

SERVICE DELIVERY IN DISADVANTAGED COMMUNITIES:

A CASE STUDY OF LANGA

BY

JEROME NOVEMBER

9438150



UNIVERSITY *of the*
WESTERN CAPE

A research report submitted in partial fulfillment of the requirements for the degree of Master of Public Administration in the School of Government at the University of the Western Cape

Supervisor: Prof. J. Bardill

May 2012

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KEYWORDS

service delivery

disadvantaged

inequalities

amalgamation

satisfied

historical antecedents

public participation

implementation

challenges

formal and informal settlements



ABSTRACT

In order to address the inequalities created by the apartheid regime between local authorities, various legislative and support mechanisms were put in place which were not always implemented effectively and efficiently. For this reason, the amalgamation of the previous racially based local authorities from 843 to 283 was introduced in terms of the Local Government Transition Act (LGTA) of 1995 and in particular the Local Government Municipal Demarcation Act of 1998. This reduction in the number of municipalities may have reduced the level of administration disruption but gave rise to institutions still being plagued by inequitable service delivery which impacted negatively on disadvantaged communities (Williams, 2000: 167). This has resulted in sporadic outbreaks of violence and protests all over the country more especially in the disadvantaged areas.

In search for solutions to curb these violent protests this study was conducted to investigate the state of service delivery in the disadvantaged areas of the City of Cape Town. Langa as the oldest township in the City was selected for this purpose. As a result a questionnaire, in addition to statistics of Langa as well as interviews with important stakeholders was conducted. The data collected from these sources serve as the basis of the findings of this report.

The findings establish that the majority of the residents in Langa more especially those from the formal areas are dissatisfied with the levels of service delivery. A range of factors such as intergovernmental relations, mismanagement and corruption and political infighting have been responsible for policies not being effectively implemented. However important strides have been made with regard to services most notably in the provision of electricity, water and sanitation. This is demonstrated by those respondents who indicated that they are reasonably satisfied with the levels of service delivery, most of whom were drawn from the informal rather than formal settlement areas. The findings, however, indicate that these residents are in a minority. For this reason the report concludes that the majority of the disadvantaged community of Langa is not satisfied with services due to the City of Cape Town's failure to implement policies effectively and efficiently. As a result the report not only addresses the achievements and failures of the City of Cape Town but also makes recommendations to ensure that policies are implemented effectively and efficiently.

This report firstly provides a brief introduction, background as well as the main guidelines of the research. Secondly, the report details the key issues of the research as well as those policy and legislation which relate to service delivery provisions. Thirdly, the report sketches background details of both the City of Cape Town and Langa. Fourthly the report provides a description of the findings of the report. Fifthly the report provides an analysis by way of discussing the achievements, limitations and challenges facing service delivery in Langa. Lastly, based on the conclusions derived as a result of the research, the study proposes various recommendations to speed up service delivery.

DECLARATION

I declare that “Service Delivery to Disadvantaged Communities. A Case Study of Langa” is my own work, that it has not been submitted before for any degree or examination at any other University, and that all the sources I have used or quoted have been indicated and acknowledged as complete references.

Jerome James November

May 2012

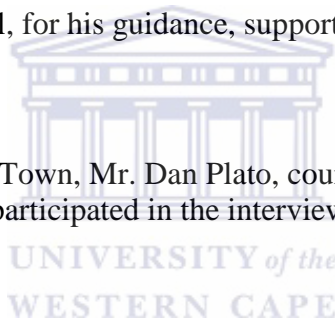
Signed.....



ACKNOWLEDGMENTS

I wish to express my sincere appreciation and gratitude to the following individuals for their assistance and encouragement in the development and completion of this study.

- My wife Jenny for her love and friendship.
- My three wonderful, supportive sisters, Jenny, Michelle and Kathleen.
- Wayne, Jeremy, Jillian, Jade, Sergio and Amber who provided me with the love, understanding and inspiration to complete the report.
- My supervisor, Prof. Bardill, for his guidance, support and availability throughout the study period.
- The former Mayor of Cape Town, Mr. Dan Plato, councillors as well as all the respondents in Langa who participated in the interviews and provided responses to the questionnaires.



LIST OF ABBREVIATIONS

ACDP	African Christian Democratic Party
ANC	African National Congress
BLA	Black Local Authority
CMIP	Consolidated Municipal Infrastructure Programme
COPE	Congress of the People
CRUP	Community Residential Units Programme
DA	Democratic Alliance
GEAR	Growth Employment Redistribution Strategy
GIS	Geographical Information Systems
ID	Independent Democrats
IDP	Integrated Development Plan
LED	Local Economic Development
LGB	Local Government Bulletin
LGNF	Local Government Negotiating Forum
LGTA	Local Government Transitional Act
LGTAS	Local Government Turnaround Strategy
MFMA	Municipal Finance Management Act
MIG	Municipal Infrastructure Grant
MPRA	Municipal Property Rates Act
MSIP	Municipal Systems Improvement Programme
NCOP	National Council of Provinces
PPP	Public Private Partnerships
PR	Proportional Representation
RDP	Reconstruction and Development Programme
SALGA	South African Local Government Association
SDI	Strategic Development Implementation
WLA	White Local Authority

CHAPTER ONE

INTRODUCTION AND BACKGROUND

1.1 INTRODUCTION

Service delivery protests have become more frequent in South Africa since 2007 and have even turned violent at times. In a survey conducted in 2010 by Jain Hirsh of the Community Law Centre at the University of the Western Cape, it was found that the main reason for these protests and violence was due to poor service delivery, especially in previously disadvantaged communities (Powel 2010:14). In both the African National Congress (ANC) 2011 Election Manifesto and 2011 State of the Nation Address, President Zuma made mention of his concern about the danger that the widespread violent protests posed to democracy. He acknowledged that some municipalities lacked the resources and capacity, coupled with other restraints such as the lack of skills to deliver adequate services to communities. He made it clear though that these municipalities should be supported in all spheres to ensure that they are adequately capacitated and resourced in order to deal with issues of service delivery. For this purpose he said it was important that legislation such as the Intergovernmental Relations Act (2005) was effectively implemented in addition to other support programmes such as Project Consolidate. This sentiment was also voiced by the then Minister for Co-operative Governance and Traditional Affairs, Mr Sicelo Shiceka, in a speech to the South African Local Government Association (SALGA) on 22 April 2009. Mr Shiceka also warned of the danger that these violent protests posed should municipalities not perform or implement policies effectively and efficiently. It is therefore clear that the leadership of the ANC is quite concerned about the dangers of the violent protests which are mostly aimed against the lack of service delivery in disadvantaged communities.

In the Western Cape Province, the Democratic Alliance (DA) is in control of the local and provincial governments, and it too has not been spared from these protests against service delivery. For example in the 2009 toilet saga in Makhaza Informal Settlement in Khayelitsha, and more recently the invasion in June 2011 by backyard dwellers of Tafelsig in Mitchells Plain on council property, residents sought the intervention of the courts to force local government to comply with policy pertaining to service delivery. In the first instance, the

Cape High Court concurred with the previous ruling of the Commission on Human Rights that the City of Cape Town has a duty to provide services to the community and that these rights correspondingly were violated due to the lack of enclosed toilets in Makhaza. In the second instance, even though the court ruled against the invasions, the new Mayor of Cape Town, Patricia De Lille, assured residents that she would personally intervene to seek a solution to the problem of lack of basic services for backyard dwellers in Mitchells Plain. As reported later in chapter five the Mayor of the City of Cape Town, Patricia De Lille, has subsequently launched the Backyard Essential Services Improvement Programme in September 2011 which aims to assist backyard dwellers with access to basic services such as electricity and water (Cape Argus, 16 September, 2011).

It is frustrations such as mentioned above that residents experience with their right to basic services being impaired which ultimately lead to violent outbreaks of protests. In order to ensure policies pertaining to service delivery are effectively and efficiently implemented, it is not only important to identify the challenges that impede service delivery but more importantly to provide possible solutions to these problems. In this way government would be able to focus on rectifying these impediments with the aim of being effectively equipped to counter these sporadic outbreaks of protest actions against service delivery. A brief look at the background follows.

1.2 BACKGROUND

According to Cloete (1995), several main features were evident in local government during the apartheid era. One of these is that the apartheid policies were designed to exclude the black majority of South African citizens from local government (Williams, 1998). Despite the fact that separate local authorities based on each of the four racial groups were created, local government was being controlled essentially by the white minority without the effective participation of the other groups. This had the effect that the interests of whites were adequately secured whilst those of blacks and other groups were not. For example, Williams (2000:167) states that racial structures were implemented to ensure that black townships were separated from white areas by “buffer zones” ensuring adequate distance between them. Furthermore, he states that the size, location, distances from national roads, rail and other transport, all have an adverse impact on the planning and delivery of services to these black townships. White Local Authorities (WLA’s) on the other hand, were the most favourably endowed in terms of resources, facilities and services (Williams, 2000). These were situated

near commercial and industrial sites, whilst the other three racially classified local authorities were denied the opportunity to develop to their full potential. Service delivery was as a result, severely curtailed in these disadvantaged areas mainly due to the lack of resources, location, facilities and services, whilst whites certainly reaped the fruits of quality service delivery to their areas. The exclusion of blacks from local government therefore was implemented to secure the interests of whites.

In addition, limiting the influx of blacks to the cities prevented putting a financial burden on the WLA's. At the time, most local government revenue was self-generated through property taxes and businesses. This worked to the advantage of white municipalities as these had small populations to serve and sufficient economic resources to tax. According to Williams (2000) most retail and development (industrial and economic) took place in white areas. However, in the black areas the tax base was limited with very little economic activity. Such problems were compounded by the culture of non-payment, non-compliance, fragmentation of services, and lack of public participation in these areas. Local authorities in black townships were therefore denied the financial means and resources necessary to meet the basic need of their communities. It becomes clear then that the restriction of access of blacks into the cities was used as a tool to prevent placing a financial burden on the WLA's.

Another important feature of local government during the apartheid era was the low voter turnout in most black areas at the time of local elections. Public participation was virtually non-existent as the majority of residents in these areas did not support their elected representatives. Consequently, governance of the disadvantaged communities was characterized by a strong centralist base (Williams 1998). Despite the establishment of Black Local Authorities (BLA's) in 1982, the communities they were supposed to govern viewed most of these elected officials as illegitimate. By the early 1990's many townships and disadvantaged areas were effectively ungovernable, and were characterized by organized boycotts of rents and service charges. The low voter turnout and lack of public participation, especially at local elections, were therefore deployed by the residents of these areas to express their dissatisfaction with apartheid policies.

Immediately before the first democratic elections of 1994, there was a need to transform local government (Cloete, 1995:1). The system of local government in accordance was expected to

play a more constructive role in service delivery and manage it in a developmental manner (De Visser, 2005). The BLA's however, were at that time ill-equipped to provide the necessary social, physical and economic services to the communities they were supposed to serve. Thus, the Local Government Negotiating Forum (LGNF) was established in March 1993. This body and the Interim Constitution were significant in the eventual establishment of a non-racial and developmental local government which would be protected in the Constitution. Mastenbroek and Steytler (1997) argue that the ANC in this way anticipated having greater influence by way of strong local government over the two provinces which were at the time under the control of the opposition parties namely the Western Cape and KwaZulu-Natal. According to De Visser (2005) it was for this reason that Act 108 of the 1996 Constitution recognised local government as a distinct sphere of government thereby claiming its place to develop local government by way of co-operation, respect and as a partner towards the other spheres of government with its own real powers. Strong local government would therefore become the driving force in its endeavour to develop and advance the well-being of its residents.

Historical imbalances of service infrastructure and delivery between WLA's and BLA's would however tend to dictate and appeal to newly formed structures of local government. The process of amalgamating racially based municipalities as well as other weaknesses of the Local Government Transition Act (LGTA) 1993 in effect served to perpetuate old organizational forms of the apartheid era (Cloete, 1995). For this reason various legislation and support programs were put in place. These included the White Paper on Local Government 1998, the Municipal Structures Act 1998, the Municipal Demarcation Act 1998, the Municipal Systems Act 2000, the Intergovernmental Relations Act 2005, Project Consolidate 2005 and the Local Government Turnaround Strategy 2009. Some municipalities however simply failed to implement these policies effectively with adverse consequences for service delivery, more especially in the disadvantaged communities (Atkinson, 2007).

1.3 PROBLEM STATEMENT

Apartheid has clearly manifested its roots in many areas of local government even after the 1994 elections. Despite various legislation and support programmes implemented to address such inequalities it seems that many of these efforts have failed or at most had a limited impact. This is especially true of service delivery to the disadvantaged communities of the City of Cape Town. Most of the disadvantaged areas, especially on the Cape Flats and

surrounding areas in the City of Cape Town, are characterized by ill-constructed small houses, rampant crime, gangsterism, unemployment and poverty. Service delivery to these areas is a constant battle for these residents, certainly posing great potential for protest actions. Langa is one such area where residents have been at loggerheads with local government with regard to their dissatisfaction with service delivery. For example, the roads are full of potholes, streets are poorly lit, the area has a huge housing backlog, there are frequent water and electricity disruptions, and local government employees as well as officials are accused of mismanagement, corruption and nepotism. According to Powell (2010) it is factors like these which result in residents clashing with authorities.

A case in point is the N2 Gateway invasion where residents of Langa illegally occupied the newly completed houses in June 2011 at the N2 Gateway development in Langa. Residents accused the local government officials of taking bribes when allocating such houses and vented their anger by means of illegally occupying these houses. They claimed that most of the policies relating to service delivery were not adhered to with the result that the residents of the Langa area were sidelined during the housing allocation process. Residents alleged that those who paid bribes received preferential treatment. They also made mention that most of these houses were defective as they were built by companies who flouted tender regulations. Furthermore, they claimed that the decisions made by residents in ward committees are not recognized or are overridden by national or provincial governments. It is claims such as these that lead to protest actions, possibly turning to violence and eventual loss of life.

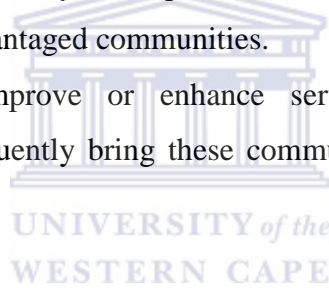
Public participation is the cornerstone of the new democracy but seems to be problematic in areas such as Langa, especially with regard to the effectiveness of ward committees. Despite the evident progress made in this regard since 1994, communities still battle with being marginalized when their voices are not heard. It is also a known fact that the City of Cape Town is fiercely contested by the two main parties namely the ANC and DA, This has resulted in these parties accusing each other of mismanagement and poor service delivery. Also the dominance of the ANC in the ward committees where both the local and provincial governments are controlled by the DA makes it at times difficult to implement policies to the satisfaction of the residents. All the factors mentioned above are recipes for protest action against service delivery and posits Langa as suitable for this research.

1.4 PURPOSE AND OBJECTIVES

The main purpose of this study is to evaluate whether Langa residents are satisfied or not with services delivered to their area, as well as with those issues related to service delivery such as public participation and policy implementation. Furthermore, the study attempts to identify those limitations and challenges that hinder quality service delivery as well as provide recommendations for the improvement of service delivery to these communities.

More specifically the objectives are to establish:

- ❖ The current state of affairs of service delivery in the City of Cape Town, more especially the disadvantaged areas, by using Langa as a case study.
- ❖ If public participation such as the ward committees are effective and have an impact on decisions made at local government.
- ❖ Whether local government implements policies in line with legislation as well those policies designed to address inequalities related to service delivery.
- ❖ The challenges which the City of Cape Town face when addressing the issues of service delivery to disadvantaged communities.
- ❖ Recommendations to improve or enhance service delivery to disadvantaged communities, and consequently bring these communities on par with more affluent communities.



1.5 HYPOTHESES

The afore-mentioned issues form the basis on which the following broad hypotheses can be made which serve to guide this study:

- ❖ Apartheid policies negatively impacted on service delivery to the disadvantaged areas in the City of Cape Town and in some ways were entrenched in the amalgamation process and the political environment after the 1994 elections.
- ❖ The absence or misuse of public participation leads to ineffective service delivery by local government to the disadvantaged communities.
- ❖ Policy implementation is not always as easy as policy formulation and at times lead to failure to achieve the desired effect.

1.6 RESEARCH DESIGN AND METHODOLOGY

1.6.1 Research Instruments

The report is an empirical study based on data gathered mainly from a questionnaire, 2008 statistics of Langa Township as provided by the City of Cape Town, as well as from interviews with important stakeholders and secondary data collected from relevant literature. Six questions in the questionnaire were posed to all those respondents who were selected to partake in the research. All the questions related to service delivery. In addition, the 2008 statistics provided by the Department of Strategic Development Information of the City of Cape Town served to provide an insight into those factors that impact negatively on service delivery such as unemployment, poverty, crime and education. Also, the report relies on information extracted from interviews conducted with important political role players who play a prominent role in the decisions that affect services in Langa such as the former Mayor of the City of Cape Town, Dan Plato, as well as the ward councillors. Secondary data consulted include various books, journals, articles, research papers, theses, and current literature relating to service delivery. The literature study acquainted the researcher with the thinking and relevant ideas of previous researchers and authorities. All the above research instruments enabled the researcher to become familiar with, and streamline current ideas with regard to service delivery.

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1.6.2 Selection of candidates

People from Langa were randomly approached and were asked permission to voluntarily participate in the research. However, all these candidates had to comply with certain conditions before a questionnaire was administered. The first of these conditions required that respondents had to be over the age of twenty one. Secondly, they had to be resident in the area before 1994. Thirdly, the researcher attempted to select candidates that represented all the areas as well as both the formal and informal areas in Langa. The reasons for these conditions are that the questions relate, particularly question three, to the period before 1994 as well as the period thereafter. It was also important that the viewpoints from the respondents were representative of all the different areas in Langa. Twenty five candidates met all of the above conditions and they were assured of confidentiality of any information provided to the researcher. Thirteen of these respondents stayed in formal housing while the remaining twelve stayed in informal housing.

1.6.3 Motives for questions

Six questions (see Appendix 1) were posed to each of the respondents. The motive for the first four questions was to probe the residents' reaction towards service delivery and more importantly to ascertain if they were satisfied or not with such services. The last two questions asked respondents to identify the issues they viewed as challenges (question five) and to make recommendations (question six) for more effective service delivery.

More specifically, the aim of *question one* was to ascertain if residents in the area were satisfied with services delivered by local government. Respondents had an option to answer “yes” “no” or “unsure” but in doing so they had to specify why, and preferably quote examples. However, the respondents were not obliged to provide any reasons for their answers to questions one to four. *Question two* was posed in order to establish from respondents whether local government delivered services in accordance with set policy guidelines. In this instance though, it was important to make sure that the respondents understood that local government had to act in accordance with policy guidelines when delivering services, before they answered the question. *Question three* was posed in order to establish whether residents had noticed any dramatic changes in the provision of service delivery after 1994, especially after the transformation and amalgamation of local government processes were put into place. *Question four* asked respondents about the extent of meaningful public participation in Langa. If the respondents took part in any public participation activities they had to indicate whether their input in these activities had any effect on decisions made by the local authority. If however, they did not participate in any of these activities but were aware of the ward committees they were asked if public participation by residents in their area contributed to or had any effect on decisions made or implemented by local government. *Question five* provided the respondents with a chance to state what factors they considered as impediments to service delivery whilst question six allowed them to provide recommendations to speed up service delivery.

