should be done with an empty school building after closure? It seems to some degree that school closures can be seen as an act of self-interest by the education authorities.

Perhaps the problem can be that the government department that is responsible for the school closure (user), the (WCED), is not the same department which is responsible for its management (custodian), the Public Works department.

On the one hand the rationale for one department in this instance the department of education to save “a few hundred thousand rand’s” by closing down a school on the other hand to be opposed to optimally re-use, abandon or demolished immovable assets “i.e. school buildings and grounds worth millions of rands”. In order to optimally utilize the immovable assets, intergovernmental interaction, cooperation and co-ordination seems obvious and vital amongst the different departments.



While the Western Cape Education Department (WCED) is responsible for education and schooling in the province, it is merely the “user” of the school building as an immovable asset to achieve its objectives. The Provincial Department of Public Works (PDPW) is the government “custodian” of all immovable state assets in the province, including schools.

As directed by (South Africa. Government immovable management Act 19 of 2007)

The PDPW is mandated with the responsibility of immovable asset management during the asset life cycle which include disposal options.


Another problem is that not only will the students that attend the school be affected, but the broader communities in which these closed schools are located will also be affected by its actual closure. This will create negative externalities and increase the costs as well. It will put pressure on other services that must be rendered such as the burden of policing of the premises and devalue the property in the neighborhood. The diverting of the resources can be regarded as unfair and a social injustice to communities in need of

other much needed services. This suggests that it is not only the financial cost, but also the social costs that need to be considered.

The investigation considers four different case studies of schools that have closed and will focus on the different outcomes such as the use and non-use of the facilities after closure. Each of the four case studies has to be viewed taking into account its unique backgrounds, dynamics and outcomes. The legislative framework on immovable asset management and its application and connection in the case studies will also be explored. The different stake holders involved and their participation and co-ordination will also be investigated.

1.2 Problem statement

The management of government immovable assets is regulated by various pieces of legislation and policies, chief among them (for the WCPG) is the Western Cape Department of Transport and Public Work's White Paper on the Management of Provincial Property (2004) and the Government Immovable Asset Management Act (GIAMA) No.19 of 2007.

- 
- It appears that either the White Paper and GIAMA does not provide sufficient guidance or
 - the official bureaucrats understanding of the White Paper and GIAMA is inadequate or
 - the implementation of the documents are problematic,
 - or a combination of above,
 - Preliminary observations suggest a lacuna between the legislation, policy and its implementation at the disposal stage of closed down schools (IA)
 - This gap has financial implications for government if (GIA) are not used optimally and also has,
 - Social impacts and consequences for communities and other stakeholders.

1.3 Purpose and Objectives

The primary and general purpose of the research is to use four selected case studies of closed down schools on the Cape Flats after 1994. This will be done to explore the implementation of the existing immovable asset management policies at the time that these schools were closed down and also the application of GIAMA when it was promulgated in 2007. This will highlight the gaps between the current legislation and policies and the none or partial implementation of it. The lack of stakeholder participation and co-ordination was also identified as a problem area.

The secondary and more specific related research objectives include:

- Governance: Identify and outline the relevant legislative and policy framework on government immovable asset management,
- Management: Identify the processes and procedures outlined in GIAMA and the White Paper
- Management: Identify the existent PDPW practices with regard to the disposal and management of closed down schools-case studies.
- Public Participation: Identify the nature of participation with non-state stakeholders (residents, business owners and community based organisations) and practices of collaboration.

The aims and objectives will further be devolved into research questions. The answers to these research questions should in turn provide evidence for reaching the aims and objectives of the study.

1.4 Significance of study

The significance of this study is that very little attention is focused on what actually happens to the school buildings and grounds after closure. An investigation into how the relevant department “applied” the various options after the closure of school buildings will contribute to the store of knowledge to “better” manage similar processes in future.

The findings of the case studies highlight the positive and negative factors on non-state stakeholders and can be used as a learning experience for other stakeholders in similar circumstances. These research findings could be used as a foundation document for future use by administrators and stakeholders when considering disposal options of closed down schools. This study seeks to generate information and knowledge that can contribute to reducing costs as well as promoting the optimal use of existing immovable assets by preventing immovable assets turning into a community hazard.

Obtaining better ‘value for money’ from existing resources contributes to building and empowering the community in which these schools are allocated. The findings focus the attention of the relevant state stakeholders and policy makers on the importance of future immovable asset management and re-use plans. Finally, the research findings have the prospective to minimise the repetition of mistakes identified in the four case studies and duplicate the successes.

1.5 Research Questions

The research paper will attempt to answer the following key questions.

1. GOVERNANCE: What are the legislative and policy frameworks on immovable asset management? - Does the PDPW comply with the White Paper and GIAMA?
2. MANAGEMENT: How does the PDPW manage the co-ordination of closed schools -Does the department foster intergovernmental relations and collaboration amongst state and non-state stakeholders?
3. STAKEHOLDER PARTICIPATION: Does public participation happen? – Did non-state stakeholders participate on the disposal options and possible re-use plans?

1.6 Research Methodology

According to Creswell, (2013) in academic research, there are primarily three general categories for research design. The first type of research design is qualitative research which allows the researcher to collect observations and ascribe clarification based on general themes or trends. This is an approach for the exploration of individual meaning given to phenomena.

The ultimate objective of this research strategy is to see through the lens of research participants, according to Yin (2009).

Creswell, (2013) further describes the second approach as quantitative research, which focuses on associations through the testing of quantifiable variables. It is the norm that this form of research utilizes variables to test for statistical significance through the process of testing and controls to produce replicable results.

Finally, the mixed methods approach according to Creswell, (2013) is a combination of both qualitative and quantitative methods. This methodology has gained traction in research due to an increased strength of the results with both research strategies working together.

A researcher's choice of research design will be guided by the objectives of the research document, essentially what the document intends to achieve.

After considering the various research methodologies and its strengths and weaknesses in relation to the objectives that this study wants to reach, the research design chosen decisively was that of a qualitative approach and as such will be of a descriptive nature. This qualitative approach gave the student the opportunity to explore the experiences and views of the different stakeholders from a personal viewpoint.

The issue of validation and reliability is always a relevant concern in research studies. For the purpose of validation and reliability of the information, a combination consisting of recordings, notes and questionnaires was used for this study.

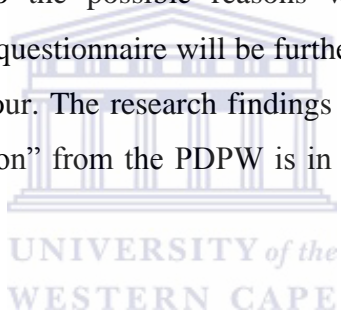
1.7. Research design

The research design is deliberate and purposeful. The research design applies both primary and secondary sources. Primary sources will consist of 32 semi structured interviews and 5 questionnaires amongst state stake holders and non-state stakeholders. Secondary sources will consist of a review of the relevant academic literature on the research topic,

journal articles and accredited websites. International trends and best practice models on immovable asset management were studied. In conclusion the scrutinising of the applicable legislative and policy documents as well as other related government documents were perused.

One of the weaknesses of the study design is non-participation by stakeholders when collecting primary data. In this study the State Stakeholder was crucial. The PDPW were identified as the responsible department and custodian of immovable government assets for the WCPG. A senior official from the department was earmarked for an interview. The official initially agreed to an interview, but at a later stage withdrew when the interview questionnaire was submitted.

The failure by the state stakeholder to participate in the study leaves a “vacuum” of unanswered questions. As to the possible reasons why the senior official did not participate after receiving the questionnaire will be further elaborated in a summary of the research analysis in chapter four. The research findings however, revealed that the “non-action” or “lack of participation” from the PDPW is in line with what some CBOs have experienced.



1.7.1 Data Collection

As identified by Brynard and Hanekom, (2006) the data collection methods when embarking on qualitative research, contains data collection elements such as interviewing, open ended questionnaires, surveys and observations.

As supporting evidence, questionnaires were semi structured to do interviews with residents, business and CBO stakeholders. While a more structured questionnaire was used for the state stakeholder, PDPW. The research design and data collection methods were used in an effort to possibly extract the maximum benefits for reaching the stated objectives of the study.

1.7.2 Case studies

Due to the nature of the primary data sought for this research, primarily the case study approach was used in order to understand the experience from the community “grassroots” level. The evidence collected from the four different case studies highlights the “positive” and “negative” lessons and its implications.

According to Yin (2009). Case studies are designed to bring out the details from the viewpoint of the participants by using multiple sources of data. A case study refers to the collection and presentation of detailed information about a particular participant or small group, frequently including the accounts of subjects themselves.

Yin’s (2009) definition of a case study states, *“an empirical enquiry that investigate contemporary phenomena within real-life context, especially when the boundaries between phenomenon and context are not clearly evident”*.

“Case studies are multi-perspective analyses. This means that the researcher considers not just the voice and perspective of the actors, but also of the relevant groups of actors and the interaction between them. This one aspect is a salient point in the characteristic that case studies possess. They give a voice to the powerless and voiceless”.

Soy, (1996) highlights the advantages of case study method as its applicability to real life, contemporary, human situations and its public accessibility through written reports. On the other hand some of the weaknesses of case studies can be its complexity because they generally involve multiple sources of data. No two case studies and its dynamics are exactly the same, but have various multitudes of complexities.

The four case studies of closed down schools on the Cape Flats chosen for this research covers (3) different scenarios of what has happened to school buildings after closure.

Two of the school buildings are currently re-used, one with the assistance of the PDPW and the other without the assistance of the PDPW. One school was “abandoned” and then demolished during the research period and the final building was totally demolished at the time the research was done. These represent the different “possible outcomes” of

government immovable asset management with reference to the disposal of four closed down school buildings on the Cape Flats.

1.7.3 Questionnaires

The questions of feasibility and response rates within given timeframes were important factors to consider using a questionnaire. Limited by the resources available and the availability of stake holders, this method of data collection presented itself as one of the best possible options for the CBOs and government stakeholder, PDPW.

1.7.4 Strengths and weaknesses of a questionnaire

One of the strengths was that the questionnaire gave respondents ample time to consider their responses. On the other hand, questionnaires do not indicate the “real experience” of the participant and questions can have different meanings to different participants.

1.7.5 Interviews

The semi-structured interview was deemed most suitable for the purposes of this study, as it produces “... a qualitative understanding of the topic under study”. According to Brynard, PA and Hanekom, SX. (2006) it is also used to gain insight into the meanings, interpretations, values and experiences of the interviewee and their environment. Residents and Business owners in the four case studies were interviewed.

1.7.6 Strengths and weaknesses of interviews

The advantage to the interview method was that the student researcher was able to explore the issue through the lenses of the different stakeholders. During interviews I had the opportunity to probe deeper into the responses of participants. This method divulged other issues related to the research topic, although not forming part of the research objectives, but proved informative in seeing the “bigger picture” perspective of interviewees. The interviews also gave the student researcher the opportunity to understand the reasons why different communities responded differently to the same questions.

Yin (2009) also states the following factors that can disadvantage interviews. “personal opinions, religious beliefs and level of education”. To participate in the study, the potential participants must also decide that the research is worth their effort and time. This resulted in a limited sample size simply because participants must volunteer to take part and “open up” to the interviewer.

1.7.7 Targeted Population (Stakeholders)

A challenge in research studies is to have representation of the various stakeholders involved. This research has thus strived to have stakeholder representation and participation from the various strata. The decision on the sampling design was guided by the theory of representation. In other words the sample should represent the different stakeholder’s perspectives on the research topic. Yin (2009)

Non-State Stakeholders: From the four case studies, five residents living in the immediately vicinity of the schools was interviewed. Three local business owners surrounding the schools in each case study were also interviewed. One community based organisation (CBO) involved in the effected community was requested to complete a questionnaire. The semi structured interviews and questionnaires allowed the student researcher to get a mixture of opinions, perceptions and factual information from the stakeholders involved in the four case studies.

State Stakeholder: The PDPW were identified as the responsible department and custodian of immovable government assets for the WCPG. The department is responsible for the management of immovable assets and the four closed school buildings on the Cape Flats. A senior official from the Provincial Public Works Department (PDPW) was earmarked for an interview for comment on legislation, policy implementation, the department’s role, immovable asset management plans and non-state stakeholder participation. The PDPW official initially agreed to an interview, but at a later stage withdrew. Several attempts were made to secure an interview. The department’s participation could have added much value to the research document.

The Western Cape Education Department (WCED) however, was not considered as a possible stake holder that will add value to this study. Due to the fact that the department is responsible for the rendering of education and not the core management function of immovable asset. The department is a “user” department and not the custodian of closed down schools. As such, they are not responsible for the re-use of the school buildings.

The population for interviewing was done by way of stratified sampling. The total earmarked respondents amounted to 37. These stakeholders were identified as:

- Residents households surrounding each case study school, 5 per case study= 20
- Business owners in vicinity of school, 3 per case study= 12
- Questionnaires distributed to community based organisations, 1 per case study =4
- Interview with government representative as stakeholder, PDPW= 1

To maintain confidentiality and retain the status of anonymous the four case studies will be referred to as:

Case Study (A) = Abandoned school-Demolished

Case Study (B) = Re-used with PDPW assistance

Case Study (C) = Re-used without PDPW assistance

Case Study (D) = Total Demolished school

In addition various visits to the sites of the four case studies were conducted to ascertain first-experience of the conditions pertaining to the different communities.

Photographic evidence will form part of this research document in order to give the reader a graphic display of the conditions relevant to the four case studies.

1.7.8 Stakeholders participation

The sampling size for collecting research data was another significant factor to consider as this would ultimately determine the outcomes of the research and determine time spent on field work collecting primary data. This research has strived to have stakeholder participation from all four case studies. All feedback on interviews and questionnaires are representative of personal and group experiences as expressed by respondents.

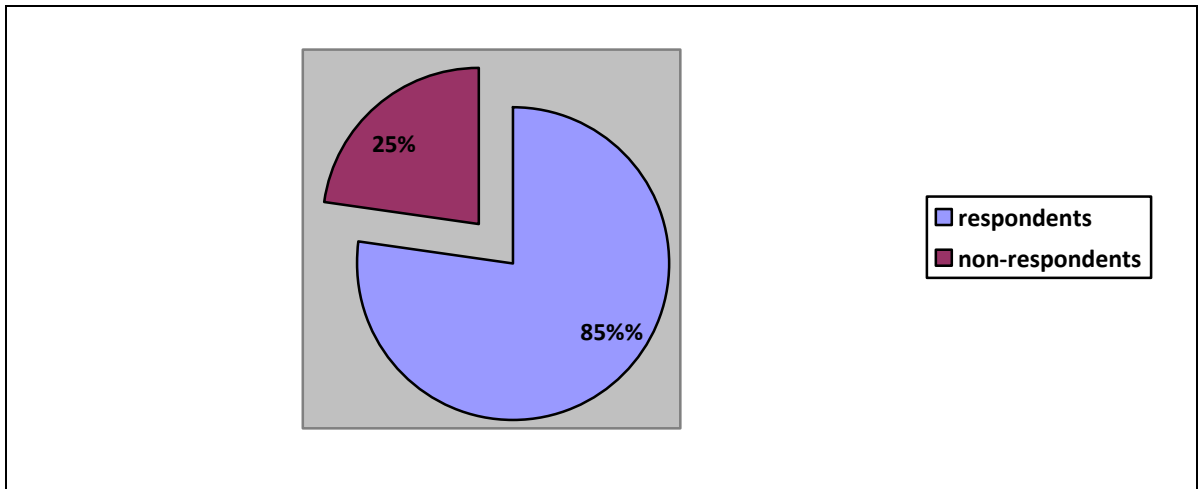


Figure 1: Total participants.

Stakeholders participation was overall “successful” as the majority participation from all stakeholders across the different strata are represented. The total earmarked participants’ were (37) and (31) participated. Resident’s respondents were 100%.

Business respondents were 75% and the CBOs respondents were 75%. For case Study (D) Total Demolished School, no CBO that was involved at the time of school closure could be traced or contacted for participation.

The state stakeholder, PDPW agreed in principle to be interviewed, but later withdrew and did not respond to various e-mails and telephone request to participate. As such, the interview questionnaire for the PDPW will not be discussed, but will be included as part of the annexures of the research study.

1.7.9 Data Analysis

The general approach to data analysis in a case study is to examine the data for meaningful themes, issues, or variables, to discover how these are patterned, and to attempt to explain the patterns. Various patterns and similarities as well as characteristics unique to specific case studies were identified across all four case studies.

1.7.10 Ethical Considerations

Interview questions and questionnaires for the various stakeholders were formulated in accordance with the rules as set out and explained by the supervisor and as administered by the University of Western Cape (UWC) Research Ethics Committee.

The foundation of my research was based on the effective use of multiple sources of data, case studies, interviews, questionnaires and a literature review.

As such I have documented the sources of information and the process of analysis in each task in detail, to enable my supervisor and peers to understand what was done and to authenticate that the work meets all appropriate standards and expectations as set by the university and the committee on Higher Degrees. The wellbeing of all stakeholders and respondents were set above the outcomes and objectives that the research could generate.

1.8 Scope and delimitation

The findings of the research are limited to the four case studies only, reflecting different outcomes (ie of re-use, abandonment and demolition). The geographical area of the study is limited to the Western Cape, Cape Flats urban area only. As such the results in other urban areas other than the Cape Flats or rural areas within the same province might indicate different outcomes. The focus are based on the four selected case studies within the so-called “coloured” community on the Cape Flats and in no way project the conditions of closed down schools on the entire Cape Flats or in all so-called “coloured communities”. The four case studies used in the study were identified in so-called “coloured” communities in urban areas on the Cape Flats, as the phenomenon seems more prevalent in these areas. Due to the scope and time limit of the study, the focus is also limited to selective socio- economic conditions and issues in relation to the respective communities of the case studies and definitely does not cover all aspects and dynamics involved.

1.9 Organisation of study

The mini-thesis is divided into five chapters and they are organised in the following order:

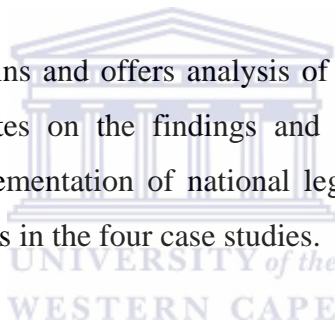
Chapter 1: Provides the reader with an introduction to the research topic, a background, context and motivation for the study, its aims and objectives and the research methodology.

Chapter 2: Provides a comprehensive literature review. It further discusses an international best practice guide and international trends on the disposal of closed down schools.

Chapter 3: Provides the reader with the legislative, policy and the PDPW in provincial context to better understand the government immovable asset management role players and concepts.

Chapter 4: The chapter contains and offers analysis of the primary data collected in the four case studies. It elaborates on the findings and its interpretation. It furthermore questions the degree of implementation of national legislation and provincial policy in relation to closed down schools in the four case studies.

Chapter 5: The chapter provides conclusions and recommendations of the study. The conclusions are based on the research findings in relation to the research objectives. Specific recommendations are made to the various stakeholders. Proposals are also made regarding the continuation of future research on the research topic.



CHAPTER 2: LITERATURE REVIEW

2. Introduction

The previous chapter dealt with the background to the study on government immovable asset management (GIAM) and gave an overview of the layout of the chapters that will follow. This chapter will primarily focus on the empirical data available. These will entail previous academic studies and literature on the subject field and the various definitions attached to specific terms used in government immovable asset management. Various journals and official government documents on government immovable asset management will also be discussed.

The literature review will cover aspects on immovable asset management (IAM) and the disposal of closed down schools. This dual approach is needed as the disposal of schools at the end of its life-cycle is a facet of the whole life cycle management of immovable assets. The literature review will connect this study with broader discussions on the research topic. It will also introduce and orientate the reader to the current government immovable asset management practices and theories in South Africa. The chapter will further explore an international best practice model for closing a school, where the focus will be on disposing of surplus property- closed down school buildings. Finally the international trends on the disposal of closed schools will be discussed.