1.6.4 Data analysis

The data analysis is hugely dependent on the percentages derived from the questionnaire. These percentages are calculated from the responses to each of the four questions that were posed to the twenty five respondents. These four questions were therefore divided into four categories with each category headed by a question. Each question had a “yes” “no” or “unsure” block and the respondents would be asked which option they agreed with. These

three blocks were each divided into formal and informal area blocks which enabled the researcher to identify the respondents area when making a tick against their choice to each question. Each of the respondents was allowed to provide only one choice for each of the four questions posed. The respondents were also questioned what their motivations or reasons were for their selection of each option in the four categories and these explanations were noted by the researcher. These explanations would become useful for the researcher and serve as a guide when addressing the issue of the challenges and recommendations with regard to service delivery. Each of the ticks made against the respondents' choice for each question accounted for four percent in each instance. The total for each question in each category when answered by all of the twenty five respondents therefore amounted to 100 per cent. The outcome for each of the four questions would therefore be determined by the choices made by the twenty five respondents. On the other hand the answer to the research question would be dependent on the collective amount of ticks made against the "yes", "no" or "unsure" choices to each question in the four categories by the twenty five respondents.

1.7 LIMITATIONS

Certain limitations surfaced when the researcher analyzed the data for this report and are worth mentioning. This report served to determine if residents in the disadvantaged areas of the City of Cape Town are satisfied or not with service delivery using Langa effectively as a case study. Langa however, is mostly an African township whilst Coloureds are the majority in the City of Cape Town. Public participation in an area where one particular sector or race is the overwhelming majority could be problematic, especially where party loyalty is aligned along such race lines. Langa is mostly an ANC-aligned area and in such a case the minority view could be construed as disloyal to the cause of the majority. The findings therefore may not be a true reflection of service delivery in other disadvantaged areas which have a different racial profile in the City of Cape Town.

Also, at the time of interviewing the twenty five respondents local elections were looming and the DA and ANC were both on the election trail. It is a known fact that there has always been fierce competition between these two main parties for control of the City of Cape Town even more so at the time of elections. Residents being loyal to their party structures therefore viewed at least some of the questions as an attack on their party which could have resulted in them not always being truthful in their answers. When the researcher interviewed important role players such as the mayor or councillors it was difficult at times for the researcher to

distinguish the truth from merely election propaganda. For example, all the parties claimed credit for the advancement of service delivery such as water installation in Langa but blame each other for the lack of it. Furthermore, some residents did not always understand question two of the questionnaire and had to be explained first. Lastly the respondents had to be over the age of twenty one years to be able to answer question three, but those respondents that just turned twenty one might have been too young to have had an understanding of what the situation was with regard to service delivery in 1994 or before.

1.8 ETHICAL CONSIDERATIONS

According to Remenyi (1998:114) confidentiality of participants should be upheld at all times in order to avoid potentially “unsatisfactory practices, which could endanger the participants”. The researcher accepts this position, more so as the research was done on the eve of local elections, which entailed at times the gathering of sensitive information from participants. To ensure the upholding of this consideration the identity of the participants surveyed through the questionnaire will be kept anonymous. All participants were informed that their participation in the study was voluntary and that they were free to withdraw from the interview at any time. This message was also relayed to those participants the researcher had to visit more than once for additional information. All participants were assured that they would be informed of the findings of the research.

With respect to the interviews with the former Mayor of the City of Cape Town, and two of the councilors in the Langa/Pinelands area, all three respondents agreed that their names could be mentioned in the report, provided that they would also be informed of the findings of the research.

1.9 ORGANISATION OF THE STUDY

The report is divided into five chapters.

Chapter one: Provides the introduction and background to the report as well as the main guidelines of the research such as the problem statement, the purpose and objectives, hypotheses, research design, methodology and ethical statement.

Chapter two: This chapter outlines the literature the researcher consulted. The key issues, policies and legislation as well as the challenges faced by local government are addressed.

Chapter three: This chapter provides the backgrounds of both the City of Cape Town and Langa Township.

Chapter four: The findings of the report are discussed and the chapter outlines the patterns that emerged from these results.

Chapter five: The findings of the report are analysed by way of looking at the strengths, weaknesses and challenges of the findings.

Chapter six: This chapter concludes the study as well as lists the recommendations that were identified to speed up service delivery.



CHAPTER 2

LITERATURE REVIEW

2.1 INTRODUCTION

Various key factors play a role in the problems currently confronting some municipalities in South Africa. One overriding factor is the effects of the apartheid era's unequal distribution of resources, based on race. Various policies and legislation were implemented to address such inequalities amongst municipalities especially inequalities originating from the previous BLA's such as Langa Township. Local authorities such as the City of Cape Town confront various challenges when attempting to implement such policies and legislation. This chapter will firstly address the effects of the apartheid system on our present democracy. Secondly, the chapter will examine the various policies and legislation formulated to address these inequalities created by the apartheid regime. Lastly, the chapter will confront the challenges local government face when implementing such policies.

2.2 APARTHEID

The National Party's implementation of its apartheid laws after 1948 led to racial divisions, which co-existed with a geographical division of power. This brought oppressive features of planning into the systematic formulation and implementation of a racist planning system. Local authorities provided services to citizens according to race and along ethnic lines which resulted in an increasingly inequitable access to urban, economic, social and political resources which weighted heavily in favour of White Local Authorities (Department of Provincial and Local Government, 1999:17). Other racially classified authorities such as the Black Local Authorities (BLA's) were discriminated against in many ways which resulted in the failure to improve the quality of life for these citizens, especially in the area of service delivery (Williams 2000, 168). It is this unequal distribution of resources that municipalities in the City of Cape Town face which Atkinson (2007) says are as a result of the inherent effects of apartheid. In addition to the above, local government in disadvantaged areas have a shortage of skilled workforce such as civil engineers, adequately trained management and resultantly struggle with corruption, nepotism and tender fraud. According to Atkinson (2007) it is factors like these which result in undemocratic and unresponsive decision making, coupled with a culture of illegal activities that ultimately result in shoddy services.

In view of the above, legislation and policies dealing with service delivery acknowledge the effects and unequal distribution of resources permeated by the apartheid regime (State of Local Government, 2009). Williams says that it is this “culmination of racially contrived planning frameworks in the apartheid era that has resulted in islands of spatial affluence in a sea of geographical misery at the end of the 20th century” Williams (2000, 167). Cloete (1995), Khosa (2000) and Atkinson (2007) all emphasise that recognising the historically driven social processes under-girding the South African disadvantaged areas is vital for understanding the multiplicity of problems such as homelessness and lack of service delivery. As a result legislation and support programmes such as the White Paper on Local Government 1998 and Project Consolidate 2004 designed to improve service delivery, acknowledge the historical antecedents and practices underlying the current planning initiatives to create a more equitable dispensation.

2.3 LEGISLATION AND POLICY

Various legislation and policy initiatives were adopted to address the above mentioned unequal distribution of resources, power and influence. The most important policy affecting local government is the emphasis on the achievement of developmental and participating local governments. This was expressed in particular in the Local Government Transition Act 1993, the Reconstruction and Development (RDP) White Paper 1994, The Constitution 1996, the White Paper on Local Government 1998, the Local Government Municipal Structures Act 1998, the Local Government Municipal Systems Act 2000, the Disaster Management Act 2002, the Local Government Municipal Finance Act 2003, and the Local Government Municipal Property Rates Act 2004 which are all outlined below:

2.3.1 The Local Government Transition Act, 1993

The Local Government Transition Act (LGTA), 1993 aimed to provide for the development of local government by ensuring that local authorities work towards the objectives of the Interim Constitution particularly through provision of basic services, capacity building and redistribution of public resources. The Act also sought to address inequalities, structural deficiencies and financial problems at the local level, by introducing a new dispensation (Reddy, 1996, 68). The LGTA served to strengthen the position of local government by making provision for restructuring so that local authorities could operate on a non-racial and representative basis as well as lobby for their own interests. The LGTA however, provided

for interim measures in terms of which local government restructuring was to undergo distinct phases of transition namely the pre-interim phase which served to integrate the previously divided local authorities; the interim phase in which elected officials were established to govern until a new policy for local government was legislated; and a final stage in which a new system of developmentally-focused local government was introduced in the country. A provincial committee for local government was established in terms of this Act to allow for the co-ordination between the provinces and local authorities in order to facilitate effective and efficient delivery of services.

2.3.2 Reconstruction and Development Programme (RDP) White Paper, 1994

The Government of National Unity had to address the problems of poverty and gross inequality, evident in almost all aspects of South African society. Access to water, housing electricity, health, jobs etc. would require a major effort from all groups and sectors. The White Paper on the RDP (1994) set out the initial plans to orientate activities fully and effectively towards these goals. It provided for an integrated, coherent socio-economic policy framework, which was realistic, clear and achievable. In addition, it aimed to guide the work of all local government departments as well as other role players and to encourage residents to participate in the process. It furthermore, sought to mobilize all the country's people and resources toward the final eradication of the results of apartheid towards building a democratic, non racial and non-sexist future. Similarly, it represented a vision of the fundamental transformation of South Africa which must ensure that the country is:

- i) meeting basic needs; ii) developing its human resources; iii) building the economy;
- iv) democratizing the state; v) implementing the RDP.

Furthermore, the RDP was based on six fundamental principles, which together make up the political and economic philosophy that underlies the RDP, namely, i) integration and sustainability; ii) a people driven process; iii) peace and security; iv) nation building; v) meeting basic needs; vi) building infrastructure and democratization.

The RDP further states that the Government can only achieve its objectives if it establishes transparent, participatory and accountable policy-making procedures in both the public and private sectors but more so at local level. The vision was clear. It was a people centered process, which means that it embraces the values of this concept. Public participation was central in the discussion around the democratization of the state and society. In this regard all the citizens should have the right to be involved in decision making especially those

previously disadvantaged. This would ensure the participation of all people in the process of reconstructing the country. The RDP was however, to a large extent replaced by the government's Growth Employment and Redistribution (GEAR) strategy.

GEAR was unveiled in June 1996 largely in response to structural problems in the economy and disappointing job creation ventures. Unlike the RDP, GEAR was not based on broad consultation but produced by a technical team of experts insulated from popular pressure. Through a combination of measures, including fiscal austerity, tighter monetary policy, budgetary reform, financial and trade liberalization, restructuring of state assets and labour reforms, the Government claimed that GEAR would be capable of achieving growth with both job creation and redistribution, thereby reconciling it with the intentions of the RDP. With respect to the public sector transformation, the debates and controversies surrounding the RDP and GEAR have highlighted a fundamental tension in balancing the needs of domestic social justice on the one hand and international competitiveness and macro-economic stability on the other. GEAR represented a discernable shift in emphasis away from the developmental paradigm within which the RDP was situated towards a much more budget-driven approach which has placed a number of serious limitations on local governments' institutional reform and consolidation (Atkinson, 2007).

2.3.3 The Constitution, 1996

The Interim Constitution of 1993 provided a basic framework for local government to govern at local level up to the adoption of the final constitution in 1996. Together with the Bill of Rights, these two pieces of legislation formed the key instruments for eradicating the apartheid legacy of underdevelopment, social inequalities and unrepresentativeness. Section 153 of the 1996 Constitution makes reference to the developmental duties of municipalities by requiring that they meet the basic needs of society (RSA Constitution 1996, 83) of which the most important are to:

- ❖ Provide services to the communities in an equitable and sustainable manner.
- ❖ Promote a safe and healthy environment.
- ❖ Encourage a participatory local government.
- ❖ Promote social and economic development.

Section 151 (3) entrenches a municipality's right to govern on its own initiative the affairs of the community. As long as they do not override national or provincial legislation, local

authorities have the right to exercise their powers and perform their functions without interference from the other two spheres of government. In addition to the above, a duty of supervision is placed on provincial government with respect to local government. Supervision entails the power to intervene, issue directives and even to take over responsibility under certain circumstances. In this regard, the National Council of Provinces (NCOP) has an important role to play in considering and approving provincial interventions into local government spheres. The above directives position a municipality (which for the purpose of this research is the City of Cape Town) at the leading edge of development, especially with regard to service delivery to disadvantaged areas.

2.3.4 White Paper on Local Government, 1998

The White Paper on Local Government (1998) recognizes that under apartheid there was a systematic under-investment in disadvantaged areas. Millions of people were thus deprived of access to basic services, such as water, housing, electricity etc. This therefore, required a radical transformation of service delivery of basic services at the local level. Local governments were resultantly tasked to address this backlog. The White Paper on Local Government focuses on working with local citizens, groups and communities with a view to meet their social, economic and material needs thereby ensuring an improved quality of life. Local government should particularly take the lead in integrating and coordinating development at local level, especially through the design and implementation of Integrated Development Plans (IDP's) for local development and service delivery. In the process, it is imperative that the transition is inclusive, interactive and transparent and has four inter-related characteristics namely:

- ❖ Maximizing social development and economic growth through traditional government responsibilities (service delivery and regulation).
- ❖ Integrating and co-ordinating the various agencies in a local area which contribute to development.
- ❖ Democratizing development by involving citizens and community groups in municipal programmes.
- ❖ Leading and learning through leadership and vision, bringing together coalitions and networks of local interests, by responsive problem solving and partnerships.

The White Paper on Local Government (1998) furthermore states that in choosing the delivery options for its areas, municipalities should be guided by the following principles:

- ❖ Accessibility of services
- ❖ Affordability of services
- ❖ An integrated development approach

One of the challenges identified in this White Paper was the need to rebuild relations between municipalities and local communities they serve, with particular emphasis on the disadvantaged communities. Even with the democratization process after 1994, local government was still in many ways structured to meet the demands created by the previous era. A fundamental transformation was therefore still required. The White Paper as a result, stressed the need for active public participation in policy formulation and implementation. Furthermore, it also provided some concrete examples of how to go about empowering communities to participate in local government for example, by way of providing subsidies and support to community organizations in the form of finance, technical skills or training with regard to service delivery. Strategies should also be included to actively encourage the participation of groups that are particularly marginalized (the disabled etc.) by removing obstacles and fostering public participation. To give effect to the constitutional mandate and the policy agenda set out in the White Paper on Local Government, three pieces of legislation were passed in the interim phase of the transition, namely;

i) *The Municipal Demarcation Act* (Act No. 27 of 1998) in terms of which an independent Municipal Demarcation Board was mandated to demarcate new boundaries for all future local government jurisdictions in the country. This was intended to change the boundaries which separated rich and poor, as well as urban and rural, so that all citizens could have access to services such as water, electricity, sanitation and roads. Particular attention was placed on bringing communities that are interdependent under the same local authority, as well as the achievement of democratic, accountable local government that consists of financially viable municipalities.

ii) *The Municipal Structures Act* (Act No.117 of 1998). This Act establishes the municipal structures in order to fulfill the constitutional objectives of local government and is primarily of administrative importance. The Act sets out criteria which determine the category of municipality established in an area and define the types of municipality that may be established in each category. In addition, the Act provides for matters relating to the distribution of powers and functions of local government as well as the workings of the internal systems, structures and office bearers of municipalities. Furthermore, it provides for appropriate electoral systems for local government.

iii) *The Municipal Systems Act* (Act No. 32 of 2000). This Act was published in November 2000 to establish a framework for planning, performance-management systems, effective use of resources and organizational change in local government. The Act establishes a system for local councils to report on their performance and provides a mechanism for residents to compare their council's performance with others. Furthermore, the Act requires of municipalities to base their developmental initiatives on Integrated Development Plans for the municipality as a whole, and make administrations accountable to the elected political leadership and the electorate of the municipality concerned.

Public-partnerships are also regulated by this Act. It allows municipalities significant powers to corporatise their services, establish utilities for service delivery, or enter into partnership with other service providers. The Act also provides for the adoption of credit control policy by municipalities that will provide for the termination of services in the event of non-payment. Municipalities also have the power to pass by-laws to implement the policy.

2.3.5 Disaster Management Act, 2002

The Disaster Management Act No.52 of 2002 defines a disaster as a progressive or sudden, widespread or localized, natural or human-caused occurrence which;

- i) causes or threatens to cause:
 - a. death or injury
 - b. damage to property
 - c. disruption to the life of the community, and
- ii) is of a magnitude that exceeds the ability of those affected by the disaster to cope with its effects.

The Disaster Management Act is therefore about all spheres of government, all sectors within government, community and business, working together to reduce the risk of disasters and to ensure that arrangements are in place to minimize the impact of disasters on communities. It places a special emphasis on the most vulnerable in the communities and aims to:

- ❖ Prevent or reduce the risk of disasters.
- ❖ Mitigate the severity or consequences of disasters.
- ❖ Be prepared for emergencies
- ❖ Respond effectively and rapidly to disasters
- ❖ Ensure post-disaster recovery and rehabilitation

These risk treatment actions should not only be incorporated into the IDP, but training and awareness programs should also be developed. Contingency plans, protocols and procedures need to be in place to ensure that incidents and disasters are addressed. For this to happen excellent relations and co-operation have to be maintained between the parties which also applies to other Acts such as the Local Government Finance Management Act.

2.3.6 Local Government Municipal Finance Management Act, No. 56 of 2003

The aims of the Municipal Finance Management Act (MFMA) are to establish the basis for improved financial management which is essential for the improvement of service delivery. This would be achieved by modernizing the budget and financial management practices in municipalities in order to maximize the capacity of municipalities to deliver services to all its residents, customers, users and investors. For this reason the Act aims to put in place sound financial governance by clarifying and separating the roles and responsibilities of the Mayor, executive and non executive councilors, and officials. The MFMA establishes requirements for municipalities to inter alia consult effectively with their local communities, work with other spheres of government, and focus on more sustainable means to deliver services. There are five underlying principles in the MFMA which form the basis of the key reforms envisaged, namely:

- i. Promoting sound financial governance by clarifying roles.
- ii. Adopting a strategic approach to budgeting and financial management.
- iii. Modernizing financial management.
- iv. Promoting co-operative government.
- v. Promoting sustainability.

The MFMA recognizes the approval and oversight of the Municipal Council as a legislature in its own right to determine its own budget and policies as well as to collect taxes, municipal levies and user charges. Also, there are explicit provisions in the MFMA relating to the Public Private Partnership (PPP's) which prescribe that PPP's must provide value for money, present an appropriate allocation of risks between the contracting parties and project budget provisions.