This orientation will later be important when the attention will move to chapter four where the findings of the evidence collected in the four case studies will be assessed against this backdrop. The literature review, together with the policy and legislative frameworks that will follow in chapter three will serve as a theoretical and empirical base for the conceptualisation of this study. This in turn will confirm the gaps that the study identified, the disconnect between policy, legislation and its implementation and the “poor management” of closed down schools on the Cape Flats. In the end these will assist in reaching the objectives of the research document.

The discussion will start with a brief explanation on the challenges of IAM in government in section (2.1). This will be followed with a discussion on the current stance of the South African Government on GIAM in section (2.2). From there the discussion will focus on the New Public Management (NPM) approach in section (2.3). This will be followed by discussing the conceptualisation of key terms in section (2.4). The key elements in IAM will be discussed in section (2.5). While “Closing a School Best Practices Guide” will be discussed in section (2.6). The international trends on the disposal of closed down schools will be explored in section (2.7). Finally, the overall conclusion will be dealt with in section (2.8)

2.1 The challenges of Immovable Asset Management in Government

Government's all over the world struggle with the management of their immovable assets. According to Woodhouse (2003) the drive for change in the IAM sector can be traced to the need for change from the private sector to improve AM. The relevant AM disciplines and procedures have generally emerged from the highly structured or regulated institutions and have since spread to other sectors. As such GIAM theories are broadly based and borrowed from the private sector.

Immovable assets form part of government infrastructure plans which is a necessity for government to render services to communities in South Africa. On a global scale immovable and moveable assets are part of the foundation of service delivery for all governments as service providers to their citizens. Without immovable assets such as roads, schools and hospitals, the delivery of a service would be non-existent. The effective and efficient management of government's immovable assets are thus of utmost importance to ensure that such assets are optimally utilised. IAs is vital to any organisation and government wanting to achieve its service delivery objectives.

As previously mentioned, the relevant AM disciplines and procedures have generally emerged from the highly structured or regulated institutions. AM as relates to physical assets are a relatively new concept. It covers the procurement, operational management, maintenance, rehabilitation and disposal of assets such that their use is maximised in

regard to their service delivery potentials and that risks and costs are managed over their entire life. Woodhouse (2001)

Public and private sector organisations now seem “more dedicated” to optimising their asset base and recognising that physical assets have a vital role to play in providing service delivery that meets their corporate objectives. According to Woodhouse (2001)

“The principal throughout the asset management theory is that assets should be used to its full service delivery potential and that costs and risks are managed over the entire life cycle of an asset”

2.2 The South African Government’s current stance on GIAM

The purpose of the government’s IAM Framework is to provide direction in respect of the way in which IA will be managed by the whole of government in future, in line with the broader objectives and priorities of government. IA should predominantly be used to optimally support delivery of current and future government services. It must be accepted in principle that service delivery includes the attainment of government objectives, especially where IA could be used for land reform, black economic empowerment, alleviation of poverty, the creation of jobs and the redistribution of wealth.

(South Africa. Western Cape Department of Transport and Public Works, White Paper 2004)

On the road to establishing a possible unified vision for the management of GIAM, National government embarked on firstly formulating the Government Wide Immovable Asset Management Policy in 2005. This policy document laid the foundation for the Government Immovable Asset Management Act (GIAMA) of 2007.

The purpose of the government’s strategic planning process is to link service delivery with the needs and expectations of the community it serves.

In its “latest approach” from the South African government, Public Works Department, Minister Thulas Nxesi has revealed the following at a media briefing dated 08 August 2014:

“Cabinet approved the establishment of the Property Management Trading Entity (PMTE) to improve management of state properties. The objective of operationalising PMTE as a government component is to ring-fence and professionalise the management of state property. This will be done to manage the state property portfolio to save money. It would improve the quality of government services to the public by improving access to, and the quality of, buildings. It hoped to use the property portfolio to empower emerging black business and create jobs. The PMTE was established in response negative audits in the past eight years, irregular leases, sub-standard government facilities, no planned maintenance of government properties, and the under-utilisation”.

Above statement reflects on the government’s attempt to “better” manage its property portfolio for the benefit of reaching its service delivery objectives and minimise costs. The idea is to have a “specialist” unit within the National Public Works Department reporting directly to Minister Nxesi. The department will source black estate agents that will be more effective than using the department’s staff.

The “latest approach” by government in making use of “more” private sector business principles and mechanisms within the public sector has its origins within the New Public Management Theory (NPM).

2.3 New Public Management (NPM) approach:

The principal throughout the asset management theory is that assets are used to its full service delivery potential and that costs and risks are managed over the entire life cycle of an asset. According to the IMF Working Paper (2000) common notions exist on Government immovable asset management, such as government’s are wasteful in the use of public held assets, do not know what assets they own, nor the value of each asset and they do not realise the opportunity costs of abandoned immovable assets.

Rondinelli and Cheema (2003) argue that the NPM philosophy is a different approach to government and governance, a paradigm shift in the way the public sector should be managed, structured and the methods applied to render services and products to its customers.

In the NPM discourse the bureaucracy is seen as an impediment hampering progress. NPM contests Max Weber's traditional ideal-type or rational organisation and its philosophies. It proposes new approaches to service delivery, measuring outputs through the provision of effective service delivery, considering efficiencies through outsourcing functions that were historically the responsibility of the state and greater responsiveness to the needs of the public.

Rondinelli and Cheema (2003) further highlights that: In the 21st century with globalization and an ever changing information technological environment, economic uncertainty, political instability and climate changes, governments all over the world have to re-think some of its traditional roles. NPM is therefore a retort to challenges confronting the public sector.

These "latest" approaches undertaken by the South African government, DPW seem to have its origins within NPM. Characteristics of NPM theory resonate within the Property Management Trading Entity (PMTE). Hopefully, this time around the "new" approach on GIAM will be better managed within the whole asset life-cycle management. This should result in government optimising the use of its IA base in reaching its service delivery objectives. Apart from legislation and various policies, GIAM will now be "further strengthened" by NPM theory and principles in an attempt to manage IA more effectively and efficiently to boost value for money and accountability principles.

A discussion of the various concepts and definitions in GIAM will follow. These are important in order to follow the theory, policies and legislation more clearly.

2.4 Basic terms and definitions

In the discourse on GIAM it is important to clearly understand certain key terminologies. The terminologies have specific references in the context and environment of GIAM in which they are used. Without a clear understanding or background the reader would not be able to follow the discussion on government immovable asset management.

As the focus of this study looks at GIAM the National Treasury terminologies and definitions will be applicable throughout this document when GIAM is referred to unless stated otherwise. However, the need exist to consider the various definitions and terminologies that other scholars and authors in the private sector use.

2.4.1 Asset Management (AM):

Over the years various sectors and organisations has differed on the definition of what asset management entail and what asset management is. The term Asset Management has various meanings to different organisations and sectors. There is also no parity on the use and meaning of the term within the private sector as appose to the terminology in the public sector. The following institutions, sectors and authors have their own definitions to asset management and will be explored.

Information available from their website (The Institute of Asset Management, 2008) explains that “Asset management enables an organization to examine the need for, and performance of, assets and asset systems at different levels. Additionally, it enables the application of analytical approaches towards managing an asset over the different stages of its life cycle”.

(The Institute of Asset Management, 2008) website also defines Asset Management as: “Systematic and coordinated activities and practices through which an organisation optimally and sustainably manages its assets and asset systems, their associated performance, risks and expenditures over their life cycles for the purpose of achieving its organisational strategic plan”.

According to Woodhouse, J. (2007): “Even a fairly superficial survey of the term “Asset Management” reveals some fundamental differences in interpretation and usage”.

Woodhouse however, defines “Asset Management” as “the set of processes, tools, performance measures and shared understanding that glues the individual improvement or activities together”.

For the purpose of this study, a more formal and structured definition is adopted for Asset Management from the National Treasury of South Africa.

The National Treasury (2004) definition of asset management states: “a process of guiding the processes of acquisition up to disposal of assets, management of the related risks and costs of assets over the entire life cycle”.

The different authors, scholars and institutions perspective of the “same” terminology have been discussed. None can be dismissed as a “wrong” definition or interpretation as the relevance of the definition will depend from which institutional or sector specific view it is approached from.

2.4.2 Immovable Assets (IA):

Immovable assets in government has a specific definition as derived by the Government Immovable Management Act 2007 (GIAMA) which states:

“immovable assets” means an asset that is immovable, i.e. land and any immovable improvement on that land, and which have enduring value and consist of assets of residential, non-residential or infrastructure nature and include machinery and equipment that have been installed and are an integral part of an immovable asset and includes both state owned and leased assets.

The application of the definition means that types of assets listed below, will be construed to be immovable assets for the purposes of this framework.

- Land including, but not limited to developed, underdeveloped, vacant, cultivated, non-useable or inaccessible land.
- Buildings including but not limited to office accommodation, prison buildings, police stations, courts, schools, hospitals, and houses.

- Rights in land including servitudes, “right to use”, leases.
- Infrastructure including, but not limited to roads, harbours, railway lines, airports, transmission lines, dams and pipe lines.
- Machinery, plant and equipment including, but not limited to pump stations, machinery and irrigation systems for as far as such machinery, plant and equipment are construed to be immovable in terms of the common law applicable to property.
- Conservation, cultural and heritage assets including, but not limited to monuments, historical sites, heritage sites, conservation areas and sites of scientific significance.

From above definition it is clear that school buildings are defined as an immovable government asset and as such falls within the scope of the White Paper on the Management of Provincial Property (2004) and GIAMA (2007).

2.4.3 Immovable Asset Management (IAM)

Immovable asset management in government also has a specific definition as derived by the Government Immovable Management Act 2007 (GIAMA). The Act states that:

“immovable asset management” means those management processes which ensure that the value of an immovable asset is optimized throughout its life cycle.

The following key terms are also important in order to follow the theory of government immovable asset management and a basic discussion on each will follow. These are definitions as defined by the “Government-Wide Immovable Asset Management Policy” (As approved by Cabinet on 17 August 2005) and the (GIAMA) Government Immovable Asset Management Act no 19 of 2007.

- a) **“custodian”** means a national or provincial department referred to in section 4 represented by the Minister of such national department, Premier of a province or MEC of such provincial department, so designated by the Premier of that province.

Discussion:

In all four of the case studies on the Cape Flats the “custodian” would be the Provincial Department of Public Works in the Western Cape, while the accountability is vested within the provincial MEC of Public Works and the Western Cape Premier.

- (b) “**user**” means a national or provincial department that uses or intends to use an immovable asset in support of its service delivery objectives and includes a custodian in relation to an immovable asset that it occupies or intends to occupy, represented by the Minister of such national department, Premier of a province or MEC of such provincial department, so designated by the Premier of that province.

Discussion:

In the case of government school buildings in the Western Cape the “user” would be the Western Cape Education Department (WCED). It is important to clearly understand and follow the roles of the “custodian” and the “user” as they are the two “main” stake holders involved in immovable asset management.

In the four case studies and the research document the Western Cape Provincial Department of Public Works (PGWC) is the “**custodian**” of schools – government immovable state assets.

The Western Cape Education Department (WCED) is the “**user**” of the asset up and until the closure of the school. During the time period that the WCED utilises the asset it is responsible in conjunction with the PDPW for the maintenance and refurbishment. However at the point where the WCED has no use for the school infrastructure at the end of its life span i.e. closing for whatever reasons, the “**custodian**” PDPW should step in and control and manage the asset or disposal of it. The function of the “custodian” as a partial responsible and oversight role changes once the schools are closed down and as such the “custodian” are solely responsible for its management and the WCED responsibilities effectively ends.

As such the responsibility of the management of closed schools and in particular the four case studies is vested within the PDPW in the Western Cape and the accountability according to the Constitution should rest with the Premier of the Provincial Government of the Western Cape (PGWC).

- c) **“life-cycle”** means the period during which a custodian or user expects to derive benefits from the control or use of an immovable asset.

Discussion:

During its life-cycle IAM plans should indicate what should happen at the end of its life-cycle with the IA. In the case of closed schools “the end of its life cycle” does not necessarily mean the “end” as some schools are in a “usable state”, but does not meet the service delivery objectives of the “user” WCED as it might be too small or too big due to learner numbers etc. Even after the life-cycle the infrastructure and land has monetary value, which could be re-used, leased, donated or sold.

Whichever way the IA should be dealt with at the end of its life-cycle, should be as important as during its entire life-cycle. Thus having a whole life cycle approach to GIAM.

- d) **“portfolio”** means the total extent of immovable assets controlled or used by a national or provincial department.

Discussion:

At the national level the National Department of Public Works (NDPW) maintains a portfolio of immovable assets controlled and used by national government departments, while at provincial level such as the case in the Western Cape, the Provincial Public Works Department is responsible for the property portfolio. The “portfolio” plays an important part in asset management, as it should be easier to manage an asset if the state “knows” who the owner of an asset is. Currently the state does not irrefutably know how many and what assets it owns. As acknowledged by the Minister of National Department of Public Works, the country’s asset management portfolios are not complete due to lack of a uniform system in the past across different levels of government. However the national department and its provincial spheres are currently on a drive to update its

“property portfolios” on a database. The lack of information of what assets the state “owns” add to the problems of IAM.

- e) **“best practice”** means a desirable and appropriate standard, process, procedure, method or system in relation to immovable asset management.

Discussion:

Various best practice models exist within the IAM theory and NPM. Value for money and Public Interest should resonate through GIAM practices. To a certain extend certain “best practice” principles are evident in IAM policies and legislation, but a gap exists at the implementation stage which will be highlighted in the chapter on the research findings.

- f) **“best value for money”** means the optimisation of the return on investment in respect of an immovable asset in relation to functional, financial, economic and social return, wherever possible

Discussion:

The abandonment of a school could surely not be a best value for money principle. In the event of case study (A) the school was abandoned, vandalised and used as a crime hotspot. The situation deteriorated to the extent that the decapitated body of a youth was found in a class room of the abandoned school. The school went “from a community asset to a community hazard”.

- g) **“surplus”** in relation to an immovable asset, means that the immovable asset no longer supports the service delivery objectives of a user.

Discussion:

Schools become surplus if it does not meet the service delivery objectives of the WCED for the purposes of education and training anymore. However, this does not mean that the school buildings are now suddenly “not in a usable state”. The same school facility that does not meet the service delivery objectives of one department, WCED, as it might be too small, or too big due to learner numbers etc. However the IA might be able to meet the service delivery objectives of other user departments within the PGWC.

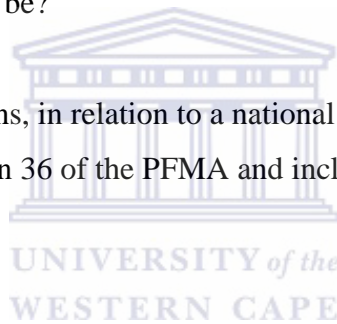
Thus the PDPW should have a holistic and integrated approach with the utilization or re-use of its immovable assets, amongst its other user departments. Closed school could also be used by other levels of government, civil society organisations or by local communities.

h) “**disposal**” means any disposal contemplated in the State Land Disposal Act, (No.48 of 1961) or a provincial land administration law. (Disposal refers to the alienation of immovable property through either the selling, ceding, exchange or letting thereof (Western Cape Land Administration Act, 1998, Sections 1 and 3).

Discussion:

The abandonment and demolition after a closed school has deteriorated to such an extent that it fell into disrepair and has become an hazard could surely not be part of a disposal plan of the PDPW? Or can it be?

i) “**accounting officer**” means, in relation to a national or a provincial department, a person mentioned in section 36 of the PFMA and includes any person acting as the accounting officer.



Discussion:

The accounting officer in a department is seen as an “important figure” within any department and “ultimately” the person that should “ensure governance and compliance” with the various regulations and policies.

j) “**immovable asset management plan**” means a custodian immovable asset management plan or a user immovable asset management plan, as the case may be, prepared in accordance with section 6.

Discussion:

The PDPW as the “custodian” of closed schools is legally mandated by GIAMA (2007) to have immovable asset management plans for all closed down schools. However, the existence of any IAMP for closed down schools is questionable and formed part of a questionnaire submitted to the PDPW to which no response was received.

Above are indications of the importance and value of the various definitions and terminologies. The value or meaning that the different definitions bring forward indicates the difficult, but also important role that definitions play in theory and knowledge. Depending through whose lens one sees. The “idea” of a holistic GIAM approach and an integrated IAM framework in the South African government context can be assumed to be still in its infant stages. A clear understanding on the definitions and terminologies by the various stakeholders and officials is of utmost importance.

Now that the importance of the various terminologies were identified the next sections will explore some fundamental aspects within the government immovable asset management environment.

2.5 Key elements of Immovable Asset Management (IAM)

Management of IA is the undertaking of maintenance and development of the physical, environmental and technological infrastructure of the properties. An IAM control mechanism is vital in managing assets to ensure achievement of organisational goals.

The key components of AM operate within a life cycle framework. The National Treasury (2004) describes the key components of IAM as:

- **Asset life cycle management:** This serves as a management control tool to guide the planning, acquisition, operational and maintenance and disposal.
- **Immovable Asset register:** The essential data pertaining to the status and condition of all Immovable Assets are to be recorded in the asset register.
- **Performance Management System:** The performance management system records vital data pertaining to the performance of IA in terms of achieving its strategic goals.

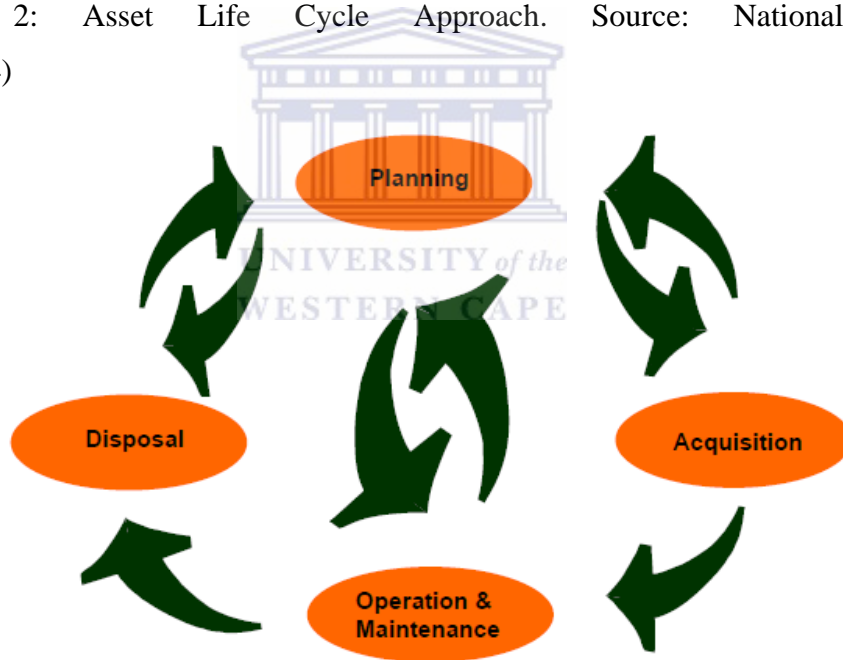
The four key components need to be elaborated on in order to understand its importance to conceptualise GIAM and the study. The key element of asset life cycle management is one important area where the study identified a gap where the PDPW is finding problems with the disposal of closed down school buildings.

2.5.1 Asset life cycle management:

The asset life cycle is a vital AM tool that takes the whole of-life implications of an asset into account. The asset life cycle is a key concept underpinning asset management. The life cycle approach covers all phases of an asset's life starting with planning, through its acquisition, operation, maintenance and eventual disposal.