The MFMA requires more regular and accurate financial reporting to the Council in order to facilitate an environment in which potential or real financial problems are reported in a timely

and appropriate manner that will allow Council to remedy the situation. The municipal manager is required to submit monthly budget progress reports to the Mayor and Provincial Treasury as well as a midyear budget report and performance assessment to the Mayor, the Provincial Treasury and the National Treasury by 31 January each year. The Mayor must table the quarterly report to the Council. The municipal manager must also report to the Council on unforeseen or unavoidable expenditure or expenditure that is deemed to be unauthorized or irregular, fruitless or wasteful as envisaged in the Local Government Municipal/s Property Rates Act.

2.3.7 Local Government Municipal Property Rates Act, No. 6 of 2004

The Local Government Municipal Property Rates Act (MPRA) provides a policy framework for municipalities to implement a transparent and fair system of exemptions, reductions and rebates through their rating policies. In this regard, it incorporates a pro-poor objective alongside its fiscal goals. The rebates, reductions and exclusions are targeted at vulnerable groups for the purpose of eliminating or relieving their rates liability. An unaffordable property rates account could lead to eviction or the reduction of disposable income meant for other household necessities. Direct rates relief can therefore assist by putting more money in the pocket of low-income households. Also, the poor struggle to access well located land in cities. The provision of direct tax relief can provide the poor with the motivation and financial ability to access urban land and housing. Furthermore, the Act makes provision for fair and equitable valuation methods of properties, but at the same time makes provision for an objection and appeals process which therefore rely on the participation of citizens.

2.3.8 Public participation

Public participation was central in the discussion around the democratisation of the state and society and is highlighted in the Constitution and legislation relating to service delivery. It affirms that all citizens should have the right to be involved in decision-making especially those that were previously disadvantaged. Accordingly, this would ensure that all people are provided with the opportunity to participate in the process of reconstructing the country. Furthermore, public participation is often the key to transparency as an empowering process to equalize the relations of power that influence the formulation, design and implementation of specific planning of a particular local authority particularly as expressed in the White Paper on Local Government, 1998 (Department of Provincial and Local Government, 2008). In a review of the conference on Local Participation Processes held at Wits University on the

20-21 November 2011, Benit Gbaffon (2007) states the debates surrounding participation centered mainly around three main points. Firstly, participation should be taken seriously especially its capacity to voice and promote the needs and demands of the poor in post-apartheid cities. Secondly, participation should be about improving the poor's living conditions and thirdly, it should be echoed in a strong public policy or political party to balance the needs of communities against other powerful forces such as business interests (Benit-Gbaffon, 2007).

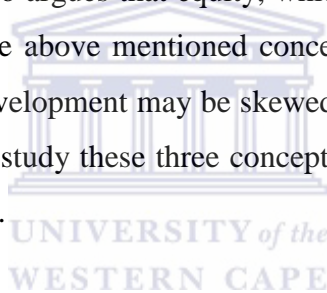
For the reasons mentioned above, various efforts have been made to legitimize the voice of the marginalized at all levels, not merely constitutionally but also institutionally. According to the White Paper on Local Government 1998 the process of public participation should make provision for some measure of compensation and justice as millions of people were deprived of access to basic services, such as water, housing, electricity etc. (Department of Provincial and Local Government, 2008). For this reason the White Paper on Local Government 1998 recognizes that under apartheid there was a systematic under-investment in disadvantaged areas. This therefore required a radical transformation of service delivery of basic services at the local level. Local governments tasked to address this backlog especially with regard to previous disadvantaged areas were ordered to focus on working with local citizens, groups and communities to meet their social, economic and material needs in order to improve their quality of life (De Visser, 2005). As a result, programs and projects emanating from government should not only highlight the historical antecedents of unequal relations of power, but should also ensure community participation. It is this temporal variance of public participation which is based on the wards system (mentioned in 2.4 below) that should inform the process of transformation and service delivery to the disadvantaged communities in the City of Cape Town. However, the absence or misuse of public participation could have adverse affects for disadvantaged communities with regard to service delivery and furthermore strengthen the status quo of the previous regime (Bond, 2000). The concept of people-driven development as officially proclaimed in the Constitution and the White Paper on Local Government (1998) and discussed below, should be a defining element of transforming the apartheid state and its related institutional practices

2.3.9 Developmental Local Government

The 1996 Constitution played an important role in laying the basis to improve service delivery by asserting local government with a developmental mandate. In this regard, Act 108

of the 1996 Constitution recognised local government as a distinct sphere of government. At the same time Section 151 (3) paved the way for local government to claim its place as a partner towards the other spheres of government not only by way of co-operation and respect but with its own real powers to develop local government. To this end, Section 153 spells out local governments' duties in its attempt to improve service delivery.

According to De Visser (2005), development revolves around three concepts namely; the improvement of material well being, the empowerment of choice and the equal distribution of wealth. The material element centers on the satisfaction of material needs and incorporates the idea to diminish poverty. He claims that this element embraces the term "empowerment" which aims to ultimately place the individual in a developed position where such individual is able to make choices or explore "possibilities". It furthermore places the individual in "control of his life" with the added leisure to make choices based on this new found position (De Visser, 2005). De Visser also argues that equity, which is based on the fair distribution of benefits, has to accompany the above mentioned concepts. In the absence of this equity element De Visser claims that development may be skewed and would not serve the interests of the poor. For purposes of this study these three concepts will therefore be accepted when referring to the term development.



2.3.10 Turnaround strategy

As many municipalities failed in the performance of their core functions, frustration, mistrust and a loss of confidence towards them set in. In an effort to turn the tide around, the Turnaround Strategy was initiated by the Department of Co-operative Governance in early 2009, and was approved by Cabinet on 2 December 2009. Key issues contributing to municipal distress were identified and recommendations were proposed for the effective and efficient performance of municipalities. In this regard the Turn-Around Strategy has been distilled to namely:

- ❖ Improve the quantity and quality of basic services.
- ❖ Enhance the municipal contribution to job creation and sustainable livelihoods.
- ❖ Ensure reliable and credible IDP's.
- ❖ Build and strengthen the administrative and financial capacities of municipalities.
- ❖ Create a single window of co-ordination, support, monitoring and intervention by other spheres of government.
- ❖ Root out corruption nepotism and maladministration.

- ❖ Develop and strengthen a stable system of municipalities.
- ❖ Restore the institutional integrity of municipalities.

De Visser argues that the turnaround strategy should be built on three pillars (De Visser, 2009: 12). The first pillar he says is the *simplification of structures, mandates and systems*. As a result monitoring of local government, support and reporting lines should be simplified. Also, recognizing the “functional overreach of the concept of developmental local government, we should look at ways to differentiate local governments’ mandate” (De Visser, 2009: 12). The focus should be on establishing core basic services that every municipality must deliver in a sustainable manner. The second pillar relates to *improving good governance and accountability*. The quality of local democracy in municipalities as well as the professionalism which embraces accountability needs urgent attention. The third pillar deals with *the need for coherence in inter-governmental relations involving local government*. The fragmentation of approaches to local government, for example the IDP, the role of cities etc., at both provincial and national level, is a key theme for improvement.

De Visser (2009) further argues that it will be very difficult to expect that the Local Government Turnaround Strategy (LGTAS) will be able to effectively address all of these pillars in the short term. Municipalities therefore, when putting in place concrete measures to pave the way to achieve efficient and accountable municipalities, need to pursue both short and long term goals in order to achieve these goals.

2.4 LOCAL GOVERNMENT SUPPORT PROGRAMMES AND MECHANISMS

National and Provincial government departments are continuing to formulate programmes which constitute a support instrument for local government to perform service delivery on an equitable, efficient and effective basis of which the most important are the following:

2.4.1 Consolidated Municipal Infrastructure Programme, 2001

The Consolidated Municipal Infrastructure Programme (CMIP) constitutes the major infrastructure grant for municipalities. This represents recognition on the part of national government that many local authorities have difficulty achieving major redistribution to disadvantaged communities, due to relatively limited resources at their disposal. Mr. Mufamadi, the then Minister of Provincial and Local Government, made this acknowledgement at a media briefing on 2 September 2003. He said that the level of economic growth in itself was not sufficiently robust to comprehensively give full effect to

the normative objectives of our democratic state, namely to address the legacy of the past and universalize access to basic services.

The CMIP aims to provide basic levels of service to uplift the quality of life of ordinary people. The programme aims to enhance the developmental impact of the delivery process by focusing on the transfer of skills and promotion of small, medium and micro enterprises, using labour intensive construction processes that maximize delivery opportunities. The CMIP also aims to enhance long-term sustainability and rapid improvement of delivery through capacity building that will strengthen the institutional ability of municipalities, including their local management, operation and maintenance capacities. By June 2003 three million households that previously had no access to basic level of service were benefiting from the different project categories such as water, storm water, sanitation, roads, solid waste, community lighting and other facilities (Lewis, 2003).

2.4.2 Municipal Infrastructure Investment Unit, 1998

This Municipal Infrastructure Investment Unit (MIIU) was set up in 1998 to encourage private sector investment in municipal services and to establish a market for such investments. Government provides an annual grant to the Unit. During the 2001/2 period the MIIU completed five projects with a total value of R1 billion and during its first four years of existence it had completed payments to a value of R6, 7 billion. As a result, 280 000 disadvantaged South African households received new, enhanced or more efficient municipal services, including water, municipal transport and municipal power.

2.4.3 Local Government Transition Fund, 1998/1999

This Fund was established to assist local government with significant once-off costs for amalgamation and restructuring, following the demarcation process, so that services are not interrupted. This was in response to strong representation from the provinces during the period of the 1998-1999 financial year. As a result, the sum of R181- million was paid to provinces as a conditional grant, to smooth out the transition to the new system. The new Constitution recognizes local government as a separate sphere of government entitled to an equitable share of nationally raised revenue. This share became available after 1st July 1998 for the 1998-1999 municipal financial year phased in over a period of four to seven years. Allocations flow directly from national to local government according to a set of objectives formulated that embody the principles of equity, efficiency and democracy. The Department

of Constitutional Development has been charged with the responsibility of administering the equitable share of revenue of local government.

2.4.4 Municipal Systems Improvement Programme, 2001

The Municipal System Improvement Programme (MSIP) 2001, provides direct assistance to municipalities for capacity building and for implementing new systems. Planning, implementation and Management Support Centers in municipalities, in particular, will be funded to assist with the preparation of integrated development plans (IDP's) in line with municipal budgets. This grant will also assist municipalities to pilot performance management and monitoring systems, aimed at building municipal financial management capacity and implementing budget reforms.

2.4.5 Local Economic Development (LED) and Poverty Alleviation Fund, 2001

The purpose of the LED Fund is to provide conditional grants to municipalities for the implementation of job creation and poverty alleviation projects. The Fund was meant to target the poor and disadvantaged. Mr. Sydney Mufamadi, the then Minister for Provincial and Local Government, said in his budget vote speech in June 2002, that the LED Fund had supported 188 municipalities, with 88% of the municipalities having received training on LED. According to the Estimates of National Expenditure 2002, published by the National Treasury, funds from the LED Fund and Social Plan Grant have assisted 102 Municipalities to undertake regeneration studies in the past two years. A further 120 municipalities have received funding for LED initiatives leading to the creation of over just 1000 part-time and 1000 full-time jobs. These initiatives were showcased at the annual LED Trade Fair that was first launched in Johannesburg in 2000.

2.4.6 Extended Public Works Programme (EPWP), 2004

At a media briefing on the 2nd September 2003, the then Minister of Provincial and Local Government Mr. Mufamadi, said that the Extended Public Works Programme (EPWP) was designed to address the inequalities of the past and to improve the quality of life of South Africa's people. Furthermore he said, that the ministry's core mandate centers on matters relating to intergovernmental relations and integrated governance, as critical preconditions for accelerated service delivery and sustainable development.

Mr. Mufamadi admitted at this briefing, that the level of economic growth, in itself, has not been sufficient to address the legacy of unequal service delivery of the past. The improvement in the collective quality of life of the disadvantaged communities is amongst other things, a product of public sector intervention that has systematically sought to close the gap between the rich and poor in our country. Central to this initiative, is the programme to provide free basic services, such as water and electricity, to poor communities. The rollout of free basic electricity and energy commenced on 1 July 2003.

The provision of services is carried out in as efficient a manner as possible. A greater part of the responsibility in this regard, will devolve to local government. The central question is how the three spheres of government can better plan and work together so as to create an integrated and expanding delivery of public services, especially to poor and previously disadvantaged communities. The Extended Public Works Programme (EPWP) is an intervention to boost government investment in social infrastructure. It serves to draw the unemployed into productive work and simultaneously provide workers with much needed skills. According to the chairman of subcouncil 15 Mr. Watkyns in an interview with the researcher in November 2011, this programme enabled him to provide employment to several youths in Langa. Closely linked to this is the recently introduced Municipal Infrastructure Grant (MIG), which will consolidate currently fragmented capital grants to municipalities. The benefit of the EPWP and the MIG is that these measures will assist the country to put in place the infrastructure without which it is impossible to universalize access to basic services.

2.4.7 Project Consolidate 2005

On 1st April 2005 the then Minister for Provincial and Local Government, Mr Mufamadi launched Project Consolidate with the aim to accelerate service delivery especially with regard to the improvement of free basic services such as water, electricity sanitation and refuse collection. This would be done by way of improving the capacity in terms of human resources to those municipalities that do not have sufficient resources. This would be done by:

- ❖ Providing training programs designed to improve the skills of municipal employees.
- ❖ Assigning human resource practitioners with the task of developing organizational infrastructure that is responsive to the institutional and challenges.
- ❖ Assessing the competency and skills of municipality employees.

- ❖ Developing the legal skills of municipal employees in order to assist municipalities to deal with labour related disputes that hamper service delivery.

These action plans will be compiled for each municipality and monitored. Consequently the following will be measured on a regular basis:

- ❖ To what extent has the infrastructure been addressed and indigent households been provided with free basic services?
- ❖ How has the municipality utilised the MIG allocation and other revenue sources?
- ❖ How many jobs have been created?
- ❖ To what extent has the community been involved in local development?
- ❖ Which plans have been implemented to protect our natural resources?
- ❖ To what extent has institutional capacity been built?

Being able to measure the above enables the government to find innovative ways to optimize the impact of the local government system, to improve and strengthen the coordinated actions of national, provincial and local government in key areas of delivery together with key partners. The focus of Project Consolidate is therefore on improved integration and coordination of provincial programmes and building of local government service delivery capacity through well coordinated national and provincial interventions.

2.5 CHALLENGES IN SERVICE DELIVERY

2.5.1 Weaknesses of the LGTA

The LGTA was an important piece of legislation for local government which sought to address the inequalities of the apartheid era, thereby bridging the gap between the rich and poor. It also sought to introduce a new dispensation in line with the stipulations of the Constitution (Reddy, 1995). The Act however had a range of provisions that protected white minority interests, for example, the “sunset clause” which guaranteed the positions of bureaucrats. Furthermore, the speed with which the Local Government Negotiating Forum (LGNF) reached agreement on the framework for the local government transformation worked against the ANC, and as a result probably sold themselves short on the agreements reached (Cloete, 1995). This is further demonstrated in the weakness of the LGTA in its bias toward the urban areas and the lack of structured support processes to enable municipalities to manage the transformation process (Atkinson, 2007). In this regard, Williams (2000), says that:

...as a result institutions often defy as opposed to comply with prevailing regulations...by either still applying apartheid oriented interpretations of specific planning regulations and/or simply by ignoring and/or delaying the effective implementation of particular change inducing measures as provided for by specific legislation promulgated by the new democratic government (Williams, 2000:170).

The weaknesses in the LGTA therefore resulted in policies not only being defied or ignored, but also inhibited change which served to protect the interests of the beneficiaries of the apartheid regime.

2.5.2 Amalgamation of local authorities

One of the aims of amalgamating municipalities in line with the Municipal Structures Act, 1998 (which were reduced from 843 to 283) was to transform the gap between the rich and poor especially with regard to providing services to communities on an equal basis. As a result, the previous 39 local authorities within the Cape Metropolitan Area were restructured into a new Council on 6 December 2000. The new Council was an amalgamation of the previous six Metropolitan Local Councils into a single local authority, the Unicity.

In South Africa the majority of local councils rely on grants from provincial or national budgets to develop infrastructure and address backlogs. In 1996 integrated development plans (IDP's) were proposed as a way forward for local councils. The amalgamation of municipalities thus implied that different IDP's would have to be combined, which would not only prove to be difficult but always proved to be in favour of the well developed urban and metropolitan areas which are mostly former WLA's (Bond 2000). Service delivery was also generally slow in previously disadvantaged councils as opposed to those in WLA's. Hence the different sectors in the new amalgamated municipalities have different priorities for fund allocations which also tend to favour middle and high income communities (Bond 2000). For example, Langa (former BLA) and Pinelands (former WLA) are virtual neighbours and are both clustered into subcouncil 15. On the one hand Langa still struggles to attract business because of poor infrastructure whilst Pinelands has a well established thriving business establishment. It stands to reason therefore that the two areas would have different priorities with regard to the IDP. Admittedly therefore, this approach reduced the level of administration disruption, but in several instances it maintained the bureaucratic inefficiencies and inequalities of the apartheid system.

Some municipalities such as the City of Cape Town experienced difficulties in initiating changes. According to the White Paper on Local Government (1998), some municipalities undertook the participative approach that drew a cross-section of staff into the process of designing new organisations. Thus, innovative approaches to strategic management were introduced and processes of staff communication and cultural changes were also initiated. During this transition period consolidation of these gains resulted in high levels of uncertainty (more especially among the staff) and political turmoil (Cloete, 1995). The potential skills and energies of the majority of the workforce were therefore not harnessed for transformation. According to Williams (1998) this was further exacerbated by the lack of leadership, will and political direction. New administrative capacities therefore were not built and administrative operations remained locked in traditional approaches to service delivery.

In the City of Cape Town, the structures and systems of the more established municipal administrations, usually former White Local Authorities (WLA's) were adopted and extended to absorb staff from the smaller administrations, usually the former Black Local Authorities (Cloete, 1995). In many cases this approach resulted in a less effective and less equitable system of service delivery, especially to disadvantaged communities (Williams, 1998). For example, in most instances the amalgamations process disadvantaged the staff of the former Black Local Authorities (BLA's) as they were slotted into job-evaluated systems, which weighed formal qualification above job experience (Department of Local and Provincial Government, 2008: 91). In addition,

...there appears to be a patent unwillingness, if not belligerent opposition to appointing capable black employees to senior management positions to approximate the demographic profile of the particular community (Williams, 2000:172).

In this regard, the amalgamation process reproduced inequality and made little attempt to address the limited representation of blacks in management positions. In essence, the inherited weaknesses of the old administrative system remained intact. According to Williams:

...even though the urban economy contributes 70% of the gross domestic product (GDP), in predominantly black areas the urban economy is undermined by: deficient service provision; deteriorating infrastructure; weak and discredited municipal institutions; over-regulated urban markets; distorted spatial settlement patterns; skewed distribution of economic enterprises favouring largely white interests thereby exacerbating the impoverishment of blacks (Williams, 2000:172).