Management of these phases should be aligned to the organisation's planning, budgeting, monitoring and reporting processes. In summary the 4 phases are as follows:

Figure 2: Asset Life Cycle Approach. Source: National Treasury (2008:24)

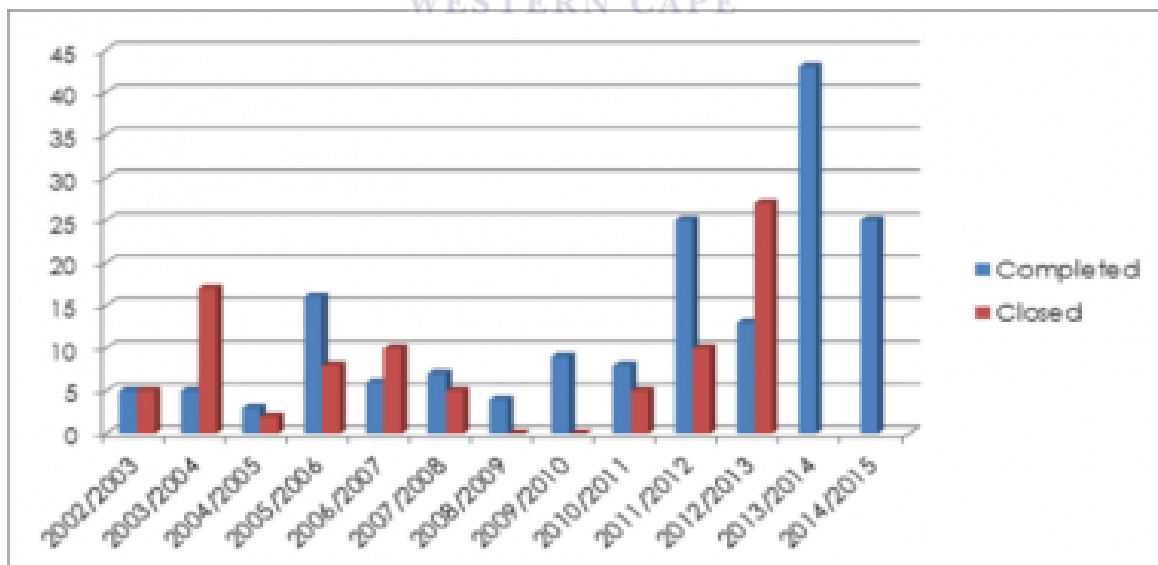


The above diagram illustrates the interaction and constant updating of the life-cycle information throughout the life of an asset.

- a) The **planning phase** deals with the planning for service delivery that drives the need for assets. This phase will include asset management plans and input into the budget. Various acquisition options should also be considered during this phase.

- b) The **acquisition phase** deals with the purchase, construction or manufacture of new assets. (building, letting, renovating)
- c) The **operation and maintenance phase** deals with the operation of the assets, maintenance, refurbishment, enhancement, rehabilitation, depreciation and impairment. This phase includes activities of a capital and current nature.
- d) The **disposal phase** deals with the timing of and disposal of the assets including the disposal costs and specific requirements for the assets, e.g. dismantling (demolishing) costs, legal requirements, etc.

For the purpose of the study an assumption will be made that the PDPW are “more effective” during the (b) acquisition phase than what they are with the other phases such as (a) planning phase (in relation to re-use plans) and , (c)the operation and maintenance phase and, (d) the disposal phase. These assumptions are based on some of the findings of the case studies that will be elaborated in more detail in chapter 4. The following bar chart also gives an indication of the number of schools built (acquisition) and those that have closed from 2002 till 2012.



Graph 1 Source: (PDPW). Graph representing schools built and closed since 2002/2003.(2012)

According to a media statement by Mr. Robin Carlisle, Minister of Provincial Department of Transport and Public Works. (2012).

“In the financial years 2002 to March 2009, 46 schools were built at an average of six per year. In our first three years in office, we have delivered 37 schools at an average of 12 per year, doubling the previous administration's outputs. In the next three years we will build 81 schools at an average of 27 a year, thus doubling our output yet again”.

The fact that the PDPW are building new schools and the WCED are closing down other schools creates an impression that the two departments do not have a holistic and integrated approach to IAM plans. No disposal plans seem to exist. And the two departments seem to work in a “silo effect”. The department that is responsible for closing a school WCED is not the same department responsible for managing the closed down school buildings PDPW.

In the above media statement the Provincial Minister of Transport and Public Works, Robin Carlisle did not make any mention of what happened to any of the immovable assets-schools that closed since new ones were built between 2002 and 2012.

The questions in the context of this study needs to be asked: What was the department's disposal strategy? How many of the schools were re-used by other state departments or communities? How many were abandoned? How many were donated, sold, leased or demolished? These questions formed part of a questionnaire sent to the PDPW but no response was forthcoming.

2.5.2 Asset Register (AR):

An Asset register for any organisation or institution is important as it will contain information on the asset capacity of the organisation. The AR is an instrument of the asset portfolio of any organisation. The register will provide information on the different types of immovable assets, its condition and value. This information can be used for strategic planning to determine which IA's can be used and aligned with in order to reach the institutional and overall organisational objectives.

The register will also indicate which assets need to be disposed of and if new additional ones need to be acquired due to changing organisational needs. (South Africa. National Treasury, 2008).

In the context of GIAM the Treasury has set minimum information that an AR need to contain.

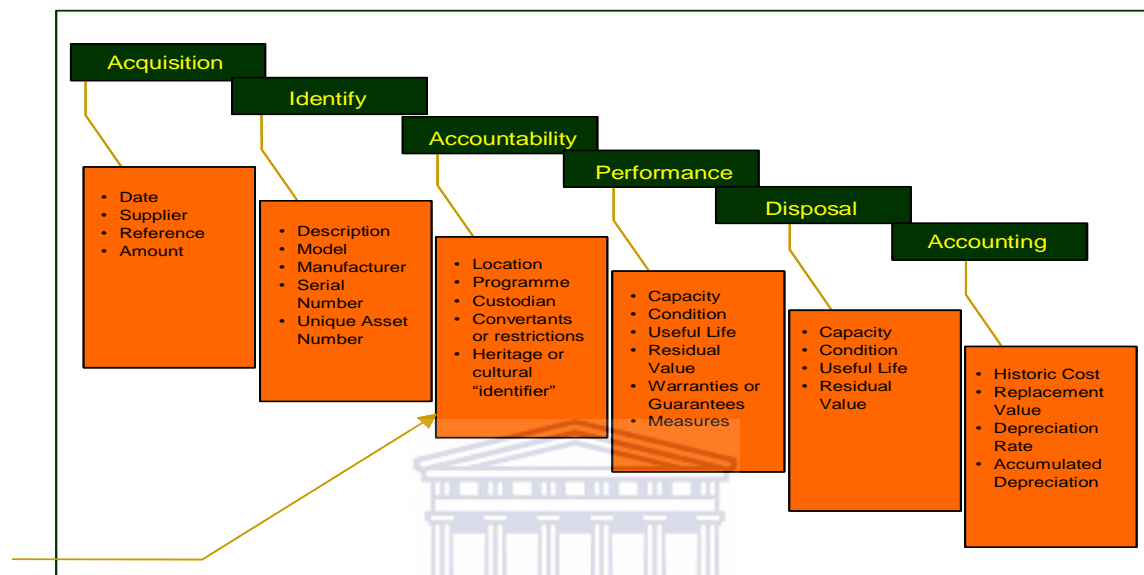


Figure.3 Composition of asset register. Source. National Treasury. Asset Management Framework (2004:35)

The South African government and governments around the world are constantly accused of not having up to date asset registers, not knowing what immovable assets it owns, neither knowing its values. As such government is not unlocking the full potential of its immovable assets to reach its objectives. (South Africa. Western Cape Department of Transport and Public Works. White Paper, 2004)

Some common notions exist on Government immovable asset management, such as governments are wasteful in the use of public held assets, do not know what assets they own, nor the value of each asset and they do not realise the opportunity costs of abandoned immovable assets. IMF Working Paper (2000)

As the PDPW is responsible for immovable assets of the Provincial Government of the Western Cape it is important to ascertain what the Provincial Portfolio entails.

According to the definition of property portfolio in the White Paper on the management of provincial property (2004). The Provincial Property Portfolio consists of properties registered in the name of, or vesting in the Western Cape Provincial Government, leased properties and portions of Provincial road reserves made available by the Provincial Roads Engineer for non-road use. Properties registered in the name of, or vesting in, the Western Cape Provincial Housing Board, as well as borrow pits, road reserves and sites reserved for roads are, however, excluded.

The Western Cape Provincial Portfolio consists of various immovable assets occupied and utilized by the different (user) departments as indicated below.

Western Cape Provincial Property Portfolio

Education	3,912
Agriculture	48
Community Safety	4
Cultural Affairs	184
Dept of Health	234
Nature Conservation	284
Unused	1,834
Total	6,500

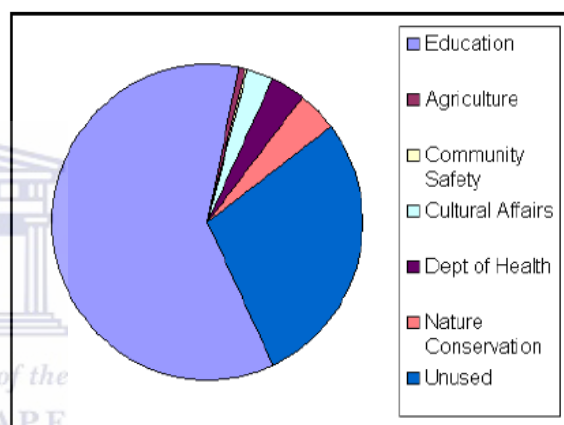


Fig.4 Source: PDPW.Western Cape Asset Management Review (2003:14) Working Paper.

According to the working paper (2003): The Department of Transport and Public Works manage the balance of the portfolio not allocated to any user department. Some even are being rented out (rental status) to private entities on the short term until such time that a decision is made on their future need.

As evidenced the above graph and statistics the WCED is the department with the highest number of immovable state assets. This number can be attributed to be majority schools within the Western Cape Province.

According to the speech by the National Minister of Department of Public Works, Mr Thulas Nxesi, on PMTE, August 2014:

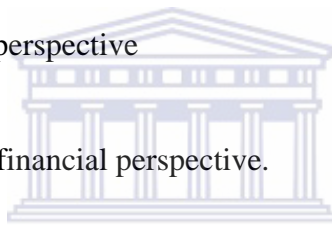
“As part of a Turnaround plan 2012-2014, gains achieved include, establishing a comprehensive Immovable Asset Register-95% physically verified (this is a first in the history of the South African State)”.

This is an indication that the DPW is making strides in the right direction in relation to management of the AR, which is a very important facet of GIAM.

2.5.3 Performance Management System.

According to National Treasury (2004) the primary tools for monitoring and evaluating the degree to which IA contributes to realising the objectives of the department is through the implementation of a performance management system. This system will report on:

- Vision and strategy
- Customer/stakeholder perspective
- Internal perspective
- Learning, growth, and financial perspective.



The Asset life cycle approach as discussed above is an important approach in immovable asset management. This Life Cycle Approach is based on the “whole life cycle of the asset” and sentiments of it is resonated throughout the various National Treasury guidelines, the White Paper on the Management of Provincial Property (2004) and GIAMA (2007).

The whole life approach to government immovable asset management entail that immovable assets be managed throughout its life cycle at each stage up to and until disposal of the asset. This whole life cycle approach advocates a holistic approach that should be applied in practice when schools are closed down and need to be disposed of.

Next will follow an exploration on what happens in the international context by means of looking at an international best practice guide on disposal of closed down schools.

The establishment of an international good practice model and practices will help frame the theory of the study on closed down schools and its “disposal” on the Cape Flats.

This will then be followed by a discussion on what trends are followed internationally on the disposal of closed down schools.

2.6 “Closing a School Best Practices Guide”.

On the international spectrum the California Department of Education in the U.S.A has a policy document, “Closing a School Best Practices Guide” (CASBPG) which basically covers the protocol; procedures and timeline to follow on school closure. From information available on the official website (The California Department of Education, 2013) The CASBPG is divided into five chapters:

1. Gathering facts
2. Deciding which school to close
3. Making the decision
4. Making the transition
5. Disposing of surplus property



Of particular importance to the research topic at hand is Chapter 5 of the (CASBPG) dealing with the “Disposal of school property”.

“Chapter 5: Disposing of school property: “A vacant school site and empty buildings are district liabilities. They still require upkeep, maintenance, security, and insurance coverage (in fact, empty buildings may raise insurance costs). Unless the district foresees reopening the schools in the near future or is willing to financially support a vacant-school liability, closed schools should be leased, re-used, or sold outright”.

“Keep in mind that leasing a school, as opposed to selling it, allows a school district to retain it as a resource in case enrollment increases , as it often does, and facilities are needed again. The district must appoint a DAC (District Advisory Committee) to advise the governing board in the use or disposition of school buildings and vacant sites not needed for school purposes (Education Code Section 17388). It is best if this committee is involved at the very beginning of discussions about school closure, but it is a legal mandate that the committee be formed and

consulted about the use of school property once closure decisions have been made”.

“In addition to limitations being placed on how the proceeds from the sale or lease of surplus property can be used, there are requirements specifying to whom the property must first be offered. Many can be waived by the State Board of Education, but the items listed below cannot: (These apply to property disposed through outright sale or through lease with an option to purchase);

Land must first be made available for use for low-income housing and for park and recreation purposes (Education Code Section 17459); Land must be made available to specified park and recreation departments (Education Code Section 17464[a]). These sections can be waived by action of the State Board of Education: Land must be offered in writing to the Director of General Services, Regents of the University of California, Trustees of the California State University, the county and city, any public housing authority; by public notice to various public agencies and non-profit charitable institutions. A time line to reply to the public notice is specified as 60 days after the final public notice. (Education Code Section 17464[b]);

It is important to consider seeking waivers to those sections above that may prevent the district from choosing the most desirable new owner or lessee of its surplus property. The obligation a district has to its community is sometimes more important than realizing the highest price from district property”.

An interesting fact to note is that in the above best practice guide that the same government agency that is responsible for school closure is also responsible for the disposal strategy. The re-use process can thus start concurrently with the closure process. This system seems to create a more holistic approach to disposal and re-use options. The end result is that the disposal options are seen as important as the actual closing of the school itself and not in isolation by a different department or agency.

Very important is the statement that *“it is a legal mandate that the committee be formed and consulted about the use of school property once closure decisions have been made”.*

In the South African context the above statement does not form part of current legislation and thus not a legal mandate.

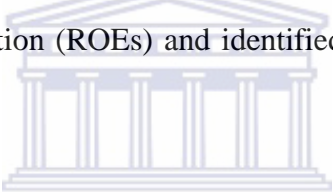
In South Africa and the Western Cape, the government department (WCED) that is responsible for school closures is a different department than the one responsible for its management and disposal after closure (PDPW). As such, the effects of policy

incoherence could be at play. The two departments seem to operate in “silos” and without any future re-use or disposal plans. Decisions to close a particular school by WCED are made in “their own interest” and “passed” on to the PDPW who “seems to have no immediate use” for the immovable asset.

Above is in “direct contrast” with the. Western Cape Department of Transport and Public Works. White Paper on the Management of Provincial Property, (2004) which states that “the various provincial departments should all align their individual departmental goals to achieve the overall objectives of the Western Cape Government as a whole”. A lack of Inter Governmental Relations (IGR) seems evident.

2.7 International trends on the disposal of closed down schools.

In 1998, the Illinois Institute for Rural Affairs studied the conversion and adaptive use of closed school buildings in rural Illinois. Liebenstein, A.M (1998). That project surveyed 29 Regional Offices of Education (ROEs) and identified 25 closed buildings, with 19 of the 25 converted to other uses.



“The hope is to illustrate options that can be explored in communities before a closed school building is abandoned and reaches sufficient deterioration to no longer have a productive use. “Renovated abandoned school buildings can serve as affordable housing, business establishments, or community centers, to name only a few possibilities. Whatever use is pursued, the renovation process always involves participation by many agencies in a community”.

On the international spectrum the focus on school closures seem to be handled as important as the re-use or disposal of these buildings. The key debates in the literature seem to put the emphasis on re-use and disposal strategies.

The South African perspective and focus though seem to focus purely on the actual school closure process and what happens to the physical buildings once schools are closed seem to be a point that is not in discourse. No re-use or disposal plans seem to exist.

Public participation is evident on the topic of whether a school must close or not, as these are legislated by the S.A Schools Act no.84 of 1996. However no public participation process is “legislated” for the re-use of closed schools.

2.8 Summary

At the start of the chapter the reader were familiarized with the challenges of GIAM and the South African government's current stance. The discussion further explained the theoretical framework of NPM as well as the different and various terminologies that are used in the government immovable asset management environment.

The main purpose and objectives can be summarised as the need for responsible, effective and efficient management of immovable assets. The study consulted an international "closing a school best practice guide". This was followed by looking at international trends on "the disposal of closed down schools". The findings was briefly discussed and compared in relation to what happens in the South African context.

GIAM is framed by a body of theoretical knowledge adopted from the private sector (NPM) within the international context. The National and Provincial government of the Western Cape have policies in place that should bolster governance on IAM. The implementation and monitoring and evaluation of these policies however are a challenge. The existing combined theoretical body of literature, policy framework and best practice guides should make GIAM more "user friendly" to administrators and stakeholders.

However, the effect on the "everyday life" of the public and the realization of the "better life for all" these will be the measuring tools of communities. Why can't more be done with the existing immovable asset base? Why can't disposal options currently being used when schools are closed down be done "in the interest" of poor communities? Why can't these community assets be retained as assets instead of becoming community hazards?

Communities in the area surrounding schools that have closed and those that intend to close should be consulted through a public participation process. The enforcement of legislation and policies might be challenging to the street level bureaucrats although it is "well intended" and should "benefit" communities.

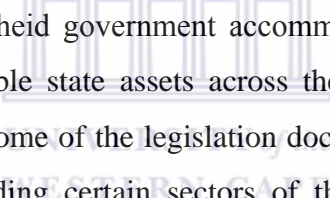
The following chapter three will investigate and elaborate on the Legislative, Policy and Institutional Frameworks that demarcate Government Immovable Asset Management in South Africa and the Western Cape.

CHAPTER 3: LEGISLATIVE, POLICY AND INSTITUTIONAL FRAMEWORKS

3. Introduction

Theoretically, legislative and policy frameworks together with good practice models are established to bolster governance principles. Governance is important in order to regulate actions of various role players in a specific environment.

The Constitution of South Africa (Act 108 of 1996) mandates the national government to pass legislation for all spheres of government. The purpose is to establish minimum norms and standards and have uniformity across the different spheres. These constitutional mandates put constitutional obligations on government departments and agencies that they must adhere to. Legislation on the management of government immovable assets also falls into this ambit.



South Africa's previous apartheid government accommodated various racial policy and legislative pieces on immovable state assets across the different spheres and levels of government. The creation of some of the legislation documents was specifically based on apartheid principles of excluding certain sectors of the South African citizenry. This system resulted in non-uniform and sometimes apposing legislative objectives. After the dawn of democracy, the post-apartheid state had the challenge to co-ordinate and manage its immovable assets to benefit the majority of its citizens. The realisation was that for the state to reach its objectives, the optimal use of all available state assets and resources had to be managed holistically. As such, a need for a more unified and co-ordinated immovable asset management framework existed. (South Africa. Government wide immovable asset management policy 2005)

The Government Immovable Asset Management Act 19 of 2007 (GIAMA) and various other legislation was promulgated to provide for a uniform framework for the management of immovable assets that is held or used by a national or provincial department; to ensure the coordination of the use of an immovable asset with the service

delivery objectives of a national or provincial department; to provide for issuing of guidelines and minimum standards in respect of immovable asset management by a national or provincial department; and to provide for matters incidental thereto. (GIAMA, 2007)

In this chapter section 3.1 will look in more detail on the various legislative documents on the National levels, section 3.2 will look in more detail on legislative documents on Provincial level while, 3.3 will explain the policy framework, and finally in section 3.4 the institutional framework will explore the PDPW in the provincial context.

3.1 Legislative Framework

According to the National Department Of Public Works, Strategic Plan 2012-2016 (2012).

“The President; in terms of the powers granted to him by the Constitution of the Republic of South Africa, 1996; has assigned powers and functions relating to Public Works at national level to the Minister of Public Works. In addition hereto DPW’s mandate is the custodianship and management of a significant portfolio of the national government’s immovable assets. This includes the provision of accommodation, rendering of expert built environment services to user departments at national government level and the planning, acquisition, management and disposal of immovable assets under the custodianship of DPW”.

A legislative framework has binding effects for various role players and sets basic requirements to be met. The South African Government as the custodian is mandated by the Constitution for the management of all government immovable assets. Flowing from this mandate the state has passed the various legislative documents to effect this constitutional mandate. In the jurisdiction of GIAM the legislation make specific requirements for immovable asset management plans and it identifies accounting officer’s responsibilities for IAM plans. Also of importance it distinguishes the roles and responsibilities of the “custodian” and “user” of government immovable assts.

In the context of this research it is important to understand the relationship and responsibilities of the “custodian” and “user” in order to identify which department is

responsible for closing a school and which other department is responsible for the management and disposal of the closed down school.

The Legislative Framework primarily consists of the following legislation documents:

- Constitutional mandate-The South African Constitution 108 of 1996
- The Public Finance Management Act 1 of 1999. (PFMA)
- Government Immovable Management Act 2007 (GIAMA), and
- Various pieces of Western Cape Provincial Legislation

3.1.1 The South African Constitution 108 of 1996 - Constitutional mandate

The Constitution is the overarching legislation in South Africa that compels the state to formulate legislation and policies to give effect to constitutional mandates. These mandates are assigned to relevant levels of government and departments with the mandate to implement applicable legislation in order to devise the states various objectives.

- 1) The constitutional mandate of DPW is provided for in Schedule 4 of the Constitution: Functional Areas of Concurrent National and Provincial Legislative Competence. In pursuit of its mandate, DPW also has to observe the principles of good cooperative governance and intergovernmental relations as provided for in Section 41, Chapter 3 of the Constitution.
- 2) Section 133 (1) determines that the Members of the Executive Council of a province are responsible for the functions of the executive assigned to them by the Premier. Section 133 (2) further determines that Members are *inter alia* accountable collectively for the exercise of their powers and the performance of their functions. As such they are the custodians of provincial property.
- 3) Section 133 (2) also determines that Members of the Provincial Council are accountable individually to the legislature for the exercise of their powers and the performance of their functions. According to Section 132 (2), the Premier assigns the Minister of Transport, Public Works and Property Management the responsibility to act as Executive for the management of provincial property.

- 4) The Constitution of South Africa 108 of 1996, Section 195 mandates that in the principles of Public Administration:
- Efficient and effective use of resources must be promoted;
 - Public Administration must be development-oriented;
 - Public Administration must be accountable;
 - Transparency must be fostered by providing the public with timely, accessible and accurate information.

In the South African Public Service context the Department of Public Works is responsible for the maintenance and oversight of immovable State assets. The DPW as evidenced above constitutionally mandated to preserve State assets by means of a National Department and Provincial Departments.

3.1.2 The Public Finance Management Act, no.1 of 1999 (PFMA)

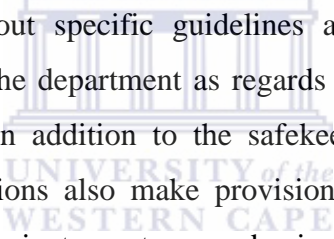
“The Public Finance Management Act (PFMA), 1999 (Act No. 1 of 1999) (as amended by Act No. 29 of 1999) is one of the most important pieces of legislation passed by the first democratic government in South Africa. The Act promotes the objective of good financial management in order to maximise service delivery through the effective and efficient use of the limited resources”.

The key objectives of the Act may be summarized as to:

- Modernise the system of financial management in the public sector;
 - Enable public sector managers to manage, but at the same time be held more accountable;
 - Ensure the timely provision of quality information; and
 - Eliminate the waste and corruption in the use of public assets.
- 5) The Public Finance Management Act, 1999 (Act 1 of 1999 as amended by Act 29 of 1999). This Act and the Treasury Regulations published in terms of Section 76 of the Act give effect to Sections 213 and 215 to 219 of the Constitution (1996) and prevail over all other legislation except the Constitution. The Act serves to regulate financial management in the National and Provincial Governments; to ensure that all revenue,

expenditure, assets and liabilities are managed efficiently and effectively; and to provide for the responsibilities of persons entrusted with financial management and matters connected therewith.

This Act provides a concurrent national and provincial framework for dealing with assets, including property belonging to Provinces. It also concentrates on the outputs and responsibilities of management and improving financial management in the Provinces. The Member of the Executive Committee, as political head of the Department, is responsible for policy matters and outcomes, while the head official of the Department, as the accounting officer of the Department, is responsible for the outputs and implementation, in addition to being accountable to the Provincial legislature. It is the responsibility of the accounting officer to ensure effective, efficient, economical and transparent use of the resources of the Department, while at the same time safeguarding and maintaining the assets.

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- 6) The Regulations set out specific guidelines as to the responsibilities of the accounting officer of the department as regards disposal of assets in the form of immovable property, in addition to the safekeeping and proper usage of such property. The Regulations also make provision for entering into public-private partnerships where a private party may be in a better position to execute the functions or utilise properties in the interest of the public.
- 7) The Head of the Department of Transport and Public Works (DTPW) is the accounting officer who is accountable as Property Steward in terms of Sections 38 to 43 of the Public Finance Management Act (1999).

3.1.3 Government Immovable Asset Management Act No.19 of 2007 (GIAMA)

According to the National Department Of Public Works, Strategic Plan, 2012-2016 (2012) the mandate of DTPW are largely governed by the Government Immovable Asset Management Act, 2007 (GIAMA). The Act aims to ensure efficient and effective immovable asset management throughout Government in order to improve service delivery.

The Minister of public works, Ms Thoko Didiza, MP, related the following in her speech to introduce the GIAMA, on 29 March 2007, National assembly. Cape Town.

“Madam Speaker, the Department of Public Works consulted with all national and provincial departments on the policy. In particular, the Department consulted National Treasury to ensure consistency and alignment with the Public Finance Management Act and its regulations, as well as Treasury’s strategic planning and asset management initiatives”.

1) The Government Immovable Asset Management Act, 19 of 2007.

Was established to provide for a uniform framework for the management of an immovable asset that is held or used by a national or provincial department; to ensure the coordination of the use of an immovable asset with the service delivery objectives of a national or provincial department; to provide for issuing of guidelines and minimum standards in respect of immovable asset management by a national or provincial department; and to provide for matters incidental thereto.

2) *Application of Act:* The Act applies to organs of state.

Objects of Act

- (a) provide a uniform immovable asset management framework to promote accountability and transparency within government;*
- (b) ensure effective immovable asset management within government;*
- (c) ensure coordination of the use of immovable assets with service delivery objects of a national or provincial department and the efficient utilisation of immovable assets;*
- (d) optimise the cost of service delivery by—*
 - (i) ensuring accountability for capital and recurrent works;*
 - (ii) the acquisition, reuse and disposal of an immovable asset;*
 - (iii) the maintenance of existing immovable assets;*
 - (iv) protecting the environment and the cultural and historic heritage;*

Relationship between and responsibility of custodian and user

(2) A custodian—

- (a) acts as the caretaker in relation to an immovable asset of which it is the custodian;*

(b) may—

(i) in the case of a national department, acquire and manage an immovable asset as contemplated in section 13 and, subject to the State Land Disposal Act, 1961 (Act No. 48 of 1961), or any other Act regulating the disposal of state land, dispose of that immovable asset;

(ii) in the case of a provincial department, subject to the relevant provincial land administration law, acquire, manage and dispose of an immovable asset; and

(c) is, subject to section 18, liable for any action or omission in relation to an immovable asset of which it is the custodian, excluding an act or omission in good faith.

Immovable asset management plan

6. *(1) Subject to this Act and as part of its strategic planning process contemplated in the Public Service Regulations, 2001, the accounting officer of—*

(a) a custodian must—

(i) prepare an immovable asset management plan, to be known as a custodian immovable asset management plan, in relation to all the immovable assets which are in its custody;

(ii) prepare a user immovable asset management plan, which relates to all the immovable assets which the custodian uses or intends to use in support of its own service delivery objectives; and

(b) a user must prepare an immovable asset management plan to be known as a user immovable asset management plan in relation to the immovable assets which that user uses or intends to use.

(2) When preparing a custodian or user immovable asset management plan, the accounting officer must—

(a) meet the objects of this Act;

(b) adhere to the principles contemplated in section 5;

(c) adhere to any regulations published in terms of section 20; and

(d) adhere to standards issued in terms of section 19.

Minimum contents of custodian immovable asset management plan

7. A custodian immovable asset management plan must consist of at least—

- (a) a portfolio strategy and management plan;*
- (b) a management plan for each immovable asset throughout its life cycle;*
- (c) a performance assessment of the immovable asset;*
- (d) subject to section 13(1)(d)(iii), a condition assessment of the immovable asset;*
- (e) the maintenance activities required and the total and true cost of the maintenance activities identified; and*
- (f) a disposal strategy and management plan.*

Submission of immovable asset management plan

9. (1) The accounting officer of a custodian must, on a date determined by the relevant treasury, submit a copy of its custodian immovable asset management plan to that treasury.

(2) The accounting officer of a user must—

- (a) on a date determined by the relevant treasury, submit its user immovable asset management plan as part of its strategic plan to that treasury; and*
- (b) on a date determined by the custodian, submit a copy of its user immovable asset management plan to the relevant custodian.*

Functions of custodian and accounting officer of custodian

13. (1) The accounting officer of a custodian must, for all immovable assets for which that custodian is responsible—

- (a) compile, in accordance with section 7, and with due regard to the user immovable asset management plans submitted in terms of section 9, a custodian immovable asset management plan that forms part of the strategic plan of that custodian;*
- (b) submit the custodian immovable asset management plan to the relevant treasury as part of its strategic plan;*
- (c) advise the relevant treasury on the immovable asset management plans of users;*
- (d) ensure that all activities that are associated with common law ownership are executed, including—*
 - (i) managing an immovable asset throughout its life cycle;*
 - (ii) assessing the performance of the immovable asset;*

- (iii) assessing the condition of the immovable asset at least every fifth year;*
- (iv) identifying the effect of the condition of an immovable asset on service delivery ability;*
- (v) determining the maintenance required to return the immovable asset to the state in which it would provide the most effective service;*
- (vi) estimating the cost of the maintenance activities identified;*
- (e) establish and execute a performance measurement system as prescribed.*

(2) The accounting officer of a custodian must assist a user by making available information pertaining to an immovable asset used by that user as well as suitable alternatives, including analysing that information in a manner that would enable the user to make informed and effective decisions on the use and management of that immovable asset.

(3) A custodian may dispose of a surplus immovable asset—

- (a) by the allocation of that immovable asset to another user; or*
- (b) subject to the State Land Disposal Act, 1961 (Act No. 48 of 1961), and any provincial land administration law, by the sale, lease, exchange or donation of that immovable asset or the surrender of a lease.*

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Above extracts from GIAMA attest to the detailed responsibilities and obligations of the various role players according to the act. GIAMA can be seen as a relatively “new” legislation for the South African government immovable asset management. It clearly demarcates responsibilities of the “user” and that of the “custodian”. The Act also regulates that a user and custodian must formulate and submit immovable asset management plans (IAMP) to the responsible Treasury department. The custodian must include a custodian immovable asset management plan that forms part of the strategic plan of that custodian.

The legislation also makes mandatory specific information requirements that users and custodians must include in their user and custodian immovable asset management plans. It further holds accounting officers of departments responsible for efficient and effective asset management principles and practices based on the PFMA and various Treasury regulations and guidelines.

3.2 Constitution of the Western Cape, 1998 (Act No. 1 of 1998)

Apart from National legislation that forms part of the legislative framework on government immovable asset management certain Provincial legislation also falls into this realm. Various chapters below will be explored in the context of the PDPW.

CHAPTER 2: INTERGOVERNMENTAL RELATIONS

Co-operative government

7. As part of the provincial sphere of government of the Republic of South Africa, the Western Cape government must —

(a) act in accordance with the principles of co-operative government and intergovernmental relations set out in the national

Constitution in all its dealings with the national government, the other provincial governments and the municipalities in the Western Cape;

Above statements makes clear the “intention” that the various departments within the PGWC should foster intergovernmental and IGR and co-operative relations. This mandates the WCED, PDPW and other departments in the provincial sphere to try and achieve service delivery objectives not only of their own department, but also that of the province as a whole. Effective IGR would assist in the re-use of closed down schools by other departments and agencies before “disposal strategies” of abandonment.

CHAPTER 4-EXECUTIVE

Accountability and responsibilities

43. (1) The Provincial Ministers are responsible for the functions of the executive assigned to them by the Premier.

(2) Provincial Ministers are accountable collectively and individually to the Provincial Parliament for how they exercise their powers and carry out their functions.

(3) Provincial Ministers must —

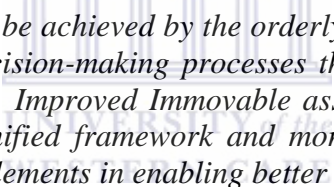
(a) act in accordance with the national Constitution and this Constitution; and

(b) provide the Provincial Parliament with full and regular reports concerning matters under their control.

As evidenced from above a depth of National and Provincial legislation does exist that forms the legislation framework on GIAM. This framework should be used as the benchmark to measure implementation of the regulations in relation to disposal of GIAM. Related and co-existing with the legislative framework are the policy frameworks that also guide the implementation of the legislation and set the objectives to be reached.

3.3 Policy Framework

The purpose of the IAM Framework is to provide direction in respect of the way in which IA will be managed by the whole government in future, in line with the broader objectives and priorities of government. IA should predominantly be used to optimally support delivery of current and future government services. It must be accepted in principle that service delivery includes the attainment of government objectives, especially where IA could be used for land reform, black economic empowerment, alleviation of poverty, the creation of jobs and the redistribution of wealth. Accordingly the White Paper on the Management of Provincial Property (2004) states that:



“Integrated GIAM can be achieved by the orderly, organised and proper management of all decision-making processes throughout the life-cycle of an immovable asset. Improved Immoveable asset management can be achieved through a unified framework and monitoring and evaluation systems would be key elements in enabling better service delivery”.

In line with the White Paper (2004), the Government-Wide Immoveable Asset Management Policy (2005) also states that “In the past few years, asset management has gained support on a global scale. The governments of many countries have embarked on programmes to implement asset management principles, and have made annual and medium term budgets subject to the compilation and approval of an asset management plan”.

The various policies will be distinguished between national and provincial policies. The Provincial Department of Public Works (PDPW) as the “custodian” in the case of closed down schools on the Cape Flats in the Western Cape has both provincial and national policy obligations to adhere to.

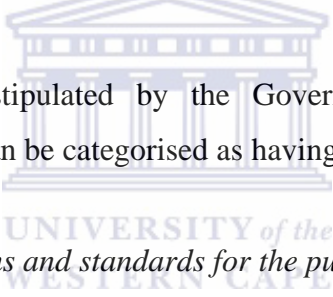
3.3.1 Government-Wide Immovable Asset Management Policy:

According to the Government wide Immovable Wide Immovable Asset Management Policy (2005).

“Immoveable assets have to be managed throughout their life-cycle within a framework of cost effectiveness, efficiency and reduced risk. Individual organs of state will derive benefits from immovable assets when matching such assets with service delivery objectives within the framework of government’s development priorities. Given the extent and diversity of immovable assets owned and used by the government and the significant impact such assets have on the macro-economic, socio-political and physical landscape of South Africa, there is an urgent need for a uniform approach to the management of these assets”.

On the road to establishing a possible unified vision for the management of government immovable asset management, National government embarked on firstly formulating the Government Wide Immovable Asset Management Policy in 2005. This policy document laid the foundation for the Government Immovable Asset Management Act, 19 of 2007.

The policy framework as stipulated by the Government Wide Immovable Asset Management Policy in 2005 can be categorised as having the following key outcomes:

- 
- a) *establish national norms and standards for the public sector*
 - b) *identify relationship and responsibility of user & custodian*
 - c) *define role, responsibility and accountability of users, custodians & accounting officers*
 - d) *promote integrated strategic immovable asset management planning*
 - e) *establish submission of planning documents by various role players*
 - f) *apply value for money principles*

- g) *immovable assets to be used in meeting governments goals and enhance the social, economic objectives of state.*

According to the Government Wide Immovable Asset Management Policy, 2005.

The purpose of the government's strategic planning process is to link service delivery with the needs and expectations of the community it serves. The purpose of the framework was: To implement the objectives of GIAMA: to make it incumbent on all custodians and users as appropriate to their functions, to demonstrate that it is managing immovable assets effectively and efficiently and in such a way as to promote government's objectives such as:

- Promoting accountability, fairness and transparency.
- Promote effective, efficient and economic use of immovable assets.
- Reducing overall costs of service delivery.
- Reducing the demand for new immovable assets.
- Supporting government's socio economic objectives.
- Realizing the best value for money principle from the disposal of immovable assets, whilst promoting government's socio-economic objectives.
- Increasing opportunities for PPP's so as to benefit government and to realize additional returns from immovable assets.

The frameworks also include the following Immovable Asset Management Principles to ensure that immovable assets support service delivery objectives:

- An immovable asset solution (capital and recurrent) must be properly evaluated and all options (including non-asset solutions) duly assessed prior to a final decision.

- An immovable asset must be used efficiently and becomes surplus to a user if it does not support its service delivery objectives at an efficient level and if it cannot be upgraded to that level.
- To minimise the demand for immovable assets, alternative service delivery methods that do not require immovable assets must be identified and considered.
- In relation to an acquisition, it must be considered whether a non-asset solution is viable-an immovable asset currently used by the state is adequate to meet change in its service delivery objectives- and the full impact of cost over the lifespan of the immovable asset justifies its acquisition in relation to the cost of the service.
- Immovable assets that are currently used must be kept operational to function in a manner that supports efficient service delivery.
- When immovable assets are acquired, best value for money must be realized.
- In relation to a disposal, a custodian must consider whether the immovable asset concerned- cannot be used by another or joint usage by different users- cannot be used in relation to government's socio-economic objectives, including land reform, economic empowerment, alleviation of poverty, job creation and the redistribution of wealth- or cannot be used in relation to use in social development initiatives of the state.

The Government-wide immovable asset management policy document (2005) further states that:

“principles of this policy will apply government-wide, without taking away existing mandates and roles and responsibilities, to all organs of state, including national and provincial government departments, municipalities, constitutional institutions, national and provincial trading entities, municipal entities and relevant public entities on which the (Public Finance Management Act, 1999) PFMA and (Municipal Finance Management Act, 2003) MFMA places an asset management responsibility”.

As mentioned, before the establishment of GIAMA (2007) various pieces of legislation regulated immovable assets within the public sector. Government soon realised the need for unified norms and standards to manage its immovable assets.

The following specific objectives were established by the Government-Wide Immoveable Asset Management Policy: The objectives of a unified immovable asset management policy are to:

- Provide organs of state with guidance in respect of the management of immovable assets throughout their life-cycle;
- To establish uniformity and ensure the application of minimum requirements in managing immovable assets and the related delivery of services;
- To enable the whole of government to ensure demonstrable linkages between service delivery and immovable asset resource planning and co-ordination;
- To ensure accountability for the effective, efficient and transparent management of immovable assets; and
- To ensure that decision-making by individual organs of state takes place within a government-wide common framework.

With the Government Wide Immoveable Asset Management Policy (2005), the South African government has “declared” its intention of establishing a new chapter in GIAM in South Africa. With the establishment of the policy an attempt was made to move away from haphazard, isolated and “wasteful management of immovable assets. The policy framework also resonates the principles of a whole life approach to government immovable asset management. The policy document was soon followed by the adoption of GIAMA 2007.

3.3.2 Western Cape Provincial Policies: White Paper on Management of Property in the Western Cape (2004).

In (2001) the Western Cape Provincial Government (WCPG) issued a Green Paper on Management of Property in the Western Cape to start the process of an integrated and holistic asset management approach. This was followed by a White Paper on Management of Property in the Western Cape (2004). The White Paper in this regard is also applicable on this study and will be discussed in more detail.