The amalgamation process in the City of Cape Town, despite some progress in service delivery in some instances in disadvantaged areas, seemed more inclined to perpetuate the

interest of the more affluent areas than the poor communities. Consequently, the process of amalgamation was largely concerned with addressing technical problems and very little attention was paid to major rethinking of the basic principles on which the administrations ought to be organized.

2.5.3 Failure to implement policy

In a Local Government project undertaken by the Community Law Centre at the University of the Western Cape in April 2008 called the “Strangulation of Local Government” it is argued that the sheer amount of laws from provincial and national governments pertaining to local government inhibit it from effectively executing its developmental mandate (Steytler, 2008). Section 155 (7) of the Constitution makes provision that provincial and national government oversee local government through regulation, monitoring and empowering. In this regard national government seeks to structure local government by way of legislation such as the Municipal Structures Act, Municipals Systems Act, The Municipals Finance Act, The Municipals Rates Act, and most recently the Municipals Fiscal Powers and Functions Act. These acts are lengthy pieces of legislation that are followed by regulations to ensure that local government fulfills its developmental mandate. Section 151 (3) of the Constitution on the other hand stipulates local government’s right to govern on its own initiative the affairs of the community which at times is in direct conflict with Section 155 (7). In this regard the report says that the sheer complexity and the cost of regulations stifle initiative and disallow local government at times to interact with the community to meet their own needs. Also the overuse of the command language “must” results in hollow commands. An example is the draft regulation published by the Department of Provincial and Local Government which called for comments by the public by 31 January 2008, on the proposal that the rates levied on state buildings must not exceed twenty five percent of that imposed on residential property. The twenty five percent limits gave municipalities no discretion at all which not only disempowers local government but also imposes national government solutions on them. The report claims that this paves the way for municipalities to opt out of the lawful way of governing. This strangulation or overregulation therefore prevents local government from implementing its developmental role and governing on its own initiative.

In addition to the above Williams (2000) claims that the City of Cape Town failed to apply its policies in compliance with the legislative framework. In this regard it also becomes clear, that implementing policy is not as easy as documenting programs (Korten, 1995), especially

where there is a lack of political leadership, direction, and will to implement these policies. For example, in a newspaper article on the new bus lane route to the West Coast, Marius Fransman ANC provincial chairperson in the City of Cape Town, announced that Transport and Public works spent the transport subsidy of R700 million for the City of Cape Town on this project. (New Age, 17 March 2011: 8). He claimed that policy dictated that this amount should have been used to subsidise poor residents' transport costs more especially those that struggle to pay for services. According to him this money was used instead to transport residents from middle- and high-income households as this bus lane route covers mostly affluent areas. This claim coincides with Williams' (2000) argument that officials often defy or ignore policy which is centered on local government's developmental mandate and thereby serve to entrench the interests of the beneficiaries of the apartheid regime. In this way the City of Cape Town fails to apply its policies in accordance with the legislative framework which relate to service delivery.

2.5.4 Ward committees

The Municipal Structures Act (Act 117 of 1998) makes provision for the objective of ward committees to enhance participatory democracy which forms the basis of democratic local government. Throughout the Municipal Systems Act more especially Act 32 of 2000, ward committees are mentioned as vehicles for community participation. Ward councillors chair these ward committees and rely on them for support to ensure that the issues and needs of residents are addressed in the municipal councils. Each ward committee consists of the ward councillor and ten additional members from the community. The ward councillor serves as the link between the ward committee and the rest of government with regard to the planning and implementation of national and provincial programmes impacting on the ward. The problem arises if national government or provincial governments do not consult with local government on which policies will be implemented and when it will be effected. In an interview with the researcher on the 3 November 2011 the chairman of sub-council 15 Mr. Brian Watkyns complained that the national government often does not recognize local government whenever it implements policy. For instance, he says, just a week before the interview with the researcher he got word of a project under the auspices of the Extended Public Works Program (EPWP) that was to be launched in Langa in that week. National government however omitted to inform him of the launch of the project. He claims that this type of omission causes serious problems in the sub-council especially when consulting and briefing the councillors and ward committee members. For example, he says as a result of

him not knowing the extent of the project he was not able to plan for the amount of local people to be employed for the project. De Visser, who is the editor of the Local Government Bulletin (LGB) and Associate Professor at the Community Law Centre of the University of the Western Cape, warns that even though ward committees offer great potential for participatory processes, if not managed carefully they could pose a danger to democracy (De Visser 2007: 7). For example in Langa, misrepresentation, mismanagement, corruption and nepotism are some of the allegations in the report leveled at the councillors. These allegations are cause for great concern and serve as platforms for protests against service delivery.

2.5.5 Class apartheid

In an article “Infrastructure Delivery: Class Apartheid” Bond (2000) argues that presently the quality of and access to service delivery vary by class as well as race which favour the middle- and high-income households at the expense of the poor. Similarly Khosa (2000: 25) states that “local government in a class divided society is not a neutral institutional form, and generally serves to reinforce and preserve the ruling class hegemony”. In a newspaper article Trevor Manuel, the Planning Minister, whilst addressing members of the European Union, said that “South Africa has failed to deliver quality services to the poor despite adequate funding...and we perform poorly even by our own standards” (New Age, 17 March 2011: 4). It was also found in a survey conducted by the Human Science Research Council in September 2000 that most rural and informal settlement households use the unventilated pit latrines and water which are of poor quality whilst the middle- and high-income households use ventilated pit latrines or flush toilets and water of high quality (Bond 2000). In an interview with the councillor of ward 52, Mr. Mayanzeke Sopaqa on 11 November 2011 at his offices in Langa, it was claimed by the councillor that the quality of the houses most of the residents have to live in is at the heart of discontent in Langa. He says that he himself is a resident in Langa and had to be subjected to years of living in a house of poor quality which consisted of only one room and substandard floors. He also mentions that as far as he knows very few of the residents in Pinelands, if any, are subjected to these conditions common to Langa. In view of the above it seems clear that disadvantaged areas are subjected to poor quality services whereas more affluent areas are favoured by services of a much higher quality.

In addition to the above, Bond (2000) claims that there are two main perspectives on the issue of poor service delivery to disadvantaged areas. The “mainstream perspective”

generally approves of the ANC-led government and its policies but suggests that the implementation of it is flawed because of municipal inefficiency. This perspective regards communities and the workers as part of the problem because they engage in non-payment and protests. The “critical perspective” which includes the perspective held by trade unions, argues that the current state policies are excessively neo-liberal, too market orientated, and unsympathetic to problems associated with the poor (Bond 2000:19). He further argues that official facts about service delivery to the poor are often mere fabrications during elections as they bear little resemblance to reality. Furthermore, Bond argues that the poor and rural households pay indirectly more for these services than the middle- and high-income households. Service delivery therefore varies by class and favours middle- and high-income households. Consequently, these middle- and high-income households are the major beneficiaries of service delivery and not the poor as directed by the National Legislative Framework and policies related to service delivery.

2.6 SUMMARY

In an attempt to undo the unequal distribution of services and resources, authors such as Bond, Cloete, Atkinson and Williams all mention the importance of taking cognisance of the uneven form of development on communities. For this reason various policies and legislation as well as support programs were adopted to address the inequalities especially with regard to service delivery. In an attempt to fulfill its mandate by providing services in a developmental manner, local government faces various challenges to implement policies designed to address inequalities. Bond, Williams and Cloete argue that the implementation of these policies is flawed and not implemented effectively and as such protect the interests of the former beneficiaries of the apartheid regime. De Visser warns of the dangers of the misuse or absence of ward committees whilst Bond on the other hand argues that services vary according to class. In an attempt to address shortcomings at the local level, local government embarked on a turnaround strategy which aims to strategise and equip these institutions to deliver services in an effective and efficient manner.

CHAPTER THREE

BACKGROUND TO THE CITY OF CAPE TOWN AND LANGA

3.1 INTRODUCTION

The City of Cape Town is one of six metropolitan municipalities which have been established by way of the Municipal's Structures Act 1998. Consequently, it has been divided into one hundred and eleven wards to effectively manage service delivery in the Unicity. Langa which forms part of the Unicity consists of three wards (wards 51, 52 and 53) which together with Pinelands, Kensington and Maitland (wards 55, 56 and 57) are clustered into subcouncil 15. This subcouncil together with the other twenty three subcouncils in the City of Cape Town have the purpose of bringing local government as close to the community as possible with the aim of fulfilling its developmental mandate. In order to assess the true state of affairs of service delivery in disadvantaged areas Langa was selected for this case study. This chapter firstly looks at the background of the City of Cape Town and secondly at the background of Langa Township.

3.2 THE CITY OF CAPE TOWN

Municipalities which include the City of Cape Town experienced a complete overhaul after 1994. In 1996 the Cape Metropolitan area was divided into six municipalities namely Cape Town Central, Tygerberg, South Peninsula, Blaauwberg, Oostenberg and Helderberg along with a Metropolitan Administration to oversee the metropolitan area. At the time of the 2000 elections these structures merged to form the Unicity, which is a single metropolitan municipality named the City of Cape Town.

After being merged into the single metropolitan area, the City was further divided into sixteen subcouncils, later increased to the present twenty four. Subcouncils consist of geographically clustered wards with councillors assigned to each ward on a proportion basis. Subcouncils are led by the subcouncil chairperson who is elected by a majority vote within each subcouncil. Cape Town is governed by a twenty two hundred and one-member council, which chooses the executive Mayor. The mayor in turn chooses an eleven member Mayoral Committee. The City of Cape Town is divided into one hundred and eleven electoral wards, each ward directly electing one member of the council. The other one hundred and ten

members are elected by a party-list proportional representation (PR top up) as illustrated in *Table A* on page thirty six below.

In the 2006 elections the DA was the largest single political party in the City of Cape Town and held ninety of the two hundred and ten seats on the council, followed by the ANC which held eighty one seats. No party had an absolute majority as the Independent Democrats (ID) trailed with twenty three seats. On March 2006 Helen Zille became the executive mayor by a three vote margin of one hundred and six votes against the then mayor Nomaindia Mfeketo. The DA at the time controlled thirteen subcouncils followed by the ANC with seven, the African Christian Democratic Party (ACDP) two and the Independent Democrats (ID) one. Helen Zille formed the Democratic Alliance (DA)-led coalition known as the Multi-Party Forum with the support of six smaller parties with a combined total of one hundred and five seats. In January 2007 the DA-led coalition increased its majority by introducing the Independent Democrats to the coalition following the expulsion of the Africa Muslim Party from the coalition. As a result of the ID's support the coalition managed to increase its majority of two seats to forty nine seats resulting in a much more stable coalition.

During the floor crossing period in 2007, the DA increased their share of seats by four seats from ninety one to ninety five while the ID lost six seats, dropping from twenty two to sixteen, primarily at the expense of the DA (two), the National People's Party (three) and a new party, the Social Democratic Party (one). The ANC did not lose or gain any seats, maintaining its eighty one seats. After the floor crossing in September 2007 the subcouncils were reconstituted with fifteen seats to the DA, four to the ID, two to the ACDP and one to the ANC, who lost five subcouncils.

With the DA having won an absolute majority of one hundred and thirty five council seats in the election of 18 May 2011 (as shown in *Table A* below), the mayoral candidate, Patricia de Lille, was formally elected as Mayor of the City of Cape Town on 1 June 2011. The African National Congress (ANC) acquired seventy three seats while the ACDP and Congress of the People (COPE) each got three seats. Seventy eight wards went to the DA whilst the ANC was only able to hold onto thirty three wards. Helen Zille, leader of the DA, retained the position as premier of the Western Cape. The executive Deputy Mayor is Ian Neilson and Achmat Ebrahim is the municipal manager of the City of Cape Town.

Table A: Seats in the City of Cape Town after the May 2011 election (SDI: 2011)

Party	Ward	PR top-up	Total	Percentage
Democratic Alliance	78	57	135	61.1%
African National Congress	33	40	73	33.0%
African Christian Democratic Party	0	3	3	1.4%
Congress of the People	0	3	3	1.4%
Africa Muslim Party	0	1	1	0.5%
Al Jama-ah	0	1	1	0.5%
Cape Muslim Party	0	1	1	0.5%
National Party	0	1	1	0.5%
Pan Africanist Congress	0	1	1	0.5%
United Democratic Movement	0	1	1	0.5%
Freedom Front Plus	0	1	1	0.5%
Total	111	110	221	100.0%

Source: Strategic Development Information (SDI) of the City of Cape Town, 2011

3.2.1 Wards in the City of Cape Town

The Demarcation Board has divided the City of Cape Town into 111 geographical areas which are called wards. Wards are represented by ward councillors who are elected by registered voters in the community. The ward councillor must look after the interest of all residents within the ward irrespective of the political party they support, who they vote for, or whether they are South African citizens or not. The ward councillor is advised by the ward committee which consists of ten members. Neighbouring wards are grouped together into

manageable clusters called subcouncils. For example Langa (wards 51, 52 and 53) are grouped together with Pinelands, Maitland and Kensington and together constitute subcouncil 15. There are 24 subcouncils in the City of Cape Town. They meet in the third week of the month and meetings are open to the public. Council has delegated about one hundred powers and functions, such as the licensing and control of undertakings that sell food and liquor, to subcouncils. This is done in order to bring local government as close as possible to communities, encouraging them to provide input on the IDP and budget, legislation and policies. Subcouncils also play a major role in matters affecting service delivery of local communities which include licensing, planning and funding. In this manner subcouncils by way of the ward committees are structured to represent the interest of their respective communities.

3.3 LANGA

Langa, situated next to the airport, is the oldest and most central township lying just east of the former white suburb of Pinelands. It is bordered by Jan Smuts Drive to the west, the N2 to the south, the N7 to the east and is served by Langa railway station. This area became the first black township in South Africa when the residents were resettled from a farm called Uitvlug lately known as Ndabeni. It is divided into three wards, namely wards 51, 52 and 53 which together with three other wards 55, 56 and 57 constitute subcouncil 15. The three wards in Langa are: ward 51, the middle section of Langa which is managed by councillor Neliswa Ngqose (ANC); ward 52 (including Joe Slovo) north of Settlers Way which is controlled by councillor Mayenzeke Sopaga (ANC); and ward 53 the western part of Washington Street headed by the subcouncil chairman, Brian Watkyns of the DA.

The creation of Black locations and migrant labour hostels are a legacy of the now defunct apartheid migrant labour system that allowed employers to recruit cheap labour from the former homelands. The hostels system required that migrant labourers share hostel rooms, communal areas, a kitchen and ablution facilities. Their personal spaces were limited to a bed with very small moving space. With the abolition of influx control measures, the migrant labourers were joined by their families. While they could legally stay with their families the physical hostel conditions remained the same. This spawned the construction of shacks in all the available spaces around the hostel buildings, conditions certainly not conducive for family life. For example shacks built right on top of each other pose complete fire and health hazards. Rubbish dumps are all over the place as the refuse collectors are not able to utilize

the narrow roads. Langa meaning “shining sun”, therefore contradicts its meaning, and rather creates all the necessary elements for protests as well as uprisings.

One of these elements is the problem that relates to the reconstitution of community after apartheid. In this relentless grey place, without the tiniest patch of green relief, one therefore finds smart suburban houses with the emergence of new housing schemes such as the N2 Gateway. On the other hand, all over Langa but more especially in Joe Slovo (which forms part of ward 52), thousands of shacks made out of cardboard, plastic and wood can be seen. These areas with its clearly impoverished, and at times hazardous conditions, illustrate that residents are experiencing many problems in their day to day lives. For example, visiting the area one can immediately project severe shortcomings with regard to electricity, sanitary and refuse collection. Furthermore, the roads have no street lights, the sewerage and storm water reticulation systems are often blocked and most water and electricity connections are illegal. These elements give daily impetus to individual and community insecurity and ultimately utter frustration towards reconstituting family life. This in turn contributes significantly to the high levels of instability and criminal elements.

Another aspect which is of interest to this study is the effects of the implementation of the amalgamation process in the Langa area. For example, Langa and Pinelands are virtual neighbours and both areas are clustered into subcouncil 15. Both are accessible from the N2 highway (Exit 11 and 12 of the N2 respectively) but this is where the similarity ends. Pinelands (former WLA), is well resourced especially with regard to housing, thriving businesses and infrastructure. Langa (former BLA) on the other hand, has poor infrastructure, coupled with various social problems and needs. Legislation and policy relating to local government dictates that in order to address inequalities between local authorities it is essential that the historic uneven development be taken into account when dealing with previously disadvantaged areas such as Langa. The ANC in the City of Cape Town frequently accuses the DA of not adhering to this policy and of being more inclined to advance the interests of the previous beneficiaries of apartheid rather than addressing the needs of the poor. The DA on the other hand accuses the ANC of mismanagement, corruption and nepotism which they advance as being the reasons for service delivery failures in Langa. The DA also accuses the ANC of misusing the ward committees for party political purposes and personal agendas. Bond (2000) and De Visser (2007) argue that in these situations where public participation processes are absent or misused, service delivery suffers, whereas

Williams (2000) argues that policies which serve to address inequalities with regard to service delivery are either 'ignored or defied'. It is for this purpose that the findings of this research would be able to ascertain the extent of the abovementioned claims by laying bare the effects of the implementation of the amalgamation process in Langa.

3.4 SUMMARY

The City of Cape Town has been divided into one hundred and eleven geographical areas, named wards, with neighbouring wards being clustered into twenty four subcouncils. These subcouncils have been tasked to address those inequalities inherited from the apartheid system between these wards which relate to service delivery. For this reason various legislation and policies have been put into place in an attempt to level the playing fields, more especially between those wards from the former WLA's and BLA's. In this regard the two major parties responsible for the implementation of such policies and legislation have been very critical of each other. The DA, which emerged as the majority party in the City in the 2011 local government elections, has accused the ANC when it was in power of not being able to curb corruption, cadre deployment and mismanagement within their ranks. On the other hand the ANC, as the current opposition party in the City of Cape Town, has accused the DA of serving only the interests of the 'former beneficiaries' of apartheid which they claim results from the DA not adhering to the policies and legislation designed to address inequalities. Both these parties therefore claim that Langa's service delivery failures are the result of either the failure to adhere to policies and legislation or due to corruption and mismanagement. The findings would therefore not only be able to validate or dispute these claims but would also assess the effects of the implementation of the amalgamation process in Langa. Langa is thus well placed to gauge by way of responses to the researcher's questionnaire the state of affairs of service delivery but more importantly to assess if the residents of Langa are satisfied with the services rendered by the City of Cape Town to Langa.

CHAPTER FOUR

DESCRIPTION OF RESEARCH FINDINGS

4.1 INTRODUCTION

The questionnaire, in conjunction with the General Household Statistics and the interviews, served as the main sources that contributed to the findings of the report. The questionnaire was conducted in Langa, an area that was under the control of the former Black Local Authority (BLA) in the apartheid regime. According to Powell (2010) it is from these disadvantaged areas such as Langa that most of the service delivery protests take place. The dissatisfaction with service delivery is evident in the responses to the questions posed in the questionnaire (*Table B* below), which are varied and mostly negative. Of the six questions in the questionnaire however, only the responses to the first four questions are relevant towards the findings discussed below. Questions five and six of the questionnaire address the challenges and recommendations of service delivery and are discussed in chapters five and six respectively.