In the Western Cape Provincial Government, the Provincial Department of Public Works is the custodian of provincial state assets. It is responsible for the immovable assets in the (4) case studies of this research. As such provincial acts and policies are also applicable to immovable asset management within the province. Provincial policy documents forms part of the provincial policy framework on government immovable asset management although subordinate to the South African Constitution 108 of 1994 and (GIAMA, 2007).

National policies and those of the Provincial Government of the Western Cape Government in the context of this study can be seen as a statement of intention and acts as a guideline to officials and stakeholders in the province. These policy documents are important in order to establish certain norms and standards to measure outcomes and performance.

According to The White Paper on the Management of Property in the Western Cape (2004) it outlines an agreed policy and implementation framework to guide the activities relating to the fixed properties of the Western Cape Provincial Government's and other properties utilised by the Province. This policy document focused on the management of the property portfolio of the Provincial Government and property-related activities that impact upon the overarching objectives of the Provincial Government. The scope of the White Paper also covers coordination with the property management activities of other public and civil society role players in the Province. The following White Paper (2004) extract attest to this:

“Immovable assets owned or used by organs of state should primarily be used to optimally support delivery of current and future government services. It is implied in this principle, that service delivery includes the attainment of government objectives, especially where immovable assets

could be used for land reform, black economic empowerment, alleviation of poverty, the creation of jobs and the redistribution of wealth”.

Also of particular importance in the White Paper and applicable to this research document are the sections on: Socially just and accountable disposal of surplus property and Asset management processes and results to serve developmental requirements. This section will be discussed in more detail to grasp its application to the management of closed down schools and its disposal.

3.3.2.1 Socially just and accountable disposal of surplus property:

“Property must be released for the maximum benefit of the people of the Western Cape and should not be frittered away to satisfy short-term expediencies. Thus Provincial property should not be released only for financial profit, but should be released where it can benefit the people of the Province”.

“One of the ingredients for ensuring socio-economic development and economic growth in the Province is to encourage large-scale development of undeveloped or under-utilised property, whether for community facilities, job creating, commercial and industrial activity or land redistribution”.

“However, the sudden release of Provincial property will have a substantial impact on the urban land market. Accordingly, the process must be handled with care and be professionally planned”.

“On the one hand, the process must be guided by the realisation that Provincial property is part of a heritage that needs to be safe guarded for future generations. On the other hand, where disposal and acquisition can help undo negative legacies and correct socio-economic deficiencies, it should be done for that purpose. Disposal of superfluous properties may also reduce the maintenance burden and make available additional funds whereby the value of the portfolio is increased through improvements and new acquisitions. Redundant properties required in the long-term or considered to be of strategic value, will not be disposed of permanently”.

As evidenced from above extractions of the Western Cape Department of Transport and Public Works. White Paper on the Management of Provincial Property, (2004), it can be reasoned that the PDPW can use the disposal of closed down schools for community development or to ease socio-economic conditions within communities.

Closed down schools being abandoned or demolished should rather be re-used. These assets should retain their “value” as a community asset. The understanding of Public or Community participation in disposal options of closed down schools is another objective of this study and will be discussed in more detail to grasp its “accommodation” through the White Paper (2004).

3.3.2.2 Asset management processes and results to serve developmental requirements:

The White Paper on Provincial Property, Western Cape, Department of Transport and Public Works. (2004) further states: “that the Provincial Property Portfolio must be managed strategically to ensure that the accommodation needs of users of properties are satisfied optimally, but simultaneously that properties are utilised optimally either to be:

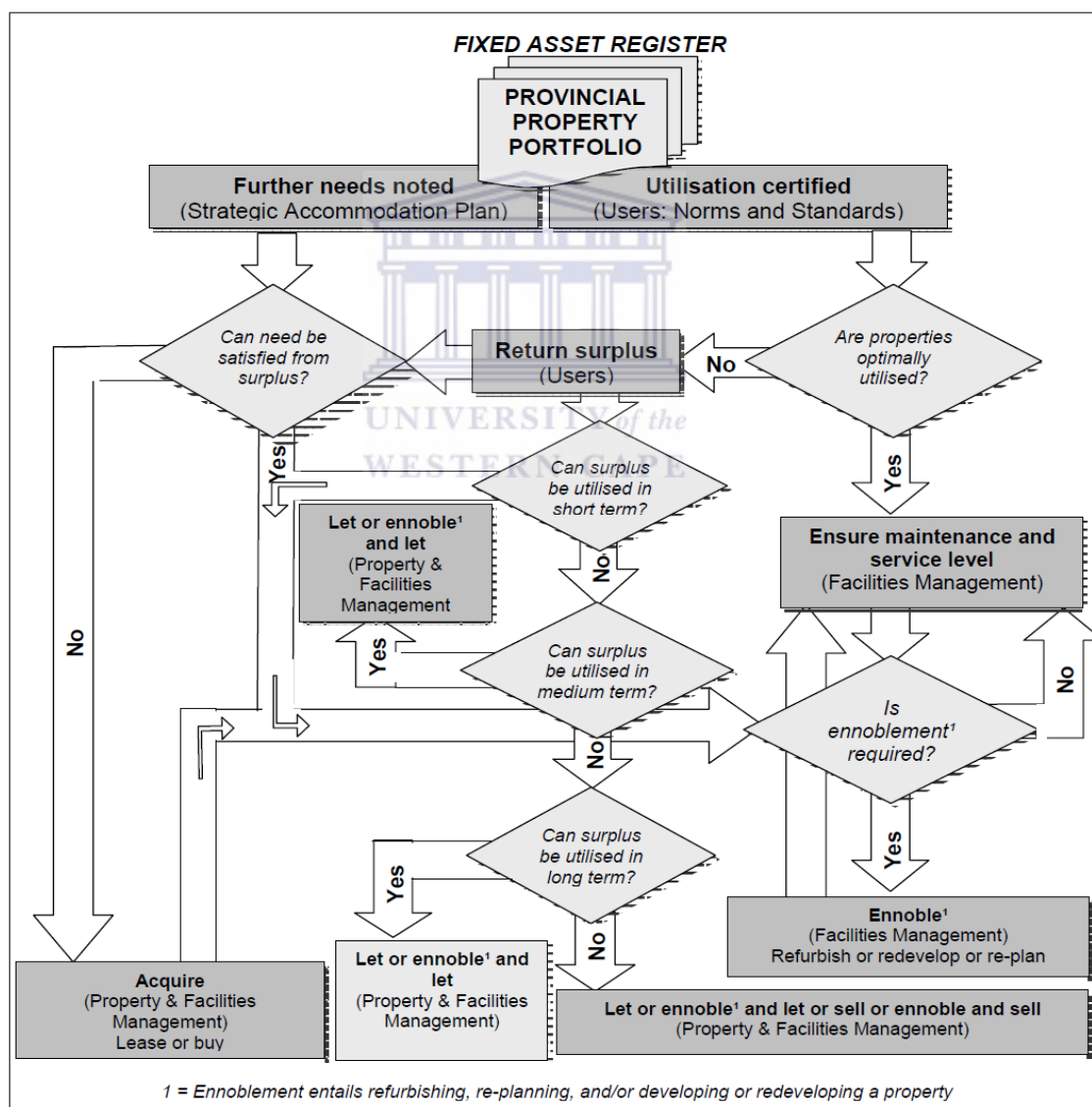
- Occupied by users according to the accommodation norms and standards in order to render services in the functional areas of concurrent national and provincial legislative competence, and in the functional areas of exclusive provincial legislative competencies;
- Developed, in conjunction with other role players, as productive assets that would provide or promote business opportunities;
- Integrate with assets of other Provincial role players and ennobled in such a manner that it contributes to infrastructure improvement of Province-wide or national significance; or
- Temporary or permanently disposed of in order to generate income from which further satisfaction of accommodation needs or other socio-economic development endeavours can be funded.

The White Paper (2004) further mentions that:

“As a first step excess property in close proximity to residential communities that have potential for such applications needs to be identified and subjected to a process of consultation with communities and other role players as regards further utilisation. A further step would be to acquire properties for the purpose of being developed as productive assets to promote business opportunities, especially for the historically disadvantaged and poor”.

The policy document “makes clear the intention” of “a process of consultation with communities and other role players” as such “accommodation” for consultation through a public participation or stakeholder participation platforms should be established in practice by the PDPW. However, to the contrary the primary data collected through the four case studies and the secondary data collected suggest the opposite to exist in “practice”. The following flow chart of asset management-related activities by the Branch: PublicWorks indicates no public participation process.

Figure 5. Below provides a chart of asset management-related activities by the Branch:PublicWorks.



Immovable Asset Management Flow Chart. (Source) White Paper on Provincial Property, Western Cape, Department of Transport and Public Works. (2004:38)

Although the policy document in the aforementioned discussion makes clear the “intention” of “*a process of consultation with communities and other role players*” nowhere in the flow chart of the PDPW above, does it indicate that public consultation processes are accommodated for.

Schools are closed in some poor communities on the Cape Flats, those same communities are in need of other facilities such as rehabilitation centres, clinics, police stations or old age homes.

It is questionable whether the policy document, White Paper (2004) under discussion was applied in its totality in the four case studies? Did community consultation or public participation happen? Were any stake holders consulted? Aforementioned questions are part of the research questions that is investigated and will form part of the research findings in chapter four.

A body of National and Provincial legislation and policy documents exist which hold the National Minister of Public Works, the provincial MEC's, “custodians” and “users” and accounting officers responsible for effective and efficient immovable asset management and the implementation of GIAMA in South Africa.

(Minister of public works, Ms Thoko Didiza, MP, speech to introduce the GIAMA, 29 March 2007, National assembly. Cape Town, Western Cape.)

“The immoveable assets of the state, namely the land and buildings, are literally the concrete foundations upon which service delivery rests. Government, its departments and agents require these resources to function effectively and efficiently, and as custodians, we are tasked with the management of these assets for the realization of government's socio-economic goals, not least the delivery of essential services”.

Now that the legislative and policy frameworks on the national and provincial level applicable on the PDPW in the Western Cape has been established, the focus will move to the institutional framework in which this department performs its mandates.

3.4 Institutional Framework - The PDPW in Provincial context.

The South African government, as in many other countries is the custodian of immovable state assets and public resources. In the South African Public Service context the Department of Transport and Public Works (DTPW) is responsible for immovable State assets. The DPTW is constitutionally mandated to preserve state assets by means of a National Department and Provincial Departments.

As such in the Western Cape which includes the Cape Flats, the Provincial Department of Transport and Public Works fulfils the role as custodian to manage the immovable property portfolio of the Provincial Government of the Western Cape. The Branch: Public Works within the department is entrusted to manage the portfolio on behalf of the province. The branch plays varying roles, in that it ensures that the accommodation needs of all provincial departments are integrated and provided for and should ensure that properties are not separately dealt with.

According to the Annual Report for 2012/13 Financial Year Vote 10: Department of Transport and Public Works, Western Cape Government. (Strategic Overview) (2013). The PDPW has the following, vision, mission and values.



Vision

From a service delivery perspective, the Western Cape Government's vision, and therefore the vision applicable to the Department of Transport and Public Works is:

"To create an open opportunity society for all in the Western Cape so that people can live lives they value."

Mission

"To protect and promote rights and expand opportunities." (Western Cape Government)

"The Department of Transport and Public Works develops and maintains appropriate infrastructure and related services for sustainable economic development which generates growth in jobs and facilitates empowerment and opportunity." (Department).

Values

The core values applicable to the Western Cape Government are as follows:

Caring, Competence, Accountability, Integrity and Responsiveness.

The PDPW has various functions, responsibilities and obligations to perform as stipulated by national and provincial legislation beside Asset Management. A discussion on these functions is necessary to understand the department's role in GIAM as a core function.

3.4.1 Core functions and responsibilities of the WC Public Works Department

Administrative services	<ul style="list-style-type: none"> • Provide strategic, operational support, financial administration and supply chain services for the Department • Assist municipalities to develop Integrated Transport Plans • Manage the Professional Development Programme aimed at developing scarce skills in the transport and engineering fields • Provide bursaries for individuals studying in the engineering and built environment fields
Public Works Infrastructure Services	<ul style="list-style-type: none"> • Acquire and dispose of immovable assets • Lease property • Provide accommodation services to Provincial Departments and entities • Construct and maintain Health, Education and General Building facilities • Create job opportunities and economic empowerment through infrastructure provision
Transport Infrastructure Services	<ul style="list-style-type: none"> • Construct, rehabilitate and maintain the provincial road network • Offer learnerships and graduate training • Offer diesel mechanic apprenticeships • Provide technical support services
Transport Operations Services	<ul style="list-style-type: none"> • Manage and monitor subsidised and specialised public transport services • Coordinate and facilitate transport safety and compliance programmes • Assess, assist and capacitate municipalities on land transport mobility. • Support the implementation of Non-Motorised Transport
Transport Regulatory Services	<ul style="list-style-type: none"> • Provide motor vehicle registration and licensing services • Provide motor vehicle roadworthy certification services • Provide licenses for competent drivers • Issue permits for abnormal load vehicles and events on public roads • Provide overload control services on national and provincial roads • Provide licensing services to public transport operators • Register minibus taxi operators and associations • Implement and coordinate road safety programmes (Safely Home programme) • Provide dispute resolution services in the public transport domain
Community Based Programmes	<ul style="list-style-type: none"> • Coordinate the Expanded Public Works Programme • Facilitate programmes to develop emerging contractors • Offer construction-related skills development opportunities, including apprenticeships for artisanal skills

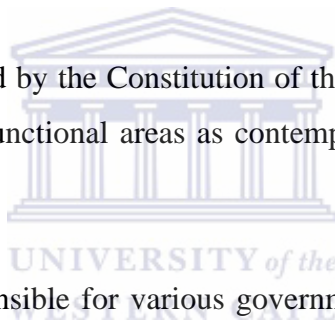
Source: Table 1(Adapted from PDPW Annual Performance Plan 2012-2013:22,67)

3.4.2 Constitutional Mandates:

In terms of Schedule 4, Part A of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996) and read with other legislation, the Department is concurrently responsible, for the following functional areas of legislative competence:

- Public transport (Concurrent national department is the Department of Transport);
- Public Works only in respect of the needs of provincial government departments in the discharge of their responsibilities to administer functions specifically assigned to them in terms of the Constitution or any other law (Concurrent national department is the Department of Public Works); and
- Vehicle licensing (Concurrent national department is the Department of Transport).

The Department is also guided by the Constitution of the Western Cape, 1998 (Act No. 1 of 1998) in carrying out its functional areas as contemplated in Schedule 4 and 5 of the Constitution.



Although the PDPW is responsible for various government services as evidenced above GIAM is the core function that makes up the majority of its budget spending. The department's main budget items are its infrastructure and maintenance functions and obligations. The department annually spends billions of rand's on new buildings to meet provincial and departmental objectives for its "user" departments. These include refurbishing, maintaining and building new schools.

The PDPW sets itself specific strategic short term and long term goals such as annual strategic outcomes aligned to those of the PGWC and its other departments. A brief overview will explore the context of these strategic plans in relation to GIAM.

3.4.3 Strategic Outcome Oriented Goals: Western Cape Provincial Public Works

Strategic Outcome Orientated Goal 1:	Promote good governance and an effective and efficient department.
	Goal statement: To continually provide policy and strategic leadership, as well as support services to enable the Department to deliver on government priorities and objectives by 31 March 2014.
	Justification: An efficient and effective department to improve governance has been identified as a strategic thrust for the Department.
Strategic Outcome Orientated Goal 2:	Lead the implementation and facilitation of EPWP in the Western Cape.
	Goal statement: To lead and facilitate the internalisation of EPWP across all departments and stakeholders in the Western Cape and within this Department by creating 111,859 Full Time Equivalents (FTE) work opportunities (204,770 100-day work opportunities) within the Provincial sphere by 31 March 2014 thereby increasing employment and community empowerment.
	Justification: Strategic intervention identified by the national and provincial government to support the intention to halve unemployment and poverty in terms of the Millennium Development Goals (MDGs).
Strategic Outcome Orientated Goal 3:	Lead the development and implementation of Integrated Transport systems in the Western Cape.
	Goal statement: To lead and promote the development and implementation of an integrated transport system inter-governmentally and transversally within the Western Cape by 31 March 2014.
	Justification: Integrated transport is a strategic transversal intervention identified by the Western Cape Government as being critical to support the vision of an open opportunity society for all. It is a core mandate of the Department, resulting in the need to focus upon improvements in all modes of transport, as well as the infrastructure supporting it.
Strategic Outcome Orientated Goal 4:	Lead the development and implementation of provincial infrastructure and property management in the Western Cape.
	Goal statement: To lead the development and implementation of provincial infrastructure and the management of property, inter-governmentally and transversally within the Western Cape by meeting appropriate standards by 31 March 2014.
	Justification: Infrastructure delivery and property management is critical to sustain economic development and to support the achievement of the MDGs by 2014.

Source: Table 2 (PDPW Annual Performance Plan 2013-2014:16).

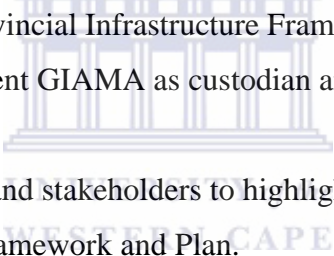
From above strategic objective nr.4 is applicable to Government Immovable Asset Management and a risk profile has been identified by the PDPW as stated below.

3.4.4 Risk Assessment of Departmental Strategic Goals

Strategic Outcome Orientated Goal 4:	Lead the development and implementation of provincial infrastructure and property management in the Western Cape.
Risk	Lack of a co-ordinated Provincial Infrastructure Framework and Plan. Lack of support to implement GIAMA as custodian.
Mitigation	Implement the Cabinet approved Strategic Directive for PSO1. Engagements with Departments and stakeholders to highlight strategic importance of a Provincial Infrastructure Framework and Plan.

Source: Table 3 (PDPW Annual Performance Plan 2012-2013:18).

It is interesting that the PDPW acknowledge in their annual performance plan 2012-2013 that there is a:

- 
- (a) Lack of a co-ordinated Provincial Infrastructure Framework and Plan and a,
 - (b) Lack of support to implement GIAMA as custodian and the fact they the department have to:
 - (c) Engage with Departments and stakeholders to highlight strategic importance of a Provincial Infrastructure Framework and Plan.

Above are clear indications that all is not well within the PDPW and the department is having challenges with government immovable asset management, the implementation of GIAMA and lacking co-ordinated infrastructure plans. These sentiments resonate directly with the findings of the primary evidence that was found in the four case studies of what happens on the grassroots level at the disposal stage of school closures. These findings will be elaborated in chapter four.

3.5 Summary:

The application of immovable asset management principles and legislation has distinct benefits. These benefits relate to accountability, efficiency, risk management and service delivery.

In South Africa GIAM is a key element in enabling better service delivery in line with the Batho Pele principles. The Batho Pele, White Paper (1997) states that *“These could in return assist in creating the South African government’s vision of “a better life for all”.*

According to Western Cape Department of Transport and Public Works. White Paper on the Management of Provincial Property, (2004), “assets must be released for the maximum benefit of the people of the Western Cape and should not be frittered away to meet short-term expediencies. Thus Provincial property should not only be released for financial profit, but should only be released where the benefit to the people of the Province is clear and substantial”.

As mentioned, the custodian and user relationship within the GIAM is important to understand. This relationship in the context of the research clearly articulates the following: The Provincial Department of Public Works is the custodian of provincial immovable assets of the Provincial Government of the Western Cape. Its core responsibilities include the provision, maintenance and disposal of provincial immovable assets to other provincial departments referred to as “user” departments, while the PDPW is the “custodian”. The “user” departments are “responsible for these immovable assets as far as they utilize it to reach their objectives, eg. The WCED will utilise a school building and its grounds in order to reach their educational objectives, once the WCED close a school for whatever reason their role as user “ends” and the responsibility to manage the closed school and grounds diverts back to the Custodian- PDPW.

The Western Cape Education Department (WCED) focuses on the actual school closure process and placement of learners at other schools. The Department is merely the *user* of the asset when it is utilized for school purposes and thus a client of the Department of Public Works (DPW). The focus of the Department of Basic Education (DBE) and Provincial Departments of Education is schooling and not real estate or immovable asset management.