Other sources that contributed significantly to the findings of this report and which are also discussed below include the General Household Statistics of 2008 for Langa and interviews with important political role players in Langa. The statistics (in *Table C*) provide an insight into the negative impact that the housing shortage, unemployment, education, poverty, health hazards and crime levels have on service delivery. On the other hand, the interviews conducted with some important role players in the political decision making of the Langa community provide clarity to some of the pertinent issues raised by the respondents to the questions mentioned above. The data collected from these three sources namely the questionnaire (*Table B*), the statistics (*Table C*), as well as the responses obtained from the interviews contribute significantly to the findings of this report.

4.2 FINDINGS

4.2.1 Questionnaire results (*Table B*)

The results of the responses to the list of questions posed in the questionnaire are presented in *Table B* below.

Table B: Results of the questionnaire

CATEGORIES (QUESTIONS)	NO		YES		UNSURE		TOTAL
	formal	informal	formal	informal	formal	informal	
1. Satisfied with service delivery?	10	4	2	7	1	1	25
2. Policy implementation?	8	5	2	3	3	4	25
3. Noticeable changes?	8	5	4	6	1	1	25
4. Meaningful community participation?	10	7	1	3	2	2	25
TOTAL	36	21	9	19	7	8	100%

Source: Data collated from respondents to the questionnaires for this report, 2012

4.2.1.1 Category one (Satisfaction with service delivery)

With respect to the responses to the first question, which served to investigate whether residents are satisfied or not with service delivery, a majority (fourteen) of the respondents answered 'no'. Ten of these respondents are from the formal and four from the informal areas. Nine respondents (two from the formal and seven from the informal areas) answered "yes", whilst the outstanding two (one from the formal and one from the informal area) were unsure.

Those that indicated that they were not satisfied complained about poor services such as the shortage of houses, corruption, tender fraud, health hazards etc. The majority of these respondents (ten) stemmed from the formal areas, whilst the other four came from the informal areas in Langa. The majority of the respondents from the formal areas blamed outsiders and foreigners for flooding the area in search of jobs as well as business opportunities. These respondents claimed that the outsiders and foreigners use inferior material for their houses which result in unsightly structures all over Langa. They further claimed that it not only impacts negatively on the area but more especially on the devaluation

of their properties. These makeshift shacks also lead to congestion and place other services under pressure such as drain blockages, water and electricity shutdowns as well as refuse dumps. Respondents said that when they report these service interruptions or dumps to the local authorities it would often take at least several weeks to address these disruptions. They allege that the municipality does not have adequate resources at hand or the skilled manpower such as engineers, to attend to these problems, resulting in long delays which frustrate and anger the residents.

Further to this, respondents claimed that corruption and tender fraud are rife in Langa. Some respondents alleged that councillors are bribed and paid to assist those not on the waiting list or to 'jump the queue' in order to qualify to acquire a house in Langa. They also claimed that evidence exists of tenders being fraudulently allocated to companies. Such companies, according to the respondents, only care to pocket the money and are not concerned about providing quality workmanship. For example respondents complained that some of the houses at the N2 Gateway Housing Project are defective, and the potholes in the roads are fixed with inferior material. This was confirmed by the ward councilor (Mr. Sopaqa) interviewed as part of the research on the 11th November 2011, that he received numerous complaints with regard to defective houses and the poor road structure at the N2 Gateway. According to Mr. Sopaqa this gives rise to unnecessary expenditure as in most cases these defects have to be undone and then rebuilt. It is therefore clear that corruption and fraud have a negative impact on service delivery.

Also, the shortage of proper toilets and sanitation facilities result in health hazards. Two residents from the informal areas complained that the area in Joe Slovo was a health hazard, referring in particular to the outbreak of cholera in 2010. According to them many residents were as a result hospitalised and special efforts had to be made by the health department to bring the situation under control. Some respondents from the informal dwellings also complained that they have to walk long distances for water or to relieve themselves, which is not only inconvenient but also dangerous for women and children in particular. These are the type of conditions that residents are exposed to daily according to respondents, making their dissatisfaction with service delivery to their area very clear.

The nine respondents who indicated that they were satisfied with the level of service delivery mostly referred to the free electricity and water supply provided for poor households. Two of

these respondents are from the formal settlements whilst the outstanding seven originate from the informal settlements. Three respondents from the informal areas said that the electrification of certain sections and installation of toilets in the Joe Slovo informal settlement made some of the residents very pleased with the efforts by local government to improve their living conditions. They also mentioned the building of houses such as the N2 Gateway housing project, the multi-sports complex and the swimming pool. One respondent from the formal areas was very excited about the refurbishing of the hostels under the auspices of the Community Residential Units Programme (CRUP). She believed that this project would afford her children the opportunity to live in a “real house” by way of the refurbishment and upgrading of the hostels. Another resident said that she was “glad” with the announcement by the Mayor of the City Cape Town, Patricia De Lille, of her intention to provide services to backyards residents in Langa when she launched the Backyard Essential Services Improvement Project in September 2011. According to her it came “just in time” for Langa backyard residents as they were at the mercy of landlords for services such as electricity and water. The improvement of these services to the backyard dwellers would make them less dependent on the landlords and therefore less prone to exploitation. The majority of these respondents who are from the informal areas therefore agreed that even though service delivery are satisfactory more however can be done to improve it.

Two respondents (one from the formal and one from the informal area) said that they were “unsure” as they acknowledged the improvements to service delivery in Langa but were not sure whether they were satisfied with it. They also mentioned that services such as free electricity and water are long overdue.

4.2.1.2 Category two (Policy implementation)

With regard to question two which posed the question whether policies were implemented in line with the National Legislative Framework and the Constitution, thirteen respondents (eight from the formal areas and five from the informal areas) answered “no”. Five respondents (two from the formal area and three from the informal areas) answered “yes”, and seven respondents (three from the formal area and four from the informal area) said they were unsure.

It is once again clear from the above that the majority were dissatisfied with the implementation of policies by the municipality. Eight of these respondents derived from the

formal areas whilst the outstanding five are from the informal area. Respondents from both the formal and informal areas claimed that when companies submitted tenders the procedures and regulations are flouted which amounts to tender fraud. These contracts, they say, are secured as a result of political connections which not only result in inflated prices but most of the time in sloppy work. In this case residents mentioned the tender rigging complaint the City of Cape Town filed against Bulumko Msengana, the former executive director for utility services in the City. This case related to the appointment of Information Technology (IT) company Cyberia as the project manager for the housing development in 2006. The City's submissions were that Msengana altered tender scores in favor of Cyberia and that the company was in the IT field and thus had no construction experience. An independent forensic report by auditors Sizwe Ntsaluba VSP found that Bulumko Msengana had indeed been responsible for altering the tender score in favor of Cyberia which resulted in Cyberia being awarded the contract. In this instance policies were flouted for the enrichment of one or certain individuals at the expense of the residents of Langa.

Other concerns mentioned by the respondents who answered "no" center on the functioning of the wards. Residents say that the Integrated Development Plan (IDP) gets discussed every year in the ward committees but nothing happens with these ideas. One respondent described the committee as a mere "talkshop" and she remembered how exciting it was initially to contribute to the discussions but how frustrating it turned out to be when nothing materialized. It was also alleged that the former councillor of ward 51 hardly attended the meetings but when she did she would rather concentrate on recruitment drives for the ANC and discuss issues other than development plans. For this reason the respondents claimed that the ward meetings are used for the councillors' and political parties' personal use instead of service delivery issues. One respondent mentioned that the councillor in his ward does not take the residents' concerns seriously at all with the result that their concerns such as the call for a police station have not been incorporated in the IDP. Two respondents mentioned that the selection of the ward councillor in ward 51 was without the community's input and therefore problematic. Furthermore they also claim that the Constitution and the Bill of Rights guarantee their right to partake in decisions which affect them but the reality is that their inputs are either "ignored or disregarded". Respondents therefore claimed that the policies and processes which are designed to develop and improve the services of communities are flouted to either suit the agenda of corrupt officials or are simply defied.

Those who answered “yes” to Question 2 argued, amongst other things, that local government was restricted to deal with service deficiencies due to limitations of funds and resources. Two of the respondents are from the formal areas whilst the other three are from the informal areas. One respondent from the informal area mentioned that should local government be given adequate resources it had the political will to fulfill its mandate, quoting the N2 Gateway Housing Project in Langa as an example. Another respondent from the formal area said that corruption and bribery played a role in local government not being able to fulfill its role in implementing policy. To these respondents it seems clear that local government is inhibited by lack of resources or capacity rather than the lack of will to implement policy.

This category scored the highest number of “unsure” responses (three from the formal and four from the informal areas) out of the four questions that were posed to respondents. These respondents mostly said that they were not sure what the policies of local government entailed and they did not want to comment on a subject that they are unfamiliar with. One respondent said that the community will never be sure if local government implements policies as government do not inform the public which policies should be implemented. Neither do they understand how it operates. It is clear to the researcher that respondents who answered “unsure” did so mostly as a result of not being familiar with local government policies or how government operates.

4.2.1.3 Category three (Noticeable changes)

As for question three, which posed the question whether respondents were able to identify any noticeable changes in Langa since the advent of democracy, thirteen respondents (eight from the formal and five from the informal areas) answered “no”. Ten respondents (four from the formal and six from the informal areas) answered “yes”, whilst the other two respondents (one from the formal and one from the informal area) were unsure.

Most of the respondents who answered “no” said that various factors played a role in them not being able to reap the benefits of recent developments such as the N2 Gateway Housing Project. Eight of these respondents are from the formal areas whilst the other five are from the informal areas. They claim that the one outstanding factor which prevents them from using most of the services that have been introduced is the high cost they have to pay for the use of such services, given that the majority of residents from Langa are poor. For example,

with regards to the N2 Gateway Housing Project the respondents from both the formal and informal areas complained that the rent charged (R1200 per month) for these units placed them out of reach to the poor residents in Langa. Also, the demand for housing is of such huge proportions that the few houses that were built had little effect on the backlog of housing in the area. They also said that Community Residential Units Programme (CRUP) which is designed to upgrade and build hostels is based on a rental system. It is claimed that once again they will not be able to afford it and even if they do, these houses remain the property of the City. In addition, the respondents said that corruption and bribery of councillors allow people to jump the queue. Hence, those who applied first for a house are often overlooked whilst those who pay councillors to be placed on the list are assured of getting a house. Soccer clubs have to get special permission to play soccer at the stadium and if the residents want to use the services such as the swimming pool or gym at the multi-sports complex they have to pay for using these services. For example the gym can only be accessed by those residents who enter a minimum six month contract at a cost of R90 renewable every six months. Even though the cost for using the other services such as the swimming pool could be as low as five rand most of the residents of Langa are poor or unemployed and therefore unable to pay for these services. Respondents as a result agreed that even though changes the cost for the use of these services places it out of the reach of the mostly poor and unemployed residents of Langa rendering these changes as cosmetic.

Those who responded “yes” to this question amounted to ten respondents of which four are from the formal and six from the informal areas. These respondents all mentioned that the N2 Gateway Housing Project, the roll out of the Community Residential Units Programme (CRUP), the stadium, the multi-sports complex, the swimming pool and civic hall surely made an impact on Langa. To them it is fair that the residents should pay for the use of these services even though they agreed that these services should be subsidized or made available without payment to those who are unemployed or not able to pay for such services. These respondents also stated that the above mentioned changes transformed the image of Langa which is quite noticeable and in stark contrast to the situation in the past.

Two respondents (one from the formal and one from the informal areas) indicated that they were “unsure” about the answer to question three. They claimed that the developments such as the stadium and swimming pool do not provide them with sufficient evidence to verify that noticeable changes have taken place in Langa.

4.2.1.4 Category four (Public Participation)

In response to question four, which specifically asked if public participation structures such as ward committees were meaningful or not, seventeen respondents (ten from the formal and seven from the informal areas) were adamant that there was no meaningful participation in Langa. Four respondents (one from the formal and three from the informal areas) answered “yes” to this question and the outstanding four respondents (two from the formal and two from the informal areas) were “unsure” of their answers.

When asked to explain why they answered “no” most respondents claimed that the ward committees are not effective in Langa. For example, respondents complained that they had no input in the selection of their ward councillor Neliswa Ngqose as a candidate in the 2011 local elections. This problem however was not only confined to Langa but was experienced in some of the other wards under the control of the ANC. President Zuma in a subsequent press statement to all the communities who had problems with the selection of candidates in their wards promised that he would take action against such selections after the 2011 local government elections (Mail and Guardian, 28th April 2011). Furthermore respondents from both the formal and informal areas claimed that even when they attend the ward meetings their concerns are not addressed. For instance they said that ward 53 residents made it known to their councillor, Mr. Brian Watkyns, that they needed sprinklers to spur on the planting of vegetable gardens in the area as well as to create jobs. According to them this issue was raised since the idea of ward committees was initiated in 2000. To date though nothing has happened besides the “empty promises” from the councillor. Also crime in the area has necessitated the need for another police station in Joe Slovo and the ward committees have been calling on the City of Cape Town on countless occasions for assistance in this regard. Residents have even organized marches to express this need. Respondents claimed that these ideas were proposed to be incorporated in the IDP but this idea was either shelved or replaced with issues that were regarded as more important by provincial and national governments. Residents had to resort to taking action themselves in order to sort out such problems. For example in ward 53 the community had to take the responsibility on themselves to collect money from members of the committee to purchase the sprinklers. Also, in Zone 2 (Bhunga Avenue) residents erected their own speed bumps after countless pleas by the ward committee had failed to elicit a positive response from the City of Cape Town. Respondents made it clear that they insisted on the removal of the ward councillor of ward 51 as she never

attended ward meetings neither addressed their concerns. The councillor of ward 51 was eventually replaced by the ANC before the local elections in 2011. Local councillors therefore, are often blamed for the ineffectiveness of ward committees and as a result are the ones who become the targets of residents' dissatisfaction.

Four respondents (one from the formal and three from the informal areas) answered "yes" to this question and said that even though public participation is not as effective as expected, the ward committee meetings highlighted problems and presented a starting point for improvements. According to them the fact that these problems are highlighted in the meetings not only spurs on debates but also make the residents aware of such concerns.

Four respondents (two from the formal and two from the informal areas) responded that they were "unsure" with regard to question four. The respondents from the formal areas claimed that they were not aware of meetings or public participation in the area and as a result declined to comment on it. Respondents from the informal area mentioned that there is progress as far as service delivery is concerned but they are not sure whether public participation contributed to this or not.

As reflected in the responses to the survey the general feeling is that despite some commendable improvements with regard to service delivery, most residents in Langa are of the view that services are not satisfactorily delivered. It is also clear that the majority of these respondents are from the formal areas. These respondents stand to lose the most, more especially with regard to the negative impact on the value of their property, as a result of the lack of service delivery. Some of these respondents even hinted that service delivery has worsened since 1994 as squatters flooded the area and placed existing services under immense pressure. It was also claimed that policies related to service delivery were not effectively implemented. Most respondents agreed that some noticeable changes took place in Langa with regard to service delivery. However, the cost for the use of such services places it out of the reach of the majority of the residents who are poor. This effectively renders these changes as cosmetic. Furthermore, ward committees are not taken seriously by local government. As a result public participation does not have the effect of holding local government to account neither do the residents have any input in decisions made by local government. These elements are conducive for protest actions which sometimes lead to violence and destruction of government buildings.

It also follows that those respondents that answered ‘yes’ and ‘unsure’ are in the minority. Those respondents that answered ‘yes’ are however mostly from the informal areas and are those that benefitted the most from the improvements to basic services such as toilets and electricity. These respondents said they are satisfied with services but also claim that more can be done to improve services. Those that answered ‘unsure’ did so mostly because they did not understand local government policy or did not know how local government operates.

4.2.2 Statistics for Langa

As the national official population census occurs only every 10 years, the last one being the 2011 census, this latest data will only become available in mid 2012. However, the Strategic Development Information (SDI) and Geographical Information Systems (GIS) Department of the City of Cape Town has developed a methodology to develop population estimates at Census Suburb level. Using the 2001 Census and average household size as base-data, it is able to estimate the spatial variations of levels of living for the City of Cape Town for 2008. In addition, based on photo shoots from the air the amount of shacks and other informal dwellings are determined for the area. The SDI defines the household as a group of persons who live together and provide themselves jointly with food and other essentials for living, or a single person living alone. These households are classed as occupying a formal dwelling, a house or brick structure, or an informal dwelling, being an occupation of a makeshift structure not erected according to approved architectural plans. Based on the above, *Table C* below provides the statistics for the spatial variations of living for Langa and Joe Slovo for 2008.

4.2.2.1 Housing

The statistics (in *Table C* below), as supplied by the SDI of the City of Cape Town for 2008, provide details on the provision and lack of services. A particular problem is related to housing. This was highlighted by the councillor of ward 52, Mr. Sopaqa, in an interview on 11 November 2011. According to him the lack of housing as well as the poor state of the hostels and flats in Langa is the “biggest headache” for Langa, resulting in other problems such as the escalation of backyard dwellings and overcrowding of the area.

As shown in *Table C* below, the total population for Langa, inclusive of Joe Slovo, is more than seventy one thousand people. The majority of these residents are from the informal

settlements which is either from Langa Informal or Joe Slovo Informal Settlements. Of the more than 17609 households in Langa, 7857 of these consist of formal dwellings whilst 9752 of these households collectively are from the Langa and Joe Slovo informal dwellings. The total amount of households, in addition to the residents from the informal areas, is therefore also higher than those from the formal areas which can largely be attributed to the lack of housing in Langa.

Table C: Spatial variations of living for Langa and Joe Slovo, 2008

Area	Langa informal	Langa formal	Joe Slovo	Totals
Total population	19613	31361	20349	71323
Households	4652	7857	5100	17609
% Economically Active employed	56.05%	46.63%	42.61%	48.43%
% Over 20 and qualification less than matric	80.81 %	68.32 %	80.74 %	76.62%
% Households earning less than R19 300 p.a.	85.15%	65.15%	68.19%	72.83%
% Households with no flush toilet	97.65 %	9 %	1.53 %	36.06%
% Households with no potable water	96.65 %	9.06 %	1.53 %	35.74%
% Households with no refuse collection	13.75 %	0.27 %	1.27 %	5.09%
% Labour force in unskilled positions	46.10 %	40.45 %	43.60 %	43.38%
Crime related cases	unavailable	9620	unavailable	unavailable

Source: Strategic Development Information (SDI) of the City of Cape Town, 2008

The informal dwellings consist mostly of makeshift shacks and as a result do not have any approved architectural plans. These shacks are not only prone to floods and fire outbreaks but are most of the times very unsightly structures. This has the effect that it devalues the property of the houses in the area especially those informal houses in close proximity to the

formal areas. According to *Table C* these residents are mostly poor and unemployed and would rather spend their money on essentials such as food than on improving their shacks. The majority of the residents and households in Langa is therefore from the informal areas and is mostly poor and unemployed.

Langa is situated close to the airport and has very little land available for housing development. Foreigners and jobseekers flood the area which results in congestion of the area. This place existing services more especially those in the formal areas under severe pressure and which at times leads to the malfunction of services such as drain blockages and electrical supply disruptions. Due to the high demand the N2 Gateway Housing Project resulted in a scramble for the houses being built which culminated in corruption and bribery of councillors to secure a place on the waiting list. Even though the N2 Gateway brought some relief, the project was poorly managed and implemented and fell far short of the 22 000 units planned in 2005 (Sunday Argus, 16th September, 2007). Whilst the Community Residential Units Programme (CRUP) has also been welcomed in Langa this program is mostly associated with the conversion and upgrading of hostels. More therefore needs to be done with regard to the building of houses to overcome the problem of overcrowding. At the same time however, corruption and bribery of officials have to be countered so that the housing shortage in Langa can be addressed efficiently and effectively.

4.2.2.2 Unemployment

The high unemployment rate in Langa impacts on the inability of residents to pay for services which ultimately deny these residents the use of such services. In the Joe Slovo area the amount of those that are economically active employed stands at 42.61%. This amount stands at 56.05% in the Langa informal area whilst the Langa formal sector accounts for 46.63%. The total percentage of economically active employed people in both formal and informal areas is 48.43%. It stands to reason therefore that 51.57% percent of these residents in Langa who are economically active are unemployed. The total amount of people in unskilled positions (total of 43.38%) and the low educational status of many of the residents in Langa (total of 76.72% from formal and informal areas with a qualification less than matric) severely limit their employment prospects. This limits their entry into the formal sector for employment where higher educational standards and professional skills are required. As a result these residents become limited in their options mostly confining them to menial jobs which provide no security and go hand in hand with low wages. The result is that a large

percentage of the households in the area (72.83% from both the formal and informal areas) earn less than R19 300 per year. If faced with a choice between having to pay for food or services such as water these residents would rather spend these limited funds on food than on services. The lack of funds therefore severely limits their ability to pay for services which reflects the effect of the high unemployment rate in the area.

4.2.2.3 Poverty

Poverty is a condition defined by the United Nations as severe deprivation of basic human needs, including food, safe drinking water, sanitation facilities, health, shelter, education and information (World Summit for Social Development, 2005). Due to the high unemployment rate, poor education, lack of skills and limited assistance from local government with regard to free basic services it is inevitable that the residents of Langa would struggle with poverty. In the formal area the percentage of those earning less than R19300 per annum is 65.15%. In the informal areas these amounts are higher and amounts to 85.15% and 68.19% for Langa and Joe Slovo informal settlements respectively. Most households depend on the free basic services but as many of these households have large families, these limited services are not sufficient to sustain their livelihoods. The government grants and pensions are not sufficient to pay for both food and services which forces residents not to pay for services if faced with a choice. Some residents corroborated this statement and mentioned that it was not always a matter of not wanting to pay for services, but more as a result of not having the means to pay for services. High transport costs, high food prices, and the economic recession that still looms create a poverty trap which most residents find difficult to escape from. Driving through Langa one immediately becomes confronted with the disillusionment and no-care attitude generated by poverty onto the residents of Langa. This often leads to the destruction and vandalism of those very services which are meant to uplift the community. For example, the library has been broken into four times in 2010 even though it has been secured with an alarm and a fence. On two occasions the computers, printer and other valuable items in the library had to be replaced due to the burglaries. Also the toilets at the taxi rank are completely dysfunctional as the pipes, geysers, and all the fittings which include the door to the toilet were removed. These acts of destruction and vandalism spurred on by poverty have a severe impeding effect on service delivery in Langa.

4.2.2.4 Crime

Crime is another factor that severely impedes service delivery to the residents in Langa as was confirmed in the interview with the councillors as well as in the questionnaire. For example, in Joe Slovo criminals demand protection money from shopkeepers and taxi drivers who operate businesses in the area. Should they not pay the protection money, these criminals will make it as difficult as possible for them to operate in the area. Robberies are daily occurrences in the area and murders happen too often. It seems that the residents have become used to this way of life as recalled by councillor Mr. Watkyns of ward 53, who described how one young mother in his ward even after having discovered her child murdered, was still able to go back to sleep. Ambulances and other service providers are too scared to enter the informal dwellings in Langa and Joe Slovo areas without police escort. This causes unnecessary delays as they have to book in at the police station first for escorted protection to the point of service. Also, due to lack of adequate lighting in the area thieves are able to easily prey on soft targets such as copper pipes and water connections. Soft crime such as the illegal connection of electricity as well as prostitution is usually justified as a result of lack of funds or as a means to supplement income. It is also for this reason that new houses are soon vandalized as the material such as doors and geysers are stolen and resold. Drain covers, copper pipes, electrical cables are stolen and sold to scrap yards. This in turn not only results in the moral decay of society but also impacts negatively on service delivery to the residents of Langa. It also results in frequent electricity and water disruptions. Various petitions were drawn up to demand a police station for the Joe Slovo informal area but to date the plea has been ignored. Crime in Langa is therefore of such proportions that it impacts negatively on service delivery in Langa.

4.2.2.5 Other service delivery problems

Various other service problems were outlined by the respondents in the questionnaire. These include health hazards which are mostly associated with inadequate provision of toilets, piped water and refuse collection. According to *Table C*, 97.45% of households in the informal dwellings in Langa are without flush or chemical toilets whilst 96.45% (in the same area) have no potable water on site. The formal dwellings without flush or chemical toilets in Langa amount to 9.06% while in Joe Slovo this amounts to 1.53%. With regard to formal dwellings having no potable water on site, the households in Joe Slovo tend to be more favorably positioned at 1,53% as opposed to 9.65% for informal dwellings in Langa. Residents who are affected by these shortages have to walk far distances to obtain water or to

relieve themselves, which is not only difficult for the old and frail but also dangerous in an area such as Langa. It is therefore not uncommon for five families in the informal dwellings to share one toilet whilst up to twenty households would share one tap for pipe water. Refuse collection tends to be problematic only in the informal dwellings in Langa (13.75%) due to refuse not being collected regularly, with the recent strikes exacerbating the problem. Shortage of toilets, water, and dumping of rubbish pose real health hazards for the area. As mentioned before, Langa had an outbreak of cholera in 2010 which placed the health authorities under severe pressure. Residents of Langa have to contend with these encounters on a daily basis which have the potential to materialize into protest action if not addressed.

4.2.2.6 Patterns that emerge from the questionnaire and census statistics

A clear pattern that emerged from the findings is that the majority of respondents was dissatisfied with service delivery, with the opportunities for public participation, and with the other issues covered in the questionnaire. Most of these respondents were from the formal areas of Langa. In contrast, most of the respondents who were more satisfied with service delivery were from the informal settlements. This is an acknowledgment on the part of the respondents from the informal areas that local government has put in an effort to improve service delivery in their areas. This has resulted in noticeable changes having taken place and acknowledged by these respondents but not enough to satisfy the entire community.

Those who answered “yes” to the questions on the questionnaire (satisfied) were not as confident in their responses as those that answered “no” (dissatisfied). For example, in response to question one, even though respondents mentioned that they were satisfied with services such as getting free electricity and water, they added that more could be done with regard to service delivery. Another example relates to question two when respondents said that local government implements policies but only as far as the available resources would allow. One could deduce therefore that even though they answered “yes” to the question they also acknowledge at the same time that policies cannot be implemented if the available resources are not at hand. These respondents therefore did not respond with the same vigour and surety as those who answered “no”.

Another clear pattern that emerged was the evident relationship between the responses in *Table B* and the statistics in *Table C*. For example, the high levels of unemployment, poverty and crime (*Table C*) had a direct impact on the high levels of dissatisfaction with service

delivery (*Table B*). This seems also to be the reason why the respondents who voiced their dissatisfaction with service delivery in the formal area are in the majority as they stand to lose more than those in the informal areas. For example, the makeshift shacks which in most cases are unsightly structures have a negative impact on the property values of the formal households. It seems also that the formal areas have higher levels of educational standards, less poverty and higher levels of skilled workers. The high levels of dissatisfaction in *Table B* therefore are clearly linked to the high levels of service dysfunction as outlined by those factors in *Table C*.

Lastly, there also tends to be interdependency between the factors mentioned in *Table C*. For example, the housing shortage coupled with foreigners flooding into the area for jobs resulted in congestion. As a result pressure was placed on other services such as toilets, water and electricity which together with the high levels of unemployment and poverty, contributed to high crime rates such as theft, vandalism and destruction of services. This in turn resulted in frequent malfunctions such as electricity and water disruptions, which also posed health hazards for Langa. Local authorities do not have adequate resources at hand to repair or replace these services which in turn result in delays and consequently result in high levels of dissatisfaction. These patterns of interdependency, as a result, have an inhibiting effect on service delivery.

4.2.3 Interviews

4.2.3.1 The Mayor

An interview was conducted on 16 February 2011, shortly before the local elections, with the then Executive Mayor of the City of Cape Town, Mr. Dan Plato. The aim of the interview was twofold. Firstly, to establish the viewpoints of local government with regard to service delivery to disadvantaged communities. Secondly, to obtain answers to those issues that were highlighted by respondents when they answered the questions posed in the questionnaire.

With regard to the first question Mr. Plato made it clear that the City of Cape Town provides services to all the residents of the City but regards the plight of the poor as well as the backlogs in disadvantaged areas as priority areas. For this reason he said the City of Cape Town scrapped R1.5 billion in rates arrears of residents who earned less than R3500 per month. According to him the huge backlog in rental arrears was due to the ANC's failure to implement an effective system of debt collection when it was in control of the City of Cape

Town. It was also his contention that the City of Cape Town strives to address the inequalities not only between the different wards but also between subcouncils in the City of Cape Town. According to him it is for this reason that Langa is clustered with more affluent wards such as Pinelands and Maitland which allows the City to utilise the available funds in ways that would benefit and favour spending on services in the disadvantaged areas of Langa. As such he said the City of Cape Town was proclaimed as the best run province in the 2011 Report on Municipalities by the Ministry of Co-operative Governance and Traditional Affairs. It was for this reason the only province to receive its full municipality budget allocation.

When he was asked why an area such as Pinelands seemed on the surface at least much better off in service provision than its neighbor Langa, he answered that the IDP played a role in allocating funds. According to him, the IDP's submitted for the townships most of the times do not adequately address the needs of the community, which could be attributed to a lack of skill of those in charge. In his view the ANC won the Langa wards in the local elections and should therefore ultimately bear the responsibility for the lack in service delivery. According to him however, they would blame the DA for anything that lacked in service delivery but would take all the credit for the achievements thus far. An example he said was the N2 Gateway Housing Project. The City of Cape Town he said played a major role in securing the funds for such projects but all credit was given to the ANC. When the residents complained about corruption and bribery being rife during the allocation process of the houses as well as being allocated defective houses the blame was leveled at the City. Residents claimed that these houses were allocated mostly to people living outside of Langa and not to the residents of Langa firstly. All the blame however should be placed on the ANC for allowing councillors to take charge of waiting lists and allowing corruption and bribery to take place on a grand scale he said. On the other hand The City of Cape Town is serious to counter corruption and fraud wherever it rears its head. For example, the City played a big role in exposing the tender fraud in the Cyberia case, discussed earlier in this report. It is his contention that a government free of corruption in conjunction with officials and administrators who are properly trained and equipped with the necessary skills to deliver services to the community will go a long way to improve service delivery.

Addressing the issue of public participation, he blamed the ANC for misusing the ward committees and using it to advance party political grievances against the DA. Consequently

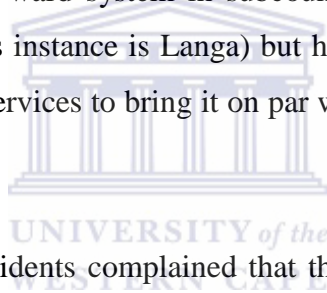
he said, most of the time spent by the councillors in these meetings seemed to be directed at unseating and organizing uprisings and demonstrations against the local government. For example he says local residents of Langa invaded the houses at the N2 Gateway immediately after attending ward committee meetings. The ANC in this way attempted to derail the handing over of these houses by him as the Mayor of the City of Cape Town. This in fact spurs on lawlessness in an area where the crime rate is already very high he says. According to him the City of Cape Town concedes that there is the huge backlog in housing and is determined to address this issue. It is for this reason that the City has doubled its housing delivery programme in the City of Cape Town. Another example he mentioned was that ANC councillors wanted to wear two hats, namely both political and official hats. Councillors would then address work related issues in ward committees or would address political issues with workers whilst in the work environment. This in fact causes friction and misuse of ward committees as well as government resources which impacts negatively on service delivery.

4.2.3.2 Mr. Watkyns (DA)

An interview was conducted on the 1st November 2011 with Mr. Watkyns of the Democratic Alliance (DA), the chairperson of subcouncil 15, at his office in Pinelands. Wards 51, 52, 53, 56 and 57 are all clustered into this subcouncil. Langa however is subdivided into three wards namely wards 51, 52 and 53 of which the smallest, ward 53, is managed by the councillor (who is also chairperson) Mr. Watkyns. The other two wards are managed by ANC councillors Neliswa Ngqose (ward 51) and Mayenzeke Sopaga (ward 52). As the chairman Mr Watkyns has been involved in most of the big projects in Langa such as the swimming pool, the footbridge spanning over the N2, and the N2 Gateway. He is also the councillor of Pinelands and for this reason his input is of importance as he is able to relate to both Langa (previous BLA) and Pinelands (previous WLA) areas.

According to Mr. Watkyns Pinelands has traditionally been a small, well managed municipality. Langa on the other hand has since the apartheid era been poorly managed with little or no records or files. This he says changed after 1996 when the City took over the management of the Langa wards. Since then he claims that Pinelands' standard of service delivery generally dropped whilst Langa's improved. For example the grass in Pinelands presently is cut every six weeks whereas in 1996 it was cut whenever it was necessary. Langa, on the other hand has made tremendous advances with regard to services such as refuse collection, supply of electricity and water etc. to their area. He says he divides his

budget evenly amongst the three wards he manages (wards 53, 56 and 57) even though he claims that the ward he manages in Langa namely ward 53, incorporates only one fifth of the Langa area. For the 2011 financial year he says he spent most of the R100 000 (which is the amount allocated for ward 53) of his capital budget of R300 000 on the swimming pool in Langa. The outstanding money of the capital budget (R200 000) was spent on the other two wards he manages namely wards 56 and 57. He concedes that this could be the reason why he had complaints from residents in his ward in Langa that other services (such as the request for speed bumps) could not be entertained. In his view Langa however, is in the fortunate position to have two more additional wards namely wards 51 and 52 whose funds are also utilized to assist in developing services in the area. In addition he claims that his budget of R200 000 which is allocated for operating costs mostly centers on job creation projects. Resultantly ninety eight percent of this amount is ploughed into these job creation projects. Most of the workers employed for these projects he claims are selected from the unemployed youth in Langa. In his view the ward system in subcouncil 15 is geared in favour of the disadvantaged area (which in this instance is Langa) but he also agrees that much more still needs to be done with regard to services to bring it on par with services in affluent areas such as Pinelands.



Mr. Watkyns was asked why residents complained that their concerns are not addressed in ward meetings. He was also asked why the IDP is not used as an effective tool to fulfill residents' needs, for instance the request for the police station. With regard to the first question he answered that there are serious concerns in Langa as far as the wards are concerned. According to him infighting and mismanagement are two of the main reasons for its failure. He also says that there are quite a number of youth movements who all claim that they represent the community. This he says can mostly be traced directly to the infighting between the leaders of the ANC which associate them with one or other faction. These different factions all make various demands and it is difficult to determine which faction truly represents the community. Another major concern is the mismanagement of services. For example Mr. Watkyns says, the stadium is in a mess because the five men who are paid to service and clean the stadium are not managed properly. This statement was corroborated by the councillor of ward 51, Neliswa Ngqose who says whenever she visits the stadium these workers are seldom at their workplace. In addition to this concern he says is that management is not skilled or trained to incorporate the concerns of the residents into the IDP as this is

quite a complex issue at times. Infighting and mismanagement are therefore considered as impediments to service delivery in Langa.

Also, according to Mr Watkyns, the fact that councillors are not informed of programmes to be implemented by provincial or national government contributes to mismanagement. This he says makes a mockery of the Intergovernmental Relations Act which stipulates that local government should be recognized and supported as a separate sphere of government. For example he says that programmes such as the Extended Public Works Programme or the Jobseekers Programme that national government implements in his ward 53 are not discussed or consulted with him. It is however required of him to recruit residents of this ward for the project which is problematic for him if he is not made aware of the extent of the project. According to Mr Watkyns the lack of co-operation between the different spheres is certainly one of the reasons why service delivery is not effectively addressed in Langa

4.2.3.3 Mr. Sopaqa (ANC)

An interview was conducted with Mr. Sopaqa the councillor of ward 52 on 11 November 2011 at his office in Langa. Mr. Sopaqa was elected in 2008 as the ward councillor and serves in this capacity for his second term. As the ANC representative and working under the chairmanship of Mr. Watkyns (DA) it was important to establish from Mr. Sopaqa what he considered as the achievements and challenges for service delivery in Langa.

Mr. Sopaqa claims that as with all wards an amount of R500 000 has been allocated to his ward 52 this year. According to him, R300 000 of this amount was spent on small projects such as the cleaning of the taxi rank and the construction of speed bumps in his ward. The outstanding R200 000 was spent on the operating costs for the day to day expenses incurred for the running of the office which include the salaries and wages of staff. To him the greatest achievement is the fact that most households have access to basic services such as water, electricity and sanitation in his ward. According to him the government has placed a lot of emphasis on the electrification, water and sanitation in Langa. This is evident in Joe Slovo which according to figures in *Table C* illustrates that less than 2% of all households in the area have no flush toilets or no access to potable water on their site. It is his contention that transport improvement in Langa seems to be on track especially in view of Langa being incorporated into the Cape Town Integrated Rapid Transport System. He says this system

once in full operation, will get workers in Langa not only much quicker to work but also at very affordable prices.

Mr. Sopaqa says he is concerned about the poor quality of houses in Langa and high demand for houses. He says he grew up in Langa and stayed in these hostels for many years and as a result appreciates the extent of the challenge. The shortage of houses according to him is the biggest single challenge in Langa. He says that the N2 Gateway has brought some relief to the housing shortage to the area and instilled pride in most newly established house owners. The problem he has with the N2 Gateway is the stalling of the process which resulted in a number of completed houses in Langa being unoccupied for the last few years. According to him this is due to the national and provincial governments not being able to agree on the way forward which effectively paralyses the project.