The department responsible for these state assets (closed down school buildings) is vested within the PDPW who acts as *custodian*.

The management of closed school buildings on the Cape Flats, Western Cape is the responsibility of PDPW as constitutionally mandated. IAM theory is based on the foundation that AM is not a haphazard once off event. It is a planned process with different elements of specialisation that needs to be managed and co-ordinated.

The legislative framework anchored by the Constitution, PFMA and GIAMA sets the perimeters for the Department of Public Works both nationally and provincially as well as the “user” and “custodian” responsibilities and mandates.

An extensive body of national and provincial legislation as well as other policy directives are available to regulate the activities relating to the management of government immovable assets. The management of GIA’s has the relevant policy and legislative framework in place, which seems to be in line with the relevant theory (NPM) and relatively in similarity with international standards.

South Africa however is regarded as a country that has well established policies and is “rich” in legislation, but seems to struggle with implementation. The real test will be with custodians, users, and street level beauracrats to implement the policies and regulations. The Treasury, the Auditor General and the applicable oversight committees need to apply monitoring and evaluation in regard to application of GIAMA and applicable policies.

The South African Constitution 108 of 1996 has made specific constitutional mandates and constitutional obligations applicable to the management of Government Immovable Assets. This coupled with the legislative and policy frameworks has “ring fenced” the GIAM parameters for government officials and other relevant stakeholders.

The legislative and policy frameworks will ultimately assist to determine what happens at the implementation stages in relation to the disposal of closed down schools on the Cape flats, the four case studies and its findings.

The following chapter 4 will focus on the research findings and the interpretation of these findings. It will present the primary data obtained through the qualitative research approach. The data will be interpreted to make conclusions and recommendations.

CHAPTER 4: RESEARCH ANALYSIS AND INTERPRETATION

4. Introduction

This chapter presents the primary data obtained through the qualitative research approach which consisted of four case studies. The focus will be centred on what has happened in reality “on grassroots level” in relation to the experiences of stakeholders in the four case studies. These research findings will then be linked to the specific research objectives of the study.

Earlier on in chapter two a literature review were presented to conceptualise the theoretical framework of the study. Chapter three involved an exploration of the legislative and policy frameworks which set specific boundaries and requirements for GIAM within the institutional framework of the Western Cape Provincial Public Works Department. Further secondary data was obtained through empirical data sources such as studies on government immovable asset management, various related academic thesis, official government documents, legislation documents, international guides and trends. The aforementioned chapters have thus laid the foundation and parameters as measuring instruments against which the research findings of the four case studies in this chapter will be evaluated.

During initial and various stages of the study, interviews, recordings, questionnaires and document searches resulted in a great volume of collected data. The challenge was to make sense of the collected data, deciding what to use and what to discard. However, the research objectives of the study were used throughout the data collection exercise as the guiding instrument. An analysis was done to identify specific themes, but also interrelationships amongst various themes within the four case studies. Even though each case study had their own unique dynamics and outcomes, the realization soon emerged that certain characteristics resonated across case studies that displayed specific patterns, while others were “unique” to a specific case.

With all academic studies concerns of study validity are always raised. Within this research study such concerns were also identified and several precautions were taken to protect the validity of the primary data sourced. These include, but is not limited to the use of multiple sources of data ie. interviews, questionnaire’s and recordings.

The research findings represent a collection of data based on real life experiences, happenings, and its effects on the different stakeholders involved in the various case studies. Although respondents in research methodology might be identified as stakeholders, participants, strata or segments of a society, they are actually real human beings, the people at grassroots level that have lived these everyday life experiences.

The first section provides the collective findings of the interview questionnaires across the four case studies. These findings will be connected to the literature review, legislative and policy frameworks discussed in chapters two and three. In the final section the research findings will be evaluated in relation to the research objectives.

The following are the research objectives that guided the interview questionnaires. The questions were prepared and grouped into different categories according to the research objectives: (3) categories: Governance, Management and Stakeholder Participation

The secondary and more specific related research objectives include:

Governance:

- Identify and outline the evolution of relevant legislative and policy frameworks on government immovable asset management,

Management:

- Identify the processes and procedures outlined in GIAMA and the White Paper.
- Identify the existent PDPW practices with regard to the disposal and management of closed schools.

Public Participation:

- Identify the nature of participation with non-stakeholders and practices of collaboration

The research findings had the above research objectives as a “compass point” to reach the outcomes of the research paper. The “research journey” will reflect on the research findings: What has happened in reality at the community level where legislation, policies and best practices should be implemented. The various and collective stakeholder responses across the four different case study will be revealed.

The interview questionnaire was constructed based on the various themes of the research objectives and will be discussed in that format.

4.1 Research objective 1:

GOVERNANCE: Identify and outline the evolution of the relevant legislative and policy framework on government immovable asset management.

Secondary sources:

In chapter 3 the legislative and policy frameworks were established. In summary, in 2005, Cabinet approved the Government-wide Immovable Asset Management Policy. This was followed by GIAMA in 2007. As evidenced by the Minister of public works, Ms Thoko Didiza, MP, in her speech to introduce the GIAMA, on 29 March 2007, National assembly. Cape Town.

“The DPW consulted with all national and provincial departments on the policy. In particular, National Treasury to ensure consistency and alignment with the Public Finance Management Act and its regulations, as well as Treasury’s strategic planning and asset management initiatives”.

The objectives of the Act are to: provide a uniform IAM framework to, promote accountability and transparency; ensure effective IAM within departments; ensure alignment of the use of IA’s with service delivery objective and optimize the value to be derived from IA’s.

The WCPG initially had a Green Paper on the Management of Provincial Property (2001). It later produced the Western Cape Provincial White Paper on the Management of Provincial Property (2004) also applicable to the PDPW. The study reveals that the PDPW have applied the provincial document “partially” when schools in the four case studies were closed down. This identified “gaps” at the implementation stage of the policy in relation to the disposal of closed schools and the absence of public participation processes initiated by the PDPW.

Primary Sources:

The following interview questions “tested” the various stakeholders’ awareness of legislation or policies applicable on Government Immovable Asset Management – closed down school buildings and its application.

Question: Do you know what legislation governs the management of the closed school?

From the collective responses of residents and businesses not one single respondent was aware of any applicable legislation or policy document that governs the management of closed school buildings. Although a few said that “they assume there should be some kind of legislation”. While one resident in -case study (A) abandoned school-Demolished replied: “die government mense doen nie hulle werk nie, hulle wiet wat gedoen moet word, hoekom moet ons hulle werk wiet”.

It is the student researcher’s opinion that: In case studies (A) Abandoned school-Demolished and (D) Total Demolished school, awareness of legislative and policy knowledge amongst stakeholders could have assisted them in knowing the responsibilities of the PDPW as custodian. By being aware of the legislative and policy frameworks and becoming aware of their rights as stakeholders could also have assisted them in their “bad experiences” of deserted and demolished school buildings. Knowledge of the applicable White Paper at the time of school closures could have assisted the stakeholders in applying pressure on the PDPW to actually implement it. However, the onus to apply the White Paper and its objectives lays with the PDPW as the custodian of all provincial government immovable assets, including schools.

On the other hand in case studies (B&C) where the schools were re-used immediately upon closure residents were also unaware of any applicable legislation and policies. In these cases however their “good experiences” of the re-use of the schools was not “influenced” by their “lack of knowledge” about relevant GIAM policy and legislation.

Surprisingly, none of the three CBO’s interviewed was aware of any legislation or policy documents applicable on GIAM-closed down school buildings. This “lack” would have surely “hampered” their understanding of the GIAM framework and environment.

An additional question was included for CBO's to test the relevance of the "lack" of legislative and policy knowledge by stakeholders. This question will partly look at the objective of governance/legislation knowledge and management.

Do you think that the school facilities are currently managed according to the regulations and laws of the country?

The CBO response in case study (A) Abandoned school-Demolished was that the legislation and policies was "awakening" for them after the research student informed them. Initially the CBO were unaware of any legislation on GIA. They were in previous negotiations with various government stakeholders about the "crime hazard" and the associated problems the abandoned school buildings has led to in the community. They were unaware of any legislation or policies that regulated GIAM. None of the government stakeholders or departments made any mention about any White Paper or GIAMA.

The specific CBO was of the opinion that the school buildings were not managed according to any regulations or laws as: "Public Works, through its weak systems had let the property to ruin". The security company they hired to guard the school was "turning a blind eye to crime happening in the building". The PDPW according to the CBO "has not done regular monitoring and upkeep of its property". The PDPW can be perceived as having "disregarded" its own White Paper and also "failed" to initiate and implement any public participation processes according to the primary evidence collected.

The CBO in case study (B) re-used with PDPW assistance were also unaware of any legislation or policy documents applicable to GIAM. Although the CBO are in regular "dealings" and "negotiations" with the PDPW. The CBO was not sure whether the school facilities were currently being managed according to regulations or laws but had no problem with the current "management". It is the student researcher's opinion that due to the "co-operation received" in this case study the "lack of knowledge on legislation, policy and management in relation to GIAM does not have an "negative" effect on the stakeholders involved in the case study. However, this practice of "participation and management" seems to have happened by chance and not as a planned process by the PDPW. The CBO was using some empty classrooms before the school closure process,

the PDPW “inherited” the situation of the CBO on the premises when the school closed down and the PDPW “stepped in as custodian to manage” the school.

While the CBO in Case Study (C) Re-used without PDPW assistance was also unaware of any policy or legislation applicable to GIAM. The CBO does not “deal” with the PDPW at all. The respondent could not say if the school facilities were managed according to regulations or any laws as the CBO was “alone” involved in the management of the premises.

In the case of case study (D) demolished school no CBO that was involved at the time of closure could be traced and contacted for responses.

4.1.1 Summary:

The results indicate that the non-state stakeholders (residents, business owners and CBOs in all of the four case studies were unaware of the applicable White Paper and GIAMA which forms the legislative framework on government immovable asset management. None of the CBO respondents were aware if the school facilities were currently managed according to the regulations or laws of the country. The two questions above goes hand in hand with each other- as a lack of legislative and policy knowledge leads to a lack of demand and monitoring of the implementation of that specific legislation and policies. Furthermore a lack of knowledge on applicable legislation and policies, leads to a lack of knowing rights and obligations of the various stakeholders in GIAM. A proverbial double edged sword.

Ordinary citizens, business owners and CBOs may assume that the state by means of its various departments and agencies will implement the various rules, legislation and policies applicable to different situations as they arise. It could also be assumed in the public domain that government departments responsible for specific functions should act “in the best interest of the communities they serve”. These assumptions might seem “fair” and “rational” to a certain degree as it is the citizens that vote the government into power to protect their rights and as such the government machinery has the constitutional obligations to protect these rights. However, the public, business and CBO’s should keep government officials and agencies accountable to implement their rights and obligations.

One can only “demand” and apply “pressure” of these rights and obligations if you are aware and have knowledge of it and know whether it is implemented or transgressed.

The lack of knowledge by stakeholders also reflect on the fact that the PDPW might receive “little or no” pressure from stakeholders to apply policies and legislation. Thus the fact that stakeholders are not aware of their own rights and obligations of the responsible department might be to their “own detriment”, but also likely to “the benefit” of those officials and department not performing their constitutional and legislated mandates and obligations.

4.2 Research objective 2:

MANAGEMENT: Identify and outline the processes and procedures in GIAMA and the White Paper.

Secondary sources:

In chapter 3, the custodian and user roles and their legislative obligations, mandates and relationships were discussed and defined. Also the important role of the accounting officer and the responsibilities attached were emphasised. The legal obligation according to GIAMA (2007) as well as the responsibilities to submit IAM plans annually was outlined. These IAM plans should form part of Government’s strategic planning and budgeting processes. Part of the questionnaire submitted to the PDPW specifically had questions about IAM plans of closed down schools. However, no responses from the PDPW were forthcoming.

Another important factor discussed in chapter 3 was the Western Cape Provincial White Paper: The Provincial Property Portfolio must be managed strategically. As a first step excess property in close proximity to residential communities that have potential for such applications needs to be identified and subjected to a process of consultation with communities and other role players as regards further utilisation. A further step would be to acquire properties for the purpose of being developed as productive assets to promote business opportunities, especially for the historically disadvantaged and poor. This was an important fact to establish a possible public participation process requirement.

Primary sources:

The interview questionnaire further “tested” the various stakeholders awareness of which department is responsible for the management of closed down school buildings. These indicate their awareness of the custodian and user roles.

Question: Do you know which government department is responsible for the management of the school buildings once it is closed?

Residents and business owners did not know and those that “thought” they knew responded that the WCED is responsible. As one respondent replied: “but isn’t the education department then responsible” while some elder respondent replied: “yes, the government is responsible, yes”. While another resident further questioned in her reply: “but isn’t the principal responsible for the closed down school buildings”.

It is the student researcher’s opinion that the “lack of knowledge” of which government department is responsible for GIAM- closed down schools leads to a direct absence of complaints by residents, business owners and CBOs to the responsible PDPW.

Although residents in case study (A & D) Abandoned and Demolished schools mentioned “complaining to the police or City of Cape Town (COCT) on a number of occasions about gangsters and suspicious people hanging out and looting the buildings, while security guards couldn’t do anything”.

Reporting such complaints to the “wrong” government institutions that deal with symptoms of the problem, such as policing of the “abandoned school” does not really “assist” in reporting the problems to the responsible PDPW, - the custodian that should deal with the cause of the problem, “poor management of certain closed down schools.

This situation of “poor and non-registration” of complaints by stakeholders to the PPWD could also further elucidate the problem.

The CBO members in case study (A) Abandoned school-Demolished mentioned that they were “given the run-around by various government departments and agencies” when trying to initiate negotiations on the possible re-use of the abandoned school buildings and grounds. Eventually after “lots of effort” they became aware that the PDPW was the

responsible department. A lack of legislative and policy knowledge ties in with a lack of identification of relevant stakeholders involved in GIAM. Once again the legislation draws clear boundaries on the responsibilities of custodians and users of government immovable assets, school buildings. This particular case study (A) reflects an example of a “bad experience” and outcomes.

In case study (B) Re-used with PDPW assistance the CBO was well aware of the responsible PDPW, as the CBO “is in constant contact with the department and have official’s cell numbers”. The CBO was “ok” with the “co-operation” they received and the way the department managed everything”. The findings of this case study are a total opposite of that found in case study (A) This particular case study (B) reflects an example of a “good experience” and outcomes. The CBO was unaware of the roles and responsibilities of the PDPW as the custodian of the school.

However in Case Study (C) Re-used without PDPW assistance, the respondent acknowledges that the PDPW is the responsible department but replied: “there was no contact with the department as the premises are repaired and refurbished with own funds”. This particular case study (C) reflects an example of neither a “bad nor good experience” although the outcomes of the school being re-used can be seen as “good”. Again the CBO was unaware of the roles and responsibilities of the PDPW as the custodian of the school.

4.2.1 Summary

In none of the case studies were any of the CBOs aware of the roles and responsibilities of the PDPW as the custodian of Government Immovable Assets-closed down schools.

As evidenced, the “poor management” of closed down school buildings leads to “negative externalities”, putting pressure on other government services to use their resources to “mop up” and “patch” problems without really solving them. These resources however could have been used elsewhere, where it is much more needed if the PDPW can “better manage” closed down schools.

Can the result be that due to the PDPW “ignorance, poor management and partial implementation” of policies and legislation coupled with the lack of complaints by stakeholders to them directly, that the department has a “skewed view” of actual situations and conditions at grassroots level, and its effects on residents, business and CBO’s. A “lack of knowledge” or “ignorance” of what actually happens at closed down schools on the Cape Flats.

4.3 Research objective 3

MANAGEMENT: Identify the existent PDPW practices with regard to the disposal and management of closed down schools - case studies.

Secondary Sources:

In chapter 3 the policy and legislative frameworks were established. The importance of Intergovernmental Relations (IGR) and co-ordination amongst the various government stakeholders and custodians and user departments were highlighted in the White Paper and GIAMA.

Primary Sources:

The interview questionnaire “tested” the stakeholders experience of existent practices they experienced at grassroots level and those that effected them.

Question: How in your opinion has the school closure in any way affected you or: (your family- for residents) replaced by (your business – for business stakeholders).

Residents and business owners had various responses depending on the case studies.

In case Study (A) Abandoned school-Demolished: All residents mentioned the decapitated body of a youth found in a classroom, “while security was there”. The incident made media headlines in the newspaper and national television. According to a newspaper article, the incident sparked an “outcry by the community about the abandoned school buildings”. As stated by a resident “after the body was discovered, the community came out in anger and people I knew had knowledge about this problem of the abandoned school were now speaking up. Clergy, local politicians and the CBO, the same people that didn’t worry about the abandoned school previously, as it did not affect them directly”.

The residents in above case study all said that during and after the school was closed, for a short period of time “people or backyard dwellers were moving in illegally and occupied the old part of the school, but were later removed by police”.

According to the respondents this led to tensions as “these people were causing problems”. After they were removed the school was abandoned and never re-used for any other purposes.

All respondents in the case study had “witnessed or knew” about some form of illegal activities happening at the abandoned school. These ranged from gangsters on the premises drinking, vandalism, hearing screams coming from the grounds where people were robbed and raped and suspicious characters loitering near the school. Most mentioned that “crime had increased”, and some said that “it was unsafe especially at night to send children past the deserted premises as regular robberies were prevalent”.

One of the residents mentioned that since the closure he frequently “saw the premises in a state of deterioration and being vandalized”. He became emotional when he further revealed that: “I was an educator at the school and was involved in the process to close the school, but never did I imagine it would be abandoned or fall into a state of disrepair”.

The respondent further elaborated that the premises was partly refurbished about two years prior to closure and was in a “good state” upon closure. He also mentioned emotionally that he “attended school there, became an educator at the school and later acting principal, but he has to pass the premises on a daily routine and it breaks his heart to see the state of the school”.

In the same case study (A) an elderly shop owner and his wife who are residents of the area, but also business owners residing on the shop premises responded as follows: “crime has drastically increased since the school was closed”. “My shop was burgled on several occasions and the police knew the gangsters were hiding in the school grounds, but they did nothing about it, this area has not been the same”. “Why does government still pay private security to look after the place when they do nothing”. The elderly couple was visibly upset when speaking about the “abandoned school”.

In case study (D) totally demolished school respondents recalled that after the school was closed “the classrooms were occupied by illegal people”. They felt unsafe as strangers were looming around the area at night. Residents also mentioned that once the people were put off the premises “we could hear the hammering and chopping throughout the night, but could not see anyone”. The next day they would see sections of the school demolished and people looting the premises. Most of the respondents had witnessed or “knew” about some form of illegal activities happening at the abandoned schools at some time.

According to an elder resident in case study (D) totally demolished school “when the occupiers were removed by police, they were allowed to take some of the building materials from the school premises to rebuild a dwelling for themselves, but once they left the looting and destruction of the school buildings for its materials happened at night and day non-stop till the last brick was taken”.

The case studies (A) abandoned and demolished and (D) totally demolished has more or less the same “characteristics” coupled with “bad experience” by stakeholders. From above evidence of the two case studies (A&D) Abandoned and Demolished schools the statement can be made and supported that: the existence of an abandoned school has “negative” externalities on the various stakeholders and has gone from a “community asset” to a “community hazard”.

On the other hand the opposite seems to be the case in case studies (B) re-used with PDPW assistance and (C) re-used without PDPW assistance. The stakeholders interviewed in case studies (B) and (C) had nothing “bad” to say about the effects of the closed down school on them. As both the premises were now used for “community purposes” some of their responses were as follows: “what can we say, the school has been put to good use and benefits the community”. Another responded that “you won’t even say the school has closed since it did not have any effect on us” while another mentioned “Die mense doen goeie werke by die skool, die government moet hulle net soe los”.

These responses are evident of stakeholders that had a “good experience” of a re-used school with or without PDPW assistance. The closed down school is still a community

asset. Above discussions also reflect that the “good” or “bad” experiences of closed down schools have possible social and economic effects on those communities.