The high demand for houses has resulted in Langa battling with an ever expanding informal settlement, more especially the Joe Slovo Informal Settlement, and backyard dwellers in Langa. These backyarders mostly do not have access to basic services, especially electricity, water and toilets, as they are entirely dependent on the goodwill of the landlords for such services. Mr. Sopaqa says he therefore looks forward to the completion of the Community Residential Units Programme (CRUP), as well as the launch of the Backyard Essential Services Programme to install services for backyard dwellers. He says that the City of Cape Town supplied him with a master plan which has been in effect since the end of June 2008 for Joe Slovo. The plan has identified 4596 structures which require an additional number of 919 toilets as well as 184 standpipes. He concedes that as long as the provincial and national governments do not work in harmony with local government the housing shortage will escalate.

Mr. Sopaqa says that the ward system poses a great challenge as the political infighting which emanates from the different factions for control of the wards paralyses the ward system. Accusations of cadre deployment, tender rigging, corruption and even murder allegations are some of the cases that are currently pending against these different factions. The infighting he says is also the major reason why the former ward councilor of ward 51 was removed and why problems surfaced in electing the new councilor for that ward. According to him the ward committees will remain a problem in Langa until a solution can be found for the political infighting in the wards.

4.3 SUMMARY

This chapter addresses the main results derived from three sources namely the questionnaire, the 2008 spatial variations of living for Langa and Joe Slovo, as well as the interviews conducted with the important political role players of Langa. These results provide the basis for the key findings to the study.

The majority of the respondents answered “no” to all four questions in the questionnaire. Most of these respondents are from the formal areas that stand to lose more than their counterparts in the informal areas from the lack of service delivery. This demonstrates that these respondents are not satisfied with the services provided neither are they satisfied with the key issues related to service delivery. For example, they claimed that relevant policies are not adhered to, changes are merely cosmetic and public participation is of no or little benefit to communities. On the other hand those respondents who answered “yes” acknowledged that laudable attempts have been made to address inequalities but at the same time conceded that much more still needs to be done. These respondents are mostly from the informal areas and seem to have benefitted the most with regard to the improvements in service delivery in Langa. These respondents as well those who ticked “unsure” were not only in the minority but also not as confident in their answers as those who answered “no”.

The Spatial variations of living for Langa and Joe Slovo 2008 (*Table C*) paint a picture of severe lack of housing, high unemployment, poverty, crime and other health hazards. All these factors contributed to the high rates of dissatisfaction in *Table B* which coincided with the high levels of dysfunctions in *Table C*. These high rates indicated in *Table B* and *Table C* formed part of the patterns that emerged from the responses to the questionnaire and the statistics respectively. At the same time there is also a clear interdependency between those factors shown in *Table C* such as the high rates of unskilled workers fuelling the high poverty rates which in turn spur on crime.

The interviews conducted with the former Mayor of the City of Cape Town as well as with the councillors indicate that the City of Cape Town has adopted measures to address inequalities. This is done by clustering Langa with more affluent areas and to ensure that spending on services is geared in favour of the disadvantaged areas. Mr. Plato claims that a government free of corruption as well as officials equipped with the necessary skills should

go a long way to improve services. Mr. Watkyns as well as Mr. Sopaqa claim that infighting as well as lack of co-operation between different spheres of government hamper service delivery. Mr. Watkyns however also blames the mismanagement of the ANC in the wards for the slow progress of service delivery.

The findings above demonstrate that despite progress with regard to service delivery, the majority of residents in Langa are not satisfied with it. This view is corroborated by the interviews conducted with important role players in the political arena in the City of Cape Town as well as the statistics derived from the spatial variations of living for Langa and Joe Slovo for 2008. For this reason chapter five not only addresses those achievements with regard to service delivery but chapter six also provides recommendations that could contribute to significantly improve service delivery to disadvantaged communities.



CHAPTER FIVE

ANALYSIS OF RESEARCH FINDINGS

5.1 INTRODUCTION

The City of Cape Town, as is the case with all municipalities in the country, has been tasked in various legislative and policy documents (including the 1996 Constitution, the 1998 White Paper on Local Government, and the 2000 Local Government Municipal Systems Act) to play a major developmental role as well as to supply services to its communities in an equitable, efficient and effective manner. In striving to meet these objectives the City of Cape Town has made major strides. Its progress is however hampered in the face of several challenges and limitations. This chapter serves to outline these achievements in the Langa Township, clarify the limitations, as well as to highlight the challenges faced by the City of Cape Town in its attempt to fulfill its developmental mandate to disadvantaged areas such as Langa.

5.2 ACHIEVEMENTS

The City has made major inroads in delivering services to its communities especially in the disadvantaged areas in the City of Cape Town. Langa for example boasts a multi- purpose indoor sports center as well as a stadium that has produced some of the country's finest athletes such as the world renowned boxer Nika Khumalo and Orlando Pirates captain Thabo Mngomeni. The ANC frequently uses the stadium to address their constituency and for celebrations. For example, President Jacob Zuma addressed a rally of two thousand people on Heritage Day in 2011. The swimming pool was upgraded in March 2004 at a cost of R600 000 and in the interview with Mr. Watkyns he claimed that the amount of R100 000 was spent in 2011 to upgrade it even further. At present it boasts modern features such as an upper level observation office, staff quarters and improved filtration operations for the pool. In addition to the previously mentioned achievements, the Guga Thebe Arts and Cultural Centre are focal points for the cultural improvement and empowerment for Langa. The cultural centre is equipped with an amphitheatre, conference room, meeting rooms, exhibition areas, art studios, a resource centre, an internet café and also a Cape Town Tourism Visitor Centre. This venue is available for hire and is open to the public Mondays to Fridays between 9h00 and 18h00.

As can be seen from *Table C* in chapter four, major inroads have been made in the Joe Slovo informal settlement with regard to services. The households with no flush toilets and no potable water account in both instances for only 1.53%. Households that do not have their refuse collected account for only 1.27%. The statistics for the formal dwellings indicate a slightly poorer performance with rates of 9% for households with no flush toilets and 9.06% for households with no potable water. The figure improves for those households in the formal dwellings whose refuse are not collected, standing at 0.27%. In addition, soon after being inaugurated as the Mayor in 2011, Patricia de Lille launched the Backyard Essential Services Improvement Programme which is still in its pilot stage. This programme centres on the installation of toilets and running water in the backyards in Langa. Electricity will also be provided, and backyard residents will also be provided with their own wheelie bins. This project will also be extended to backyard dwellers in other areas such as Hanover Park. The master plan for Joe Slovo ensures that the backlog for services which are prioritized in the Langa area is addressed. In this regard an additional 919 toilets and 184 standpipes have been identified as priority services for Joe Slovo. These are quite outstanding achievements and demonstrate the City's commitment to upgrade service delivery in Langa

Mr. Sopaqa the councillor of ward 52 made it clear in the interview on 11 November 2011 that the challenge for Langa is not only with regard to the huge backlog in the housing sector but also revolves around the poor quality of the hostels. For this reason the N2 Gateway has completed 12 000 houses in the first phase and was originally envisioned to extend to three phases. Allegations of tender rigging, corruption and shoddy buildings leveled at various stakeholders have however virtually stalled the project. In addition, the National Department of Human Settlement's introduction of the Community Residential Units Programme (CRUP) which co-ordinates the conversion of the hostels and commenced in late 2007, has gone some way to address the poor state of the hostels. All the households in the hostels were consulted and the levels of amenities such as the number of families per toilet, ablution facilities, size of rooms as well as the condition of the buildings were recorded. Mr. Sopaqa in his interview pointed out that the New Flats and Special Quarters were identified as priority areas and residents are in the process of moving out so that these building can be replaced. These units will then be leased at affordable rental rates and will remain the property of the City. The aim of the project he says is ultimately to improve the lives of 940 households in Langa and ultimately expand this to 15 000 households which will include the hostel areas of Gugulethu

and Nyanga. These attempts at addressing the housing backlogs and upgrading of the hostels are quite laudable but still a long way short from overcoming the challenge of adequate housing.

5.3 LIMITATIONS

5.3.1 Lack of funds

It is clear from *Table C* in chapter four that there are huge backlogs with regard to services in Langa and one can safely assume this to be the case in other disadvantaged areas in the City of Cape Town. Local government however has to contend with severe limitations with regard to capacity and resources whilst trying to address these huge backlogs. For example the lack of funds has forced the City of Cape Town to identify only those services which are classed as priority areas in the master plan discussed earlier in this report. In June 2008 these priority areas were identified as the lack of toilets and standpipes in Joe Slovo. Identification of these priority areas enables local government to embark on projects which specifically deal with these areas. In this regard, Mr. Watkyns of ward 53 has pointed out in the interview conducted with him that to date the toilets and standpipes identified in the master plan has been successfully installed. The disadvantage Mr. Sopaqa says in this approach is that local government then tends to direct all the available resources to these priority areas, at times neglecting other services which can become a point of frustration to the community.

5.3.2 Lack of skills

The effective professional administration in the City of Cape Town is undermined by the difficulty of attracting qualified and experienced technical and management professionals. In addition there is a decline of municipal professional associations which is due to poor linkages between local government and the tertiary education sector (Local Government Report, 2009). This has caused a serious decline in the supply of municipal professionals by educational institutions. The State of Local Government Report 2009 also makes mention that there is an overall vacancy rate of 12% in local government. Further to this is that most disadvantaged areas such as Langa and Joe Slovo have a large percentage of residents who have been unable to attain matric (between 60 and 80%) which limits their ability to enter the professional or skilled labour force. Mr. Dan Plato acknowledged in the interview with the researcher that the lack of skills has a major negative impact on service delivery. Also in response to the questions posed in the questionnaire respondents complained of the City's

inability to repair water or electrical disruptions in Langa due to the lack of skilled employees. The lack of skilled employees therefore causes long delays which in turn lead to frustration in the community. The shortage of skilled labour therefore impacts negatively on local government's ability to deliver services in an efficient and effective manner as required by legislation.

5.4 CHALLENGES

In the face of huge infrastructural deficiencies and backlogs, the City faces the massive task of addressing inequalities with regard to service delivery in the disadvantaged areas of the City of Cape Town. These challenges which are outlined below have to be addressed as a matter of urgency as it not only poses a threat to democracy in our country but also inhibits residents' rights to share in the fruits of the country.

5.4.1 Intergovernmental relations

The Intergovernmental Relations Act took effect on 15 August 2005 with the promise that all spheres of government would work together in good faith and with mutual trust in order to advance service delivery to communities. The absence of shared decisions by the three spheres of government has however posed great challenges.

Firstly, local government is underpinned by two opposing principles which cause a fundamental tension in the system. The first principle is articulated in section 151(3) of the Constitution, which entrenches a municipality's right to govern the local government affairs of the community based on its own initiative. The second competing principle is that it is the duty of both the national and provincial governments to oversee local government through regulation, monitoring and supervision. The power to regulate may not however compromise or impede on a municipality's right to exercise its powers or perform its functions. There is thus a balance to be struck between allowing for local government initiative and innovation whilst simultaneously preventing corruption, mismanagement and incompetence so that service delivery is not inhibited. Mr. Watkyns made mention in the interview of the effects of lack of consultation by national government with the implementation of the Expanded Public Works Programme (EPWP) and how this has created problems in his ward. Mr. Sopaqa also complained how the lack of consultation by both provincial and national governments has resulted in the N2 Gateway houses not being occupied as well as problems with repairs of

defective houses. It is therefore a question of correcting the balance where the objective must be based on harnessing the creative energy of municipalities and communities under the watchful eyes of national and provincial governments.

Secondly, National Cabinet endorsed the IDP as an intergovernmental planning tool with the aim of targeting investment to improve service delivery in a municipal area. This has proved to be a daunting task as it was expected of the IDP's to be a comprehensive reflection of investments and programmes of all spheres of government in a particular municipality. However, separate investment decisions continue to be made to fit in different spheres of government and stakeholders leading to the absence of shared investments in municipal areas. Also, IDP's were adopted as bottom-up development plans which had to be initiated by municipalities through consultation with communities. These plans would then become building blocks for the provincial and national governments. As a result each IDP would be the intergovernmental plan for that municipal area. However, the reality is the other way around. National and provincial departments insist that their plans are included in the IDP's and instruct municipalities to explain this to communities. Councillors are then tasked to explain to communities why their suggestions do not fit in with intergovernmental plans. An example of this as stated by Mr. Sopaqa during the interview is that he had to explain to residents in his ward why the call for a police station in Joe Slovo could not be incorporated into the IDP. According to him it was national government that made the decision that projects such as the upgrading of the hostels have to take priority. The request from the community for the police station was thus put on hold in order to accommodate the plans of national government. Consequently the councillor gets blamed by the community for decisions made by national government.

Mr Sopaqa also says that problems associated with the N2 Gateway such as defective buildings has created the need for maintenance and repairs of such buildings which raises the question of which sphere of government is responsible for such cost and repairs. According to him all three spheres of government namely local, provincial and national were initially responsible for the project. The community has however direct contact with him and addresses their concerns with him. When he calls on provincial and national governments for assistance he is put on hold which in many instances leaves him with the sole task of addressing these problems and concerns of the project. In the same manner provincial and national governments would implement their plans such as the Community Residential Units

Programme (CRUP) project and others without informing him. Intergovernmental relations therefore pose a real challenge as separate decisions are made by the different spheres of government and plans of local government have to fit in with those of provincial and national governments.

5.4.2 Fraud and corruption

It has been pointed out by respondents that corruption and fraud are major contributory factors towards impeding service delivery in the Langa area. Some of these respondents made claims of corruption and bribery by councillors and officials. For example the N2 Gateway housing project has not been able to live up to its initial projection of 22 000 houses to be built in the first phase as it was riddled with corruption and tender rigging. This was acknowledged by the Minister of Human Settlements Tokyo Sexwale in a presentation to the Parliamentary Portfolio Committee on 28th January 2010, where he said that those responsible for the fraud will be brought to book. One respondent pointed to the Cyberia case where the former executive director for utility services in the City of Cape Town awarded a construction-based tender to an IT company. The company, it was found, had no construction experience and had been accused of constructing defect houses. It was also said that at times tenders are rigged which in effect means that these tenders are not awarded to the best priced or best suited tenders but rather secured by companies well connected which place them in a position to influence the outcome of these tenders. For example in the case of Viking Pony Africa Pumps vs Hidro-Tech Systems, Hidro-Tech a competitor of Viking Pony suffered a repeated lack of success in securing contracts put out to tender by the City of Cape Town despite Hidro-Tech's lower tender prices. The case went to the Supreme Court of Appeal which ordered the City of Cape Town to act against Viking Pony in accordance with regulation 15 promulgated in terms of the Preferential Procurement Policy Framework Act 2000. This regulation specifically provided for an award to be declared null and void and awarded to the competitor should it be proved that such tender was awarded to the initial benefactor due to corrupt practises. These cases illustrate the extent of corruption and fraud and in a recent newspaper article it was revealed by Willie Hofmeyer of the Special Investigating Unit and head of the Asset Forfeiture Unit that between R25–R30 billion is lost annually to corruption, negligence, and incompetent public officials (Cape Times, 17th October 2011, p1). This is quite a substantial amount of money that goes to waste every year which could have gone a long way to address the huge backlogs in service delivery.

5.4.3 Public participation

Public participation has over the past decades become one of the major key words in development, and has generally been embraced by all stakeholders as an imperative feature for the future development of communities. The concept reaches far beyond the decision-making and planning process and strives to raise the conscience of all to participate in their own development. Most notable is power sharing where planning is carried out in a bottom-up approach instead of the traditionally top-down way. The decision-making process as a result becomes more decentralized compared to traditional centralized powers. In other words, this new paradigm focuses on integrating people on various levels with the aim of successfully addressing their needs. The community therefore is encouraged to actively participate through direct representation on all committees of local authorities especially with regard to development and urban renewal programmes.

However putting the above aims into practice is one of the most difficult issues facing local government. In a recent case study on ward committees carried out by the Community Law Centre at the University of the Western Cape one of the more discouraging findings is how little influence ward committees appear to have on council decision making (De Visser, 2009:14). For example, ward committee meetings in Langa would discuss issues of importance to service delivery but the outcomes would be totally disregarded by local government. It is for this reason that the demands for the police station and sprinklers by the residents of Langa have been put on hold as a result of other priorities identified by national government.

In an article in the Sunday Argus it was described how the people in the Joe Slovo area have been excluded from decision making about development processes that directly affect their lives after they refused to move to Delft (Sunday Argus, 16th September, 2007). In this regard, the Report of the Parliamentary Ad Hoc Committee on Coordinated Oversight on Service Delivery 2010 identified the quality of public participation and lack of responsiveness to citizens' concerns as factors that contribute to the lack of service delivery in disadvantaged areas. For example, on the one hand, a party-political system means that people will be chosen by the party to represent communities through a top-down process. Though these people are voted in, the choice is limited to those already chosen by the party. On the other hand, the Municipal Systems Act 2000 and the Constitution stipulates that residents have the right to vote for the candidate of their choice. In the case of Langa, as also

the case with other ANC wards, respondents complained that ward councillors were placed on the Independent Electoral Commission (IEC) candidates' lists in their areas without their input. This seems to be the case with the councillor for ward 51 who was placed by the ANC on the IEC candidates' list for the 2011 local elections. This had the effect that the community expressed their dissatisfaction. It is clear therefore that the names forwarded by a political party and the candidates selected by the community are not always the same. In addition ward committees are paralysed by political infighting as confirmed by both Mr. Sopaqa and Mr. Watkyns. They made it clear that it is mostly infighting that poses a threat to public participation and renders ward committees inefficient. Both these councillors claim that these "infighters" are aligned to youth factions who are set on enforcing their voice onto others under the guise of representing the majority. In reality therefore, public participation in local government affairs will remain a promise only on paper until residents are allowed to decide for themselves who they choose to serve and who is to represent their input in decision-making processes. Thus development in service delivery will not successfully take place unless citizens are able to take part in the implementation and formulation of the relevant processes. Public participation beyond the interest of the party is therefore one of the many challenges to overcome for successful service delivery.

Another challenge for local authorities with regard to service delivery is the provision of support for initiatives aimed at people-centered development. The Municipal Systems Act (2000) stipulates that the City of Cape Town should be committed to a developmental process driven from within communities as well as to provide support for it. In the interview Mr. Sopaqa made it clear that presently members of the ward committees do not get remunerated for out of pocket expenses, and says that members even have to pay for transport to be able to attend meetings. He cited this problem as well as infighting as two of the main reasons why he has difficulty recruiting members for his ward committee. For this reason he emphasized that financial resources as well as the creation of appropriate institutional frameworks to accommodate development and support structures are needed. This will enable residents in disadvantaged communities such as Langa to develop their own areas and benefit from such development.