Stakeholders were then asked about community needs in relation to possible re-use options of closed down schools in the case studies. This was done to identify and indicate the various stakeholders perceptions on various community needs. These will give an indication of some of the needs that could have been highlighted, and some of the re-use opportunities that could have been put to use, had a public participation process taken place.

Question: What other alternative uses would you suggest for the facilities? For the CBO's the question stated: What does your organisation want to do with the closed school building?

Stakeholders had various alternative ideas on the uses for the school buildings and premises. In summary all the uses mentioned across the different stakeholders in all four case studies included the following: a drug rehabilitation center, police station, low cost housing, old age home, Business Park, health clinic, community center, youth skills center, sports field and also a school for children with specialized needs.

One aspect that seemed to resonate across all stakeholders responses were the fact that there were various and different “community needs identified” within the same communities and case studies, as well as across the different communities and case studies.

In the case studies (A) abandoned and demolished and (D) totally demolished schools the “abandonment and demolition” of the buildings may be seen by stakeholders as “lost opportunities” for much needed immovable assets to be “converted” or re-used for various community needs as stated above.

While in the case studies (B) re-used with PDPW assistance and (C) re-used without PDPW assistance, stakeholders were appreciative of the re-use of the schools, but still highlighted other community needs over and above those that are being offered at the re- used schools.

The study found closed down schools in the case studies to be used for, but not limited to the following community purposes such as: crèches, churches, after care facilities, educational institutions, women abuse centers and community advice centers. Closed schools are also re-used for multiple purposes and by multiple users.

The student researcher has noted the following additional observations in three of the four case studies:

Case Study (A) = Abandoned school-Demolished, Case Study (B) = Re-used with PDPW assistance Case Study (C) and Re-used without PDPW assistance. In all of the above case studies upon school closure, if any community activity such as church groups or crèche is making use of classrooms or a section of the premises after school hours, they are “allowed” to continue the usage when the schools do close down.

In Case Study (A) = Abandoned school-Demolished a small row of older classrooms on the side of the “abandoned” school building is still “occupied” by a crèche and church. During the period of the research the premises were observed to be almost “not part of the original school”. When the abandoned school was totally demolished, the part occupied by the crèche and church was still intact and in use.

While in case study (B) = Re-used with PDPW assistance the current CBO was utilizing few classrooms even before school closure and as such had an “established working relationship” with the PDPW, who “inherited the tenants”.

In case study (C) Re-used without PDPW the “old crèche” was existent before closure and basically continued when the CBO “took over management and usage” of the premises. Although no PDPW “involvement took place” the crèche were “allowed” by the CBO to continue its operation.

4.3.1 Summary:

Above highlights the “positive” as well as “negative” externalities as a “result” of “poor management” of disposal of closed down schools. Not only do we have cases where closed down schools are not re-used, but also cases where the buildings become breeding

grounds for crime. Not only are opportunities lost for community uses of these premises, but the buildings become hazards to these same communities, dealing them a double blow.

Where re-use of closed down schools do occur it seems to happen “by chance” as indicative of case study (B) re-used with PDPW assistance-this occurred as the CBO was already “involved” with the school before its closure and continuation was “automatic”. The PDPW thus “inherited” a situation with the CBO as its “tenants”.

In case study (C) re-used without PDPW assistance, the CBO or “social entrepreneur” “took own initiative” to re-use the school and there is no PDPW involvement. Any evidence of disposal options in the case of the four case studies by means of management of closed down schools for possible re-use purposes seem absent on the side of the PDPW.

The ever existent and increasing needs that communities on the Cape Flats have for various government services indicates a “need” for the re-use of GIA’s – closed schools.

If social needs exists within the same communities where schools are not re-used and no “re-use plans” exist, but instead GIA’s fall into a state of disrepair becoming abandoned or eventually demolished, IAM is failing the “poor” communities on the Cape Flats.

4.4 Research Objective 4.

PUBLIC PARTICIPATION: Identify the nature of participation and collaboration with non-state stakeholders and practices of collaboration (residents, business owners and CBO’s)

Secondary sources:

In chapter 3 the policy and legislative frameworks were established. Public Participation principles in governance resonate throughout the Constitution 108 of 1996. GIAMA also determines that social economic conditions are considered in the disposal of GIA and where it can be beneficial to communities such as land disposal, should be considered.

The White Paper on Provincial Property, Western Cape (2004) “makes provision” for community consultation and other role players, as regards further utilisation of a property that is in excess, near to communities that has potential for such needs. Communities in

the area surrounding schools that have closed and those that intend to close should thus be consulted.

Primary sources:

The research interview questionnaire further investigated the role of public participation within GIAM –closed down schools and used several questions to establish its existence, stakeholder's perceptions about public participation and their collaboration with the PDPW.

Question: Were you ever invited to give input on the possible re-use of the school?

All respondents across the four case studies replied no to this question. Two residents and the "last acting principal" in case study (A) abandoned-demolished school however were part of a public participation process by WCED on the actual school closure as required by the S.A. Schools Act no.84 of 1996.

In the words of the educator in case study (A) abandoned-demolished school "because learner numbers decreased over years, the community, in collaboration with the education department viewed the best option was to close the school, but we never foresaw something like this would be the end result. The intention of closing the school was good". "What is now happening to and at the school buildings is heartbreaking".

While business owners in the same case study had similar sentiments "we must have a say in these stuff, because at the end of the day it affects us all". While another resident replied: "No, nobody ever invited us, not even after the decapitated body of a youth was found on the school premises. It happened while there were security guards on duty, only then did the community unite about what's happening at the school".

In case study (A) all residents and business owners mentioned the case of the decapitated body found of a youth in the area. This incident has highlighted the "problem of the abandoned school" as it has made headlines in the newspapers and national television.

In the same tone as above, residents in case study (D) totally demolished school mentioned "definitely no public participation happened, but if we knew what would be the

outcome of not re-using the closed school, we would have insisted on public participation to re-use the school”. According to some older residents, after the school was closed it was “initially abandoned”. “People started to illegally occupy the classrooms by means of a suspicious estate agent in the area as people were losing their homes”. During this period and upon the demolition of the buildings still no public participation happened.

On the other hand in cases (B) re-used with PDPW assistance and (C) re-used without PPWD residents and business also said that they were never invited for public participation on the re-use of the school. However some did mention “the school is now being re-used for a good cause so its ok”. This gives the indication that they do not mind “not having” public participation as the school is “not a problem”. This is an indication of the “good experience” of a closed down school in their area, although there was no public participation”.

None of the three CBOs has been invited to any public participation process before school closures for inputs on re-use possibilities. None were also invited after school closures when “misuse” or deterioration and vandalism was happening and reported.

In case study (A) abandoned-demolished school, the CBO tried to initiate talks with the PDPW, Western Cape Premier’s Office and the City of Cape Town Mayor’s Office on the possible re-use or demolition of the school buildings for a period of more than a year.

According to the CBO respondent that belonged to a previous CBO that “took up the plight for possible re-use of the premises during a five year period, but to no success”.

Instead there were rumors that that the premises would be used for a clinic or hospital, but nothing ever materialized.

As mentioned previously in case study (B) re-used with PDPW assistance the CBO was in an “established relationship” with the PDPW upon the school closure and this state seem to have “automatically continued” after closure. Also, no Public Participation process was done by the PPWD to involve the other stakeholders on the re-use of this particular school according to respondents and stakeholders that were interviewed.

In case study (C) re-used without PDPW assistance the CBO was never contacted or the premises visited by the PDPW. No Public Participation process was also initiated by the PPWD according to respondents.

Any Public Participation process from the PDPW's side seem non-existent as evidenced by the responses in all four case studies, although all closed down schools are situated in residential areas and according to the White Paper these affected communities should have been consulted.

To further "test" the respondent's awareness and knowledge of public participation the following question was asked.

Question: Do you think community organisations, residents and business owners should have a say in the possible re-use options when schools are closed?

The overwhelming response from all stakeholders was, "definitely" and "yes". Some residents and business owners in case study (A) abandoned-demolished school and case study (D) totally demolished school mentioned that had they known before the school closure occurred what the outcome would be, they would have insisted on a Public Participation process for possible re-use. Even stakeholders in case studies (B&C) Re-used schools said that stakeholders "should have a say".

4.4.1 Summary:

The establishment of a community participation process on the re-use of school buildings will be in the spirit of our Constitution and democratic South Africa. However, its absence in the four case studies "has proved" disastrous for at least two communities in the four case studies. Public Participation should provide the PDPW with input from the community on their needs and possible re-use options of the school buildings. The PDPW should thus "sensitise" itself and its processes of asset disposal to community and stakeholder "needs".

These "needs analysis" and inputs should be considered before school buildings are deserted, vandalized and used as crime hotspots.

The stakeholders were also questioned about the timing and at what stage they thought public participation could and should take place.

Question: When do you think re-use plans or options should be considered, before or after closure?

All of the stakeholders responses were unified in the fact that public participation should take place before a school is closed and deserted. As one respondent in case study (A) said, “but what is the use of having public participation after the school has closed? By then the vandalizing and damage has started”. Many respondents across the different stakeholder strata had a reply of “almost utmost disbelief” when the question was asked.

“What sense will it make to have public participation after a school has closed down?” this response was resonated amongst the different stakeholders. Public participation before closure makes logical sense from all the respondent’s replies. This process could have provided the PDPW with input from the community on their specific needs and possible re-use of the school buildings. These “needs analysis” and inputs should be considered before school buildings are deserted. At time of closure the schools might still be in a re-useable state. Once after closure and time lapses, buildings are vandalized and stripped of its materials, it might deteriorate to a condition of disrepair and become unsafe to re-use.

The “absence” of holding public participation on the re-use of schools before they close and are deserted points to “lack of implementing own policies” by the PDPW and a “disregard” for democratic and governance principles of openness and transparency.

These principles are enshrined within the South African Constitution, 108 of 1996 for which so many South Africans have died for. It is appalling that a Public Participation process is “absent” in a situation where decisions will affect various stakeholders. Especially when public participation is “accommodated” for in the department’s own

White Paper, but not implemented. On the contrary, the PDPW in the Western Cape Government should be promoting public participation on the Cape Flats after the 1994 democracy.

Respondents were further questioned about any possible co-ordination and collaboration attempts by the PDPW for the re-use of the closed school buildings.

Question: What is your organisation's experience of the co-operation of the government department (PDPW) involved?

Case Study (A) = Abandoned school-Demolished: According to the CBO respondent "poor" co-operation was experienced regularly. "Politicians and top officials wasted our time". "They soon realized that the pressure was being sustained after much media and community pressure. In one instance the PDPW cancelled a meeting a day before the time citing that the "whole team was sick and could not attend". When officials made agreements on specific timeframes, those always materialized late, if ever and without any explanation or courtesy call.

The CBO at some stage resorted to marches and radio coverage on the issue. "Only when the decapitated body was found on the premises and the incident had media coverage did the PDPW erect the fence". The CBO was in several meetings with government and recalled a meeting with the Western Cape Premier, COCT Mayor and the Community Safety MEC, where "the Premier seemed to have been unaware of the abandoned school and situation". Overall the CBO respondent's felt they "got the run around by officials and obstacles or barriers were constantly put in their way by means of red tape".

The CBO indicated that they experienced "poor" co-operation from the PDPW. The perception from stakeholders in this case study is that the department has "failed" the community. The PDPW did not show an interest to resolve issues that materialized because of a "lack of management and public participation" of the closed down school.

Only after the murder incident at the abandoned school did the PDPW react, but also not immediately. Instead, after several months the PDPW "boarded up" the premises at a cost unknown, a few months later fenced in the premises at an unknown cost, and another few months later demolished the school at a cost unknown. All above stages happened while private security guards were present on the premises to "guard" the school.

The student researcher visited the premises during these various stages and has photographic evidence. A bizarre situation existed where I visited the premises after the

demolition stage to find only the fence standing, with security guards “guarding” who knows what? There was nothing to guard besides the concrete palisade fence. An appendix of these photographs forms part of the appendix at the end of the research document.

Currently at the demolished grounds only the costly cement palisade fence is standing, fencing in nothing, but a “bad experience” for the community. An appalling reminder of “wasteful and fruitless expenditure at the cost of lost opportunities for the community”.

Case Study (B) = Re-used with PDPW assistance: The organization received assistance from the PDPW and continues to have a “good experience” with officials. The CBO respondent is on a first name bases with officials and has their cell numbers available.

The respondent recalled that a year or two ago “top parliamentarians visited the premises as part of their voluntary work, Mandela 67 minutes”. The CBO thus experiences “co-operation” and has “no problems” from officials.

This is in total opposite of the CBO in case study (A), above. The CBO indicated that they experienced “good” co-operation from the PDPW. The CBO has also “introduced” another organization to the PDPW who is currently re-using the other half of the school for education purposes.

Case Study (C) = Re-used without PDPW assistance: The CBO had no interaction or co-operation with the PDPW whatsoever. The “social entrepreneur” refurbished and continues to refurbish the school grounds with funds generated through the CBO activities. The CBO experience with the PDPW or its officials was thus far non-existent.

Case Study (D) = Total Demolished school buildings: No CBO could be traced or contacted that were involved.

The CBOs involved were questioned on the state of the school upon closure, according to them.

Question: According to your knowledge what state was the school in when it closed?

Case Study (A) = Abandoned school-Demolished: According to the CBO and the last acting principal the school was refurbished and painted two years prior to the closure. The reason for closure was the drop in learner rates and not that the state of the buildings was in disrepair. Both respondents also mentioned that the school was still in a re-usable state as another school had used the facilities for a while after closure, while their school was being renovated.

Case Study (B) = Re-used with PDPW assistance: The school “was in a reasonable state, but needed attention upon closure”. A new replacement school was built. Currently the half of the “old” school buildings is utilized with PDPW assistance, while the other half was also renovated and currently used by another educational organization.

Case Study (C) = Re-used without PDPW assistance: The school was in a reasonable state as the CBO moved into the premises “immediately” after the school was deserted. “The one day the school was emptied and the very next day we moved in”. The “social entrepreneur” invested “a few hundred thousand rands” to refurbish the school and made it operational and continues to do so. The premises is currently used on a full-time basis, during the week and also weekends.

Case Study (D) = Total Demolished school buildings: According to some residents and business owners the school was in a “reasonable” state. “People illegally moved in and there was water and electricity at the time, it was not like the place was falling apart”.

4.5 Overall summary of research findings

The primary data collected through interview questions and questionnaires were analysed and interpreted. The fact that four case studies were used with different outcomes made it possible to identify specific similarities, opposing patterns and unique characteristics within and across case studies.

The four case studies with its various and different outcomes after school closures have resulted into different experiences by different case study stakeholder groups. Although certain similarities exist across case studies it had different effects on the different stakeholders across and within case studies.

The research results on the four case studies were analysed in this chapter and can be summarized as revealing the following:

1. Instances of two closed down schools in the case studies (A&D) changing from “community assets to community hazards” with “bad experiences” by stakeholders,
2. While two other closed down schools in the case studies (B&C) have been re-used for “community purposes” with “good experiences” by stakeholders.
3. “Re-use with PDPW assistance”, case study (B) is not a planned exercise, but rather “happened by chance” or existing circumstances upon school closures.
4. “Re-use without PDPW assistance” case study (C) “happened by opportunity”.
5. No public participation process based on respondent’s replies on the re-use options of the closed down school buildings has occurred in any of the four case studies.
6. The current “lack” of policy and legislation implementation on GIA-closed down schools relates indirectly to “negative” externalities, which has social costs to the affected communities and possibly other government services (policing, health).
7. “Pattern” indicates (a) “re-use” by existing condition or “chance” at time of school closure, case studies (B&C) or (b) abandonment case study (A) or (c) demolishing after abandonment has led to deterioration of property to a state of disrepair” case study (D) and later during the research case study (A).

8. Lack of legislative knowledge from non-state stakeholders on government immovable asset management disempowers stakeholders. (Do not know their rights and custodian's obligations).
9. Lack of legislative and institutional knowledge by residents, business owners and CBO could relate to a lack of lodging complaints with the responsible department, PDPW.
10. Lack of legislative and institutional knowledge by residents, business owners and CBO creates barriers to making intentions and interest known for the re-use of closed school buildings.
11. Whole life cycle approach "adopted in theory, but questionable in practice" especially with disposal options of closed schools as evidenced by case studies.
12. Assumption can be made that PDPW is "more at home" when dealing with government "user departments", but "out of touch" with non-state stakeholders-communities, residents, business and CBO's.
13. Public Participation as envisaged in the White Paper (2004) and "Social Benefits" as contemplated by GIAMA (2007), are concepts not "implemented" in relation to the management of asset disposal of closed down school buildings, as evidenced in the four case studies. This process should happen before premises are vacated by the user department.
14. Where community use of the school premises, in the form of usage of a section of the buildings before school closures occur, the existing usage of that particular section of the school buildings by the "tenants" are not discontinued. (cases A,B and C).
15. Where a CBO wanted to engage the PDPW after abandonment of the school- no successive re-use attempts are evident from the case studies.

16. No existent formal protocol document on the procedures to follow for the possible re-use of a closed down or proposed closed down school.

The research findings indicated that there is no evidence of a clear cut strategy or plan from the PDPW on the re use or disposal options of closed schools. The “poor management” or non-existent management is questionable. Legislative and policy frameworks have been established and the department seem to “struggle” with implementation.

Based on the theoretical, legislative, policy frameworks and empirical data coupled with the research evidence of the four case studies the following can be concluded:

The PDPW seem to concentrate on its “core” immovable asset management functions in the Asset Life Cycle which entails: Acquisition, Operational and Maintenance but lacks Disposal plans when schools are closed.

The department indisputably do acquire and or build new schools, Operational and Maintenance works are done at schools unquestionably, but at the Disposal stage it seems to “poorly manage” closed down schools.

Also evident clearly is a lack of Public Participation with non-state stakeholders, residents, businesses and CBO’s. With regards to interactions with user departments the PDPW seem to be in its element, as it then operates in a formalised structure and relationship of custodian and user rights and obligations.

However, it seems when it comes to outside stakeholders such as residents, business owners and CBO’s for the re use of school buildings with no formal protocol to follow, and a possible lack of experience and capacity to deal with these stakeholders, the department seems to be in the dark or bluntly ignorant of democratic principles, community needs and societal rights.

Communities in the four case studies on the Cape Flats in the so called “coloured” segment of society are “vulnerable”, due but not limited to a lack of knowledge, lack of legislation, lack of knowing their rights and the obligations of the various stakeholders in GIAM. However, any government department should be aware of societal and stakeholders rights and engage communities on their various needs by way of public

participation processes. The absence of any public participation process on the topic of re-use of closed down schools are a factor that “adds” fuel to the discourse and reflects a “breakdown” of democratic and governance principles on the part of the PDPW in all case studies, whether schools were re-used or not. This however, does not exclude these communities from becoming “victims” of the side effects and externalities emanating from “poor management” of closed school buildings.

The “poor or non-existent management practices” of the PDPW when disposing of GIA at the end of its life-cycle, four closed down school buildings were eliminated and discussed.

The failure by the state stakeholder, PDPW to participate in the study leaves a “vacuum” of unanswered questions. The participation could have added much value to the research. As such, crucial issues that are directly state-related could not be clarified. This non-action by the PDPW should signal a major concern for transparency in a democratic dispensation.

The student researcher ascribes the non-participation of the PDPW to the following possibilities:

- “Ignorance” of the magnitude of the problem and its effects on communities,
- The department “struggles” with the implementation of GIAMA and the White Paper,
- The department does not “have” answers to the many questions,
- The department might be scared to “bind” themselves on answers of compliance, monitoring and evaluations or lack thereof, existence of any IAMP and possible non-implementation thereof,
- Not promoting democratic principles of transparency and accessibility with other stakeholders,
- Lack of interest to strengthen public participation processes,
- Implement policies and regulations as the department deem necessary,
- Does not acknowledge the negative outcomes of the department’s “poor management” of GIA on stakeholders,
- Do not realise the “negative” effects of externalities on communities and other state stakeholders.

The effects of the PDPW's non-participation can be summarised as:

- The stakeholders, residents, business owners and CBOs are still unsure about procedures and protocol in GIAM- closed down schools,
- Stakeholders rights to participation are not adhered to,
- The department is not performing its mandated obligations, with the interest of community needs,
- Insensitiveness from the PDPW to the “negative” effects of their non-action,
- Community assets are changing to community hazards, breeding grounds for crime.

A senior official from the department was earmarked for an interview. Although the official initially agreed to an interview, he withdrew at a later stage. After several follow up calls and e-mails an interview questionnaire was submitted via e-mail. No response was received after several further attempts.

As the research findings revealed this “non-action” or “lack of participation” from the PDPW is in line with what some CBOs experienced.

The next chapter 5 will give a conclusion and make specific recommendations based on all the relevant research findings.

CHAPTER 5: RESEARCH CONCLUSIONS AND RECOMMENDATIONS

5. Conclusions and recommendations

This chapter is divided into four sections. The first section provides a summary on the four case studies. The second section will give conclusions on the key objectives of the study. While section three will discuss the recommendations to the various stakeholders. Finally, section four will elaborate the areas for future studies.

5.1 Summary of findings on the four case studies

The four case studies of closed down schools on the Cape Flats chosen for this research covers (3) different scenarios of what has happened to school buildings after closure.

One, case study (A) represents an “abandoned” school. During the period of this research the student researcher “observed” the stages where the school buildings were in a state of “abandonment” and later “boarded up and fenced in and finally demolished during the research period. The primary data identified “negative externalities” for non-state stakeholders-residents, business owners and the CBO involved. This case study represents “a bad experience” by stakeholders and participants.

Two case studies (B&C) represent cases where the school buildings are currently being re-used. One (B) with the “assistance” of the PDPW and the other (C) “without assistance” of the PDPW. Although both schools are in “re-use”, their case study characteristics and the CBO experiences are vastly different. The primary data identified “positive externalities” for non-state stakeholders-residents, business owners and the CBO involved. These case studies represent “good experiences” by stakeholders and participants.

The final case study (D) represents a case where the school buildings were totally demolished at the time of research. The primary data identified “negative externalities” for non-state stakeholders-residents and business owners involved. This case study represents “a bad experience” by stakeholders and participants.

These four case studies represent the different outcomes of government immovable asset management with reference to “disposal at the end of the life-cycle” of four closed down school buildings on the Cape Flats.

5.2 Conclusions on key objectives of the study

The research sets out to provide the outcomes based on the specific research objectives. The research findings were provided and evidenced through various primary and secondary data sources. The evidence and sources were reinforced in the various chapters and will be summarised below according to the stated research objectives.

Objective 1:

- Identify the relevant legislative and policy framework on government immovable asset management.

The research objective has been achieved: In chapter three the legislative and policy frameworks were established. In summary, in 2005, Cabinet approved the Government-wide Immoveable Asset Management Policy. This was followed by the Government Immoveable Asset Management Act, 19 of 2007 (GIAMA).

The WCPG initially had a Green Paper on the Management of Provincial Property (2001). It later produced the Western Cape Provincial White Paper on the Management of Provincial Property (2004) also applicable to the PDPW. The study reveals that the PDPW have applied the provincial document partially when schools in the four case studies were closed down. The study identified “gaps” at the implementation stage of the policy in relation to the disposal of closed schools and the absence of any public participation processes by the PDPW.

The fieldwork produced primary data that reveals that the non-state stakeholders (residents, business owners and CBOs in all of the four case studies were unaware of the applicable White Paper and GIAMA which forms the legislative framework on GIAM. Also none of the CBO respondents were aware if the school facilities were currently managed according to the regulations or laws of the country.

Objective 2:

- Identify the processes and procedures outlined in GIAMA and the White Paper

The research objective has been achieved: In chapter three, the custodian and user roles and their legislative obligations, mandates and relationships were discussed as well as the role of the accounting officer and their responsibilities. The legal obligation according to GIAMA (2007) as well as the responsibilities of users and custodians to submit IAM plans annually was outlined.

Another important factor discussed was the Western Cape Provincial White Paper (2004). The White Paper determines that excess property in close proximity to residential communities that have potential for such, applications needs to be identified and subjected to a process of consultation with communities and other role players as regards further utilisation. This was an important aspect as it established a possible public participation process requirement.

The primary data collected revealed that in none of the case studies were any of the CBOs aware of the roles and responsibilities of the PDPW as the custodian of Government Immovable Assets-closed down schools. Although some of the CBOs were in “negotiations” with the PDPW, did they not know the rights and obligations. Also evidenced in two case studies was the fact that “poor management” of the closed down schools leads to “negative externalities”. And although “positive externalities” were evidenced by the other two case studies, these cannot be linked to “efforts” or “planned management” by the PDPW.

Objective 3:

- Identify the existent PDPW practices with regard to the management and co-ordination of immovable assets.

The research objective has been achieved: In chapter four the various case studies reflected scenarios of Abandonment, Re-use and Demolition. In case study (A) Abandoned school and case study (D) Totally Demolished schools, the matter of “poor management” was revealed through the research findings.

While in case study (B) Re-use with PDPW assistance “re-use seems to happen by chance”, while in case study (C) Re-use without PDPW assistance “re-use seems to happen by chance or opportunity”.

In case study (B) re-used with PDPW assistance-this occurred as the CBO was already “involved” with the school before its closure and continuation was “automatic”. The PDPW thus “inherited” a situation with the CBO as its “tenants”. In case study (C) re-used without PDPW assistance the CBO or “social entrepreneur” “took own initiative” to re-use the school and there is no PDPW involvement.

The research produced no evidence to suggest that the re-use of closed down schools by stakeholders is a “planned process” managed by the PDPW. Instead the findings lead to the fact that the re-use of closed down schools is a “haphazard” management practice of GIA at the end of its life cycle and not based on the principle of a “whole life approach” to IAM.

The study further revealed cases (A&D) of closed down schools not being re-used, but also cases where these buildings become breeding grounds for crime. Not only are opportunities lost for communities to re-use these school facilities, but also instances were identified where these closed down school had gone from “community assets” to “community hazards”, dealing these communities “a double blow”.

Objective 4:

- Identify the nature of participation with non-stakeholders and practices of collaboration.

The research objective has been achieved: Public Participation principles in governance resonate throughout the South African Constitution 108 of 1996. GIAMA, 2007 also determines that social economic conditions are considered in the disposal of GIA and where it can be beneficial to communities, such as land

disposal. The White Paper on Provincial Property, Western Cape (2004) “makes provision” for community consultation.

However, in chapter four the evidence collected across the various case studies resonated and cemented the fact that no Public Participation has taken place on the possible re-use of any of the schools in the case studies. Stakeholders consisting of residents, business owners and CBOs found public participation initiated by the PDPW to be non-existent when schools closed, after problems were experienced at the abandoned premises by communities and also when school buildings were eventually demolished.

The research findings in summary also found current GIAM practices of “poor management” evidence by:

- “abandoned schools becoming community hazards, hotspots for crimes” and
- “demolition of school buildings only after it has been abandoned and deteriorated to a state of disrepair “and
- “poor co-operation with stakeholders when they initiate talks on re-use” and
- “no known protocol to follow on the application to re-use closed down schools for non-state stakeholders” and
- “no indication of IAM re-use plans for current closed schools and future pending schools that will be closed down.
- Whole life cycle approach “adopted in theory, but questionable in practice” in relation to disposal of closed down schools.

Above indicate “poor management practices” that are in direct contrast with relation to disposal options at the end of GIA’s life cycle as envisaged by the PDPW’s own White Paper (2004) and the GIAMA (2007).

From a “value for money” NPM perspective, the state should have handled the disposal of these assets at the end of its life cycle in a strategic, co-ordinated and holistic manner as part of its strategic immovable asset management plans.

“Poor management” at the disposal stage of GIA’s create negative externalities and “increase the costs to communities”. The “wastage” of these resources can be regarded as unfair and a social injustice to communities in need of other much needed services. This suggests that it is not only the financial cost, but also the social costs that need to be considered when closing a school and disposing of its buildings.

A holistic, integrated whole life cycle asset management approach with the disposal options of closed down schools is much needed, not only in theory, but also “in practice”. With the already set Governance principles of legislation, policies, monitoring and evaluation in place, “action” and implementation is needed at the grassroots, community level. That is where it “counts”, where the citizenry has the “every day lived experience” of policies and legislation in practice.

The research findings will assist stakeholders in any future school closure processes by helping them to understand the possible externalities, social and economic factors at play when schools are closed down and disposal decisions have to be made. As such the research document will be made available to all stakeholders groups in the research strata to “empower” them for future endeavours in GIAM practices.

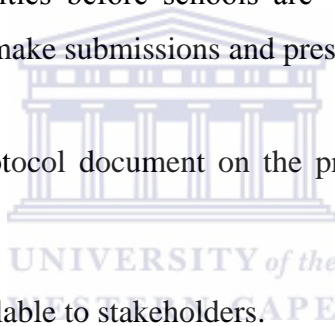
5.3 Recommendations:

Several recommendations can be put forward to the various stakeholder groups. These recommendations are based on the research findings as follows:

5.3.1 Recommendations: PDPW

- The co-ordination of school closures and its disposal should be managed by a single department, PDPW(custodian) in conjunction with WCED (user).

- The PDPW should strongly consider adopting public participation at the disposal and re-use stages of closed down school into legislation. This however, should run hand in hand with public participation on school closure as regulated by the South African Schools Act 84 of 1996, and not replace it.
- Keep communication open with residents and stakeholders around area of schools that have closed and will close. Notify them of any developments that will affect them.
- Start Public participation processes on re-use of schools before premises are vacated by the user department.
- Do a “social impact study” which will consider the “social effects” on stakeholders, communities before schools are “abandoned” and offer interested parties opportunity to make submissions and presentations.
- Establish a formal protocol document on the procedures to follow for re-use of schools.
- Make IAM plans- available to stakeholders.
- Do assessments of condition of schools before closure and annually after that to determine deterioration and act accordingly.
- If at the stage of school closure a building is already in a state of disrepair and not suitable for re-use, start demolition process immediately instead of first an “abandonment” stage and afterwards a demolition process. (negative externalities)
- Calculate the financial impact -running cost to the department of having “security” at an “abandonment” school versus re refurbishing, leasing, re-use or donation.
- Consider the role of non-state stakeholders, as important as that of state stakeholders (users).



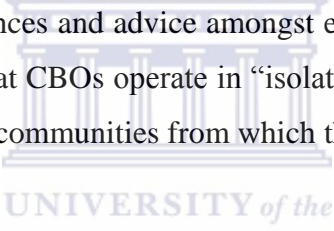
- Implement the PDPW White Paper (2004) and GIAMA (2007) in its totality in current and future cases of school closures.
- Make Public Participation a legal obligation when disposal options of closed or proposed closed schools are considered.
- Work in conjunction with WCED and other user departments and communities for possible re-use of school building and grounds before its closure.
- Workshop with non- state stakeholders current GIAM policies and legislation in order for them to understand the rights and obligations of different stakeholders before embarking on a Public Participation process.
- Record case studies of re-used, abandoned and demolished schools as reference for future stakeholder participation as a learning curve.

5.3.2 Recommendations: Residents and Business owners

- Know your rights as stakeholders as well as the obligations of the custodian (PDPW) before embarking on a Public Participation processes.
- Do not “assume” that state officials are knowledgeable and familiar with legislation and policies and that they are implementing and administering policies as mandated with the public interest at heart.
- Engage actively with the PDPW through workshops and Public Participation as early as possible during the school closing process on the possible re-use options.
- Understand the “user” and “custodian” relationships: Management of closed down school buildings- When schools are in operation the WCED (user) is responsible when public needs to complain about the physical condition and use of the premises. However, once the school is closed down the PDPW (custodian) is responsible for its management and possible re-use and direct complains about the physical condition and use of the premises to the PDPW.

- Try to become involved with schools before actual closures as evidence in the study showed that where communities or CBOs were utilising part of premises before closure, they were “allowed” to continue operating after actual school closures (A,B,C) and even after demolitions (A), and further utilised additional spaces (B).
- When problems are encountered by stakeholders, residents, business and CBOs with the management of closed school buildings, eg. vandalism, crime, misuse, do report them to the relevant law enforcement agencies such as the police, but also importantly report them to the responsible department, PDPW. This will enable PDPW to administer a register of complaints to further “monitor and evaluate” the externalities on communities and co-ordinate actions with the other government agencies eg. City of Cape Town, SAPS to possibly remedy the situation.

5.3.3 Recommendations: CBOs

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- CBOs to share experiences and advice amongst each other- (While conducting the study I have learned that CBOs operate in “isolation” and were unaware of similar circumstances in other communities from which they could have learned from).
 - The evident “lack of legislative, policy and operational knowledge” could affect your capacity when dealing or negotiating with the PDPW. A basic theoretical understanding by the “negotiating team” on the legislative framework, can be assumed to be a “prerequisite” when negotiating or “requesting” action from PDPW or any government department.
 - Try to become involved with schools before actual closures as evidence in the study showed that where CBOs or communities were utilising part of premises before closure, they were “allowed” to continue operating after actual school closures (A,B,C) and even after demolitions (A), and further utilised additional spaces (B).
 - Establish contact persons and details to lodge complaints or lack of progress.

- Determine departmental mandates, timeframes and process flows with the PDPW when negotiating, sign service level agreements if possible. Document, record and minute meetings, agreements and decisions.
- Engage with a process of mutual understanding on expectations and needs with other stakeholders.
- Legislation and policies set specific norms and standards. The lack of legislative knowledge of the White Paper and GIAMA puts the CBO on unequal footing with any government stakeholder when negotiating on disposal options such as re-use, donation of the premises and grounds or the demolition .

5.4 Areas for further research studies:

While doing the research I have “noted” various aspects that were not within the ambit of this particular study, although “related”, but for possible future research such as:

- Of particular interest for future research will be the proposed closure of 26 schools in the Western Cape. A study on its trajectory before closure through “public participation” and final outcomes of disposal options should add valuable to the subject field.
- A study of disposal options of closed down schools and stakeholders participation in rural as well as in “more affluent areas” might project different outcomes and will add additional value and volume to the subject field.
- As closed down schools occur in most provinces in South Africa, a study on its actual social impact and financial cost within and across provinces needs to be done to ascertain its full impact on communities and the GDP.

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APPENDIX: (A)

INTERVIEW QUESTIONNAIRE – RESIDENTS, BUSINESS OWNERS

(7) QUESTIONS:-

1. Do you know what legislation governs the management of the closed school?
.....
.....
2. Do you know which government department is responsible for the management of the school buildings once it is closed?
.....
.....
3. How has the school closure affected (you) your business?
.....
.....
4. Were you invited to give input on the possible re-use of the school? If yes, by what organisation?
.....
.....
5. Do you think community organisations, residents and business owners should have a say in the possible re-use options when schools are closed?
.....
.....
6. When do you think re-use plans or options should be considered, before or after closure?
.....
.....
7. What other alternative uses would you suggest for the facilities?
.....
.....

Thank you for participating in the interview

APPENDIX (B):

QUESTIONNAIRE – COMMUNITY BASED ORGANISATIONS

GENERAL QUESTIONS:-

1. What does your organisation want to do with the closed school?
.....
.....
2. According to your knowledge what state was the school in when it closed?
.....
.....

GOVERNANCE

3. Do you know what legislation governs the management of the closed school?
.....
.....
4. Do you think that the school facilities are currently managed according to the regulations and laws of the country? (yes) (no) briefly explain.
.....
.....
5. What is your organisation's experience of the co-operation of the government department (PPWD) involved? (good) (average) (poor) Briefly explain.
.....
.....

RESPONSIBILITY OF STATE STAKEHOLDERS:

6. Are you aware which department is responsible for the management of the closed school? (yes) (no) if (yes) please name.
.....
7. Do you know the processes to follow in when enquiring about the possible re-use of a school? (yes) (no). If yes, please explain.
.....
.....

NON STATE STAKEHOLDERS:

8. Was your organisation in any way approached by any government department for possible re-use opportunities of the school? (yes) (no) if yes, briefly explain.

.....
.....

9. What in your opinion will speed up negotiations in similar situations between state stake holders (Dept. of Public Works) and non-state stakeholders (community organisations or private sector) for re-use of schools?

.....
.....

10. What would you suggest other organisations wanting to re-use a school do differently?

.....
.....



**STATE STAKEHOLDER: WESTERN CAPE PROVINCIAL
DEPARTMENT OF PUBLIC WORKS**

SEMI STRUCTURED INTERVIEW QUESTIONS (15)

GENERAL QUESTIONS:-

1. How many abandoned schools are there currently on the Cape Flats – on asset register and what is their combined monetary value?
.....
.....
2. How many schools are currently being re used by communities, private sector and PPP's?
.....
.....

GOVERNANCE

3. Briefly explain at what stage of implementation your department is in relation to the Government Immovable Asset Management Act (GIAMA) 2007.
.....
.....
4. What is the correct procedure / protocol to follow by non- state stakeholders when enquiring on the possible re-use of closed school buildings by your department?-provide flow chart
.....
.....
5. What is the department's official position / policy on the re-use of closed or abandoned school buildings by communities or private sector? Briefly explain
.....
.....

6. Does your department have any business plan or custodian immovable asset management plan for the possible future re use of any closed or abandoned school on the Cape Flats? (yes) (no) Explain briefly.

.....
.....

7. Does your department have any business plan or custodian immovable asset management plan for the future re use of any pending school closures by WCED? (yes) (no). Explain briefly.

.....
.....

(3) RESPONSIBILITY

8. When in the process of closing a school does the department get involved / and are they notified by WCED? Briefly indicate this process flow step by step.

.....
.....

9. Are other government departments across the different government spheres consulted before schools are closed for possible re use of the facilities by them? Explain briefly.

.....
.....

10. As required by (GIAMA) is the Western Cape Provincial Treasury / National Treasury informed in the department's annual custodian asset management plans of the number of closed schools, abandoned schools, partial abandoned schools on the Cape Flats (yes) (no) if no, briefly explain why not. If yes, can proof be provided for the research?

.....
.....
.....

(2) NON GOVERNMENT STAKE HOLDERS:

11.Does the department invite any community organisations or private sector organisation's input for the possible re-use of school buildings when they are closed ? (yes) (no) if yes explain briefly the process flow, If no explain why not?

.....
.....

12.How many requests (last year -2013) did the department get on possible re-use of closed, abandoned schools by (a) public (b) private sector?

.....
.....

13.Was any assessment / inspection done by the department on the physical state upon closure at any of the closed schools (yes) (no) if (yes) what was the condition of each?

.....
.....

14.How many complaints annually (last year-2013) did the department receive from community members concerning closed or abandoned schools?

.....
.....

15.In your opinion does the department have the capacity (people with skills and financial resources) to manage school buildings after closure to prevent it from falling into a state of disrepair?

.....
.....

THANK YOU

ANNEXTURE (D): PARTICIPANTS - SAMPLE SIZE

Sample Size

Targeted Respondents per case study:	Targeted number	Number respond	% of total
Residents x 5	20	20	100%
Business owners x 3	12	8	75%
CBO x 1	4	3	75%
PDPW x 1	1	0	0%
Total Respondents	37	31	85%



10

ANNEXTURE (E): PARTICIPANTS RESPONSES PER CASE STUDY

Case studies	(A) Abandoned		(B) Re-use, assist		(C) Re-use, no assist		(D) Demolish	
	Target	Resp	Target	Resp	Target	Resp	Target	Resp
Residents	5	5	5	5	5	5	5	5
Business	3	3	3	2	3	2	3	1
CBO's	1	1	1	1	1	1	1	0
Total	9	9	9	8	9	8	9	6

APPENDIX (F): “Abandoned school”



APPENDIX : (G) “Derelict, Falling into a state of disrepair”.



APPENDIX (H): “Classroom where the decapitated body of a youth was found”.



APPENDIX (I): “From community Asset to community Hazard”



APPENDIX (J): “Demolition after Abandoned”



APPENDIX (K): “Fencing in nothing else but lost opportunities”