5.4.4 Political environment

Political leaders, councillors and elected officials have important roles to play in policy-making and prioritising the needs of the community. The power struggle in the Western Cape

for political control between the major parties has tended to divert the activities of the political leadership to political infighting rather than on concentrating its efforts on addressing real pressing issues. President Jacob Zuma in an opening address to the Presidential Meeting in Khayelitsha on 20th October 2010 with executive mayors and mayors to discuss improving service delivery said that political power struggles and infighting for resources render municipalities effectively dysfunctional. This sentiment was shared by both councillors Mr. Watkyns, ward councillor for ward 53 and chairperson of subcouncil 15, as well as Mr. Sopaqa ward councillor for ward 52, when they both said that they regarded infighting as one of the greatest challenges in the City of Cape Town. For example, Mr. Watkyns blamed the ANC structures for being in complete disarray resulting in mismanagement. For instance he says the stadium is completely mismanaged which results in it being neglected and cites as an example the uncut and dry grass. The ANC councillor for ward 52, Mr. Sopaqa, on the other hand says that the DA as the majority party in the City of Cape Town employs delaying tactics at times with regard to service delivery in Langa, for instance the maintenance of the N2 Gateway. From the above it is evident that these two main parties tend to use their positions to oppose each other's views and strategies in order to advance their own interests, and as a result the needs of the community are completely disregarded. Often open discontent and accusations of nepotism and maladministration are characteristic of this local power struggle. These and other challenges mentioned above have a negative impact on service delivery leading to the frustration of Langa residents.

5.5 SUMMARY

Major inroads have been made by the City of Cape Town in its quest to address the inequalities in Langa more especially with regard to housing, basic services and infrastructure. Various limitations such as lack of funds and skills however hamper government's ability to address such inequalities. This is even further complicated by the challenges which government has to face when addressing such inequalities. One of these challenges relates to the poor co-ordination in the intergovernmental relations of the three spheres of government. In this regard national and provincial governments tend to impose their will on local government by insisting that local government include their plans and not those of the communities into IDPS. Corruption, as well as bribery and tender fraud result in huge losses of money for government. Tenders are not always awarded to the best priced and best suited tenders which often leads to shoddy and defective workmanship. Political infighting poses a real danger to public participation which is complicated by the different

factions each claiming to represent the majority. Councillors Watkyns and Sopaqa both claimed that it is infighting that has largely paralysed the attempts to set up effective ward committees in Langa. It is evident from the above that much progress have been made by the City of Cape Town with regard to delivering services to Langa, but severe limitations hamper efforts to address the challenges and backlogs in Langa which ultimately leads to high rates of dissatisfaction with service delivery.



CHAPTER SIX

CONCLUSIONS AND RECOMMENDATIONS

6.1 INTRODUCTION

Despite the positive achievements made in the period since 1994, several factors have played a role in hampering the effective implementation of policies designed to address the serious inequalities inherited from apartheid. This in turn not only frustrates communities in disadvantaged areas but also prompt them into protest action to voice their dissatisfaction. In this regard the findings in this report affirm that despite these laudable achievements with regard to service delivery in Langa the majority of residents are not satisfied with services provided by the City of Cape Town. This chapter firstly summarizes the findings which are based on the results of the questionnaire, the 2008 statistics for Langa as well as the interviews with important political role players in Langa. Secondly, the chapter provides recommendations to speed up service delivery. The chapter then ultimately provides a number of final conclusions.

6.2 SUMMARY OF FINDINGS

According to the results of the questionnaire (*Table B*) the majority of respondents indicated that they are dissatisfied with service delivery and disclosed reasons for their responses. Most of these respondents are from the formal area in Langa. The most important reasons for their dissatisfaction revolve around the shortage of houses, overcrowding, unemployment, poverty, corruption, tender fraud, mismanagement and infighting. Further to this, the majority of these residents claimed that policies such as public participation are not effectively implemented. As a result services in Langa still lag behind those in affluent areas such as Pinelands. This was subsequently confirmed in the interview with Councillor Watkyns, whose ward includes areas in both Pinelands and Langa. Furthermore, most of the respondents concede that the changes in Langa are noticeable but claim that these changes are cosmetic and therefore of no or little benefit to the community. To them it is clear that the majority of the residents are poor and unable to afford these services. In addition, ward committees are paralysed by infighting rendering their functioning ineffective. It is also claimed by the former Mayor of the City of Cape Town, Dan Plato, as well as other respondents, that councillors use these committees to serve the interests of their political party or for their

personal agendas. In this regard Bond (2000) warns of the adverse effects that could emanate from the absence or misuse of public participation. Cloete (1995) on the other hand warns of the danger of public participation becoming monopolized by powerful local political interests. This is reflected in the concerns expressed by Mr. Sopaqa who represents ward 52, when he complained about the attempts of youth movements to monopolise ward committees which in his view is the reason for the complete dysfunction of these ward committees. For such reasons the majority of respondents made it clear that they are dissatisfied with the levels of service delivery in Langa.

Based on the data collected from *Table B* and *Table C* certain patterns emerged from this information. Firstly, the majority of the respondents answered “no” to each of the four questions posed in the questionnaire. The majority of these respondents are from the formal areas and seems to be more negatively affected by the lack of service delivery than their counterparts in the informal areas. Those that answered “yes” to the questions are mostly from informal areas and seemed to benefit more from the improvements to service delivery than those households in the formal areas. Hence there is a clear relationship between the data collected from *Table B* and the statistics from *Table C*. This is further demonstrated in the high levels of service dysfunction in *Table C* which are consistent with the high levels of dissatisfaction in *Table B*. Lastly, there is a clear interdependency between those factors listed in *Table C*. For example, the high levels of unemployment fuels the high poverty rate in the area which in turn spurs on the high crime rate as well as the high levels of service disruptions and interruptions. These patterns which can be drawn from *Table B* and *Table C* are therefore correlated to each other.

The interviews with the former Mayor, Mr. Dan Plato, and councillors of the two main political parties addressed the concerns of the respondents as well as the position of local government with regard to service delivery. All of the interviewees laid emphasis on the need to provide services for all the residents of the City of Cape Town. All of them also acknowledged that a lot of progress has been made with regard to services. In order to address the issue of inequalities the former Mayor of the City of Cape Town, Mr. Dan Plato, as well as Mr. Watkyns claimed that Langa benefits from being clustered with wards from affluent areas such as Pinelands and Maitland. They say that the spending of funds for services in such instances is always favoured towards the disadvantaged area. According to them this is important for the improvement for services in disadvantaged areas as the lack of

funds is one of the key factors that limit the ability of local government to address inequalities (discussed in 5.3.1 page 91). They also pointed out it was for this reason that various projects were launched such as the Community Residential Units Programme (CRUP) and the N2 Gateway Housing Project which were specifically aimed to uplift the Langa area. According to them it was also for this reason that significant progress was made with regard to service delivery in Langa and Joe Slovo to the extent that less than 2% of households in Joe Slovo do not have access to flush toilets and potable water. Even though all the interviewees lay claim to the progress made with regard to service delivery it is clear that much more needs to be done.

The former Mayor and councilors also provided reasons for the lack of service delivery by blaming their political rivals for the slow progress. It is for this reason that the former Mayor, Mr Dan Plato, blamed the ANC for mismanagement and lack of skills which in his view are the reasons why the IDP's do not fulfill the needs of the residents of Langa. He also emphasized that the councillors in Langa misused ward committees for party and personal interests. He claimed that the City under his leadership strives for a government free of corruption as well as to equip all officials and administration staff with the necessary skills to provide the best service to the community. Mr. Watkyns (DA), on the other hand, blamed political infighting and mismanagement for the failure of ward committees. He also complained about the lack of co-operation he gets from national government especially with regard to the Extended Public Works Programme. Mr. Sopaqa, an ANC councilor, also blames infighting for the failure of ward committees. He also highlighted what he regarded as the delaying tactics that are sometimes used by the Provincial Government. It was such tactics, he argued, that led to delays in the N2 Gateway Housing Project, for example. These helped to paralyse the project to the extent that it has left some of the houses at the N2 Gateway Housing Project unoccupied for a considerable length of time. On the other hand, the DA holds the ANC responsible for mismanagement and incompetency whilst the ANC blames the City of Cape Town for lack of co-operation and the stalling of the housing programmes. However, both these parties claim credit for improvements to service delivery but if anything these acts by both parties have tended to impede service delivery. For this reason the researcher has made various recommendations to improve service delivery.

6.3 RECOMMENDATIONS

It is clear from the above that the limitations as well as the challenges identified in this research will have to be addressed in order to improve service delivery to communities, more especially to poorer communities. Taking into account these factors that hamper local government's ability to address the lack of service delivery the researcher makes a number of recommendations that could assist in improving the levels of service delivery and meaningful forms of public participation in disadvantaged areas such as Langa.

6.3.1 Capacity building

In order to promote more effective forms of development, planning and implementation of policies, effective forms of capacity building need to be introduced. These forms of capacity building should not only relate to the administration and political office bearers but also extend to the communities from disadvantaged communities as well. For this reason people from Langa should be trained and empowered to not only initiate social service activities such as conflict resolution but also to design, implement, monitor and evaluate specific development plans. This should ensure that residents of Langa are not merely present as a formal constitutional requirement but are also enabled to determine, direct and manage on a sustainable basis the application and implementation of municipal services. This is borne out by the White Paper on Local Government of 1998, the Municipal Demarcation Act of 1998 and the Municipal Systems Act of 2000 which recognize that fundamental political and economic change can only come to pass if people at grassroots level determine in the final analysis the form and content of development programmes. In this manner the community in Langa can ensure that their rights to basic services are effectively implemented.

On the other hand, it is also important to strengthen the institutional capacity of local government by equipping administrative and all other official employees to perform their tasks effectively. This sentiment was strongly supported by the former Mayor, Dan Plato, in an interview with the researcher. Some policies, however, have been adopted by government to build capacity and improve professionalism in local government. The Municipal Systems Amendment Act of 2011, for example, sets out the competency requirements for the appointment of senior local government managers, and requires that all contracts for senior managers must be accompanied by the signing of a performance agreement. The Act also precludes senior municipal managers from holding office in a political party. Any appointments in conflict with the requirements laid down in the Act will be void and the

official who was responsible for the appointment can be held liable. The National Treasury has also prescribed a competency framework, under the Municipal Finance Management Act, for municipal financial employees at senior and middle management levels (including the municipal manager as accounting officer). All such officials must have acquired the prescribed competencies by 1 January 2013, after which no candidate without the requisite competencies can be appointed. A grace period has been allowed to enable officials to undergo training to acquire these competencies. The researcher recommends that the penalties for non compliance and transgressions should be enforced to the fullest extent of the law. For example should it be found that a manager has not been able to perform the task at hand or has not performed as per the agreement then such agreement should immediately be terminated. Strengthening and equipping staff with the necessary skills as well as the strict enforcement of non compliance could contribute immensely towards improved service delivery.

Further to the above, greater acknowledgement should be given to sound management skills and the ability to oversee ward committees. More attention therefore should be paid to helping local councillors acquire the hard and specialized skills they need for overseeing ward committees and subcouncils. Councillors by way of their work are involved in formulating the policy and by-laws for their communities. For this role they need to be able to read and understand complicated council documents such as the IDP, and to communicate council decisions to communities. At the same time they are leaders in managing conflict between municipalities and society. It becomes essential therefore that political parties' selection of local councillors should place greater emphasis on levels of education and management skills. In effect the choice of political leadership should be given greater priority by political parties particularly in terms of ideal qualities, prior leadership roles and experience in high office. Hence the emphasis on quality leadership which calls for the training and capacity building of not only the residents of communities but also the administration and office bearers of such communities.

6.3.2 Ward Committees

It is the contention of the researcher that the effective functioning of ward committees in Langa should not only be based on addressing the needs of the community but should also serve as the City's strategic partner in projects such as the Community Residential Units

Programme (CRUP) and the Essential Services Improvement Program. In order to do this the researcher recommends the following:

- ❖ The City of Cape Town should provide members of the ward committee as well as the councillors with training about their roles and functions in order to perform their tasks effectively. A code of conduct should be drawn up and strictly enforced with heavy penalties such as expulsion from the committee if transgressed. Building the capacity of ward committees must go together with increasing the interaction between ward committees and the community, so that the community benefits from newly empowered ward committees.
- ❖ Processes also need to be institutionalised that will ensure that inputs from ward committees are effectively channeled to the key decision makers within council, such as the Portfolio Committees and Executive Committees. In this regard the role of the Council Speaker is very important and adequate capacity within this office needs to be put in place which should include administrative support for ward committees. In instances where it is clear that the City of Cape Town is unable to meet the demands of citizens channeled through ward committees, this needs to be openly communicated to the communities with reasons why these demands could not be addressed.
- ❖ A central component of the role of ward committees should relate to the budget and the IDP process. Ward committees should be integrated in all aspects of the planning process. The City of Cape Town should disaggregate this budget information to ward level making it much more accessible and user friendly for ward committee members.
- ❖ Members of the ward committees should also be compensated with modest allowances to avoid them from using their own funds, for example paying for transport to attend meetings. Such payments are simply to avoid further pressures on marginal livelihoods
- ❖ The City of Cape Town should place as much information as possible about projects at the disposal of the ward committees. Information should be packaged and written in language which is easily understandable and that is not infused with technical jargon.
- ❖ Exchange visits should be set up between different wards as well as between municipalities to highlight and exchange ideas about good and innovative practices. Langa ward committee would benefit from such an exchange as the respondents to the questionnaire for this research made various claims of mismanagement.

- ❖ A range of public participation practices should be promoted and the one size fit-for-all approach should be avoided. It is important to recognise that communities have different traditions and needs when it comes to public participation. For instance, communities in Langa would need much more intense forms of support and engagement in generating economic, social and service development than Pinelands whose members are better-resourced and require less support.

6.3.3 Integrated Development Planning

Despite the progress made in service delivery the findings of this study reflect high levels of dissatisfaction with the delivery of services to disadvantaged areas. The Integrated Development Plan (IDP) if effectively employed can go a long way to address this concern. The IDP in setting out plans for expenditure of the City of Cape Town for the next five years should prioritise the budget so that it addresses residents' concerns. Recommendations in this respect include the following:

- ❖ The City of Cape Town should identify the least serviced and most impoverished areas such as Langa. Priority should then be given to the upgrading of such services in these areas. However, realistic development projects to upgrade these services in line with available resources should be proposed.
- ❖ The upgrading and improvement of these services should also be the focus of the IDP budget. This focus should be in line with policy and legislation which mandate the City of Cape Town to address inequalities with regard to service delivery.
- ❖ All the important stakeholders especially ward committees and councillors should be actively involved so that decisions are made in a democratic as well as a transparent manner which will ultimately result in the implementation of such decisions being made easier. The disadvantaged communities should be encouraged to participate as they stand to lose or benefit the most.
- ❖ Projects related to the provision of clean water and surfacing of roads should be centered on job creation in order to address the high unemployment and poverty rates.
- ❖ The departments of other spheres of government involved in such projects should participate in the IDP process so that they can be guided on or consulted on the use of available resources to address local needs.

- ❖ The different spheres of government are encouraged to work in a co-ordinated manner to tackle the development needs of that particular local area. No sphere of government should be allowed to control the process.

6.3.4 Affordability of services

It is recommended that the City of Cape Town take steps to ensure the affordability of its services, for example, through the setting of tariffs that balance the need for economic viability and sustainability on the one hand with the ability of the poor to pay for such services on the other. In instances where it can be proven that residents are unable to pay at all for the use of such services, exemptions of payment for the use of such service should be allowed.

6.3.5 Accessibility of services

The City has to ensure that all citizens regardless of race, gender or sexual orientation have access to at least a minimum level of services (White Paper on Local Government, 1998: 96). In disadvantaged communities the plight of the disabled and vulnerable especially women and children are often overlooked and for this reason special attention should be paid to them. This has proven to be costly and taxing on government coffers as these imbalances of access to services must be addressed through the development of new infrastructure (especially for the disabled), as well as the rehabilitation and upgrading of existing infrastructure in the disadvantaged areas. The Consolidated Municipal Infrastructure Program (CMIP) has been established to provide capital grants to assist municipalities (including the City of Cape Town) in funding bulk and connector infrastructure for low-income households, thereby extending access to services. Accessibility is however not only about making services available, but also about making services easy and convenient to use. In the informal areas of Langa as reflected in responses to the questionnaire, some residents still have to walk long distances to access water and toilets. This is not only very inconvenient for the old and children (inclusive of the disabled and women) but also very dangerous. It is recommended therefore that not only should accessibility center on convenience but also on safety in Langa.

The above recommendations lay emphasis not only on capacity building through training but also on the inclusiveness of all especially the poor and vulnerable so that all stakeholders are equipped to take ownership of their involvement in the process. This applies to the residents, businessmen, ward committee members, councillors, and managers of departments, the City

manager, Provincial heads, the Mayor, Ministers and ultimately the President. If all involved are capacitated to perform their tasks effectively, with commitment from government to instill discipline for noncompliance, service delivery should attain the objectives in line with policy and legislation, particularly those committed to the redress of inequalities within service delivery to disadvantaged areas.

6.4 CONCLUSION

By simply looking at the two neighbouring areas, Pinelands (former WLA) and Langa (former BLA), it is clear that inequalities with regard to service delivery continue to exist between the more affluent and the more disadvantaged areas in the City of Cape Town. Since 1994, various policies and legislative measures have been designed and put in place to address such inequalities inherited from the apartheid regime. In the process, important strides have been made in Langa and Joe Slovo in several areas of service delivery, most notably in the provision of electricity, water and sanitation, especially in the informal settlements. This is demonstrated by the respondents who indicated that they were reasonably satisfied with the levels of service delivery, most of whom were drawn from the informal rather than formal settlement areas.

However, as this report has shown, a range of factors, including weaknesses in intergovernmental relations, mismanagement and corruption, and political infighting, have been responsible for the ineffective implementation of the many policies and support mechanisms designed to address the inequalities visible in areas such as Langa. This has resulted in the majority of residents, more especially those from the formal areas, expressing dissatisfaction with the levels of service delivery and with the opportunities for meaningful forms of public participation in local governance.

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APPENDIX 1

QUESTIONNAIRE

1. Are you satisfied with the service delivery by local government to your area and provide reasons for your answer.
2. Local government has to act in accordance with set policy guidelines. In your view does local government fulfill their mandate (with regard to policy) to deliver services to the local community in an efficient and effective manner?
3. Have there been any noticeable changes in the manner in which the local government of your area after 1994 deliver services to the community?
4. Is there any meaningful public participation in the area? For example, do participating in community activities like ward committees contribute to decision-making in local government.
5. In your view what are the challenges local government face when delivering services to the community?
6. What recommendations would you propose in order to improve service delivery by local government to your community?

Thank You

APPENDIX 2

REPLY SHEET

Question 1 (*tick your answer*)

Yes / No / Not sure

Motivate answer:

Question 2 (*tick your answer*)

Yes / No / Not sure

Motivate answer:

Question 3 (*tick your answer*)

Yes / No / Not sure

Motivate answer:



Question 4 (*tick your answer*)

Yes / No / Not sure

Motivate answer:

Question 5

Challenges:

Question 6

Recommendations: