

SALGA RESPONSE: PORTFOLIO COMMITTEE COGTA QUESTIONS 28 APRIL 2020

	AREA OF FOCUS	SALGA RESPONSE
1	<p>WATER AND SANITATION</p> <p>(i) The details of the number of water tanks and tankers deployed appear under reported.</p> <p>(ii) No water for the past 6 weeks in Siyabuswa, Dr JS Moroka Municipality, Mpumalanga.</p> <p>(iii) With regards to water tankers and installation of Jojo tanks, what other sustainable water allocation measures would SALGA employ beyond the Lockdown period?</p> <p>(iv) Are there means to rehabilitate the Windmills and Digging of Dams that are dysfunctional in rural communities with a view of Drilling of more Boreholes?</p> <p>(v) Can clarity be provided on the 289 unaccounted water tanks and 22 water tankers in the Northern Cape?</p> <p>(vi) In Limpopo and Eastern Cape, a number of tanks have been delivered but are yet to be installed. How can this be fast-tracked?</p>	<ul style="list-style-type: none"> • The detailed report in the SALGA presentation was as updated through the latest information available from the National Water and Sanitation Command Centre. • Dr J S Moroka Municipality is current under Section 139 intervention and we have are still awaiting a response from the Administrator with regards to water problems in Siyabuswa. Upon receipt hereof, we will provide an update to the Committee. • With reference to the SALGA presentation (slides 38 to 42), details are provided of the sustainable water allocation measures that would be necessary for deployment post the lockdown, inclusive of Water resource development programme. • The Northern Cape picture is as follows:- <ul style="list-style-type: none"> - Thus far the NC received 668 tanks. 387 tanks are installed and 281 tanks in the store room of the municipalities awaiting distribution. 210 tanks are due to be delivered over the next few days. - The total number of tanks per municipality was planned together with the municipalities. For example the issue pertaining to Kai!Garib municipality is that the municipality requested a total figure of 45 tanks and therefore will receive these. - The 2 tanks in Rietfontein are tanks owned by the municipality (Dawid Kruiper). As an interim measure the municipality is using a water truck to fill the tanks but in the long terms planning to connect the 2 tanks to the existing reticulation infrastructure. • Municipalities are only responsible for the installation of tanks that have been procured by them. The DWS has appointed Service Providers to install tanks.

2	<p>QUARANTINE SITES, SHELTERS AND FOOD</p> <p>(i) In KZN people are sleeping in the bush, how will they obey the regulations?</p> <p>(ii) Government should maintain the current arrangement of providing shelter for the homeless beyond the COVID-19 period.</p> <p>(iii) What is the break-down of food parcels distribution by Councillors and where is the money coming from?</p> <p>(iv) Why are other Councillors not included on the distribution of food by leadership of the council?</p> <p>(v) Is SALGA aware of the deliberations of the Portfolio Committee on social development on the problems related to the distribution of food parcels, in particular the consensus that seems to have emerged that cash payments and vouchers are to be preferred over the distribution of such parcels in assisting the needy? Will SALGA consider making similar proposals to and on behalf of municipalities in respect of municipal relief efforts?</p> <p>(vi) Can SALGA give clear direction if councillors may or may not hand out food parcels?</p>	<ul style="list-style-type: none"> • Law enforcement has been rounding up homeless people, largely those who are living on the streets, and have taken them to shelters. • In terms of Part A of Schedule 4 of the Constitution, Welfare services is a concurrent function of Provincial and National Governments. However, it appears that the Department of Social Development is trying to shift this responsibility to LG without the necessary funding. There is a need to clarify the responsibility for this function and budget should be accordingly allocated. • SALGA has not been part of the Portfolio Committee on Social Development meetings where this was discussed. As SALGA we agree that vouchers could be a useful mechanism and Lessons may have to be drawn from cases where vouchers and cash payments were done e.g. NSFAS experiences with students. • The involvement of Councillors on the matter of food parcels are as a consequence of Department of Social Development and they should therefore lead policy on this matter.
3	<p>TRADING PERMITS</p> <p>(i) Why is Msukwalikwa Municipality charging people for business or spaza permits?</p> <p>(ii) Why are Councillors issuing travelling permits?</p>	<ul style="list-style-type: none"> • A request has been made to Msukwalikwa Municipality and we are awaiting feedback from the Municipality, we will transmit the response to the Committee upon receipt thereof. • The instances of councillors issuing permits, came as per the recommendations in some District Joint Operation Commands where Form B (Declaration of Citizens' Movement in exceptional Cases) was made available to councillors to accommodate exceptional cases requiring movement within the municipality. Upon learning about the illegal activities around the issuing of the permits, a decision was

		taken to immediately stop the issuing of the permits.
4	<p>CREDIT CONTROL (ELECTRICITY)</p> <p>(i) Regulations 399 of Disaster Management Act provide that no Electricity and Water must be disconnected during Covid 19, why are there still disconnections in Polokwane, Dr JS Moroka, Emfuleni and Dawid Kruiper municipality?</p>	<ul style="list-style-type: none"> • The Regulations DO NOT direct that water and electricity of households should not be disconnected. As per the SALGA presentation, mindful of the negative impact of the COVID-19 pandemic on households, the SALGA NEC at its meeting of Friday, 10 April 2020, re-considered the matter and concluded that the disconnection of electricity and interrupting the flow of water to defaulting households, will only worsen the current COVID-19 induced crisis. As such the SALGA NEC called upon Municipalities to SUSPEND the disconnection of water and electricity for the duration of the period of the lockdown. This was duly communicated after the meeting of 10 April 2020. • It may be that municipalities had, prior to this communication, already started to disconnect households. In these instances a call has been made for municipalities to review their stance. This also applies to Dawid Kruiper Municipality. • The report from Emfuleni Municipality is that disconnections have been suspended, however they are aware that in the Eskom distribution areas, there are areas without electricity and Eskom will only deal with the problem post the lockdown. • The report from Polokwane Municipality is that indeed a consumer's prepaid cards was blocked due to monies owed to the municipality on rates and taxes. Upon picking up the challenge, the municipality intervened and removed the block and followed through with a comprehensive assessment of other consumers that may have been affected. The blocking of pre-paid has therefore been lifted and disconnections suspended.
5	<p>OPERATIONS AND GOVERNANCE</p> <p>(i) While it does make sense to prohibit <i>contact</i> meetings during the extended lockdown (as the first directives also did), municipalities should in fact be encouraged to consider reports and decisions by electronic means (as Parliament and provincial legislatures are currently doing to a limited extent). Will SALGA raise this issue on</p>	<ul style="list-style-type: none"> • SALGA holds the same view to that whereas contact and/or physical meetings of Council are prohibited, virtual meetings would not contravene the intention of the regulations. As such, virtual meetings should be taking place to avoid a huge governance and oversight vacuum in municipalities. • SALGA is however, mindful of a number of concerns pertaining to this interpretation and

	<p>behalf of municipalities, and recommend amendments to the ministerial directives?</p> <p>(ii) Are there mechanisms for public participation processes during the lockdown period?</p> <p>(iii) A complaint regarding Hantam municipality still having contact meetings as late as 16 April in direct violation of social distancing regulations, which prescribe virtual meetings.</p> <p>(iv) How will SALGA ensure that all councillors have the correct tools of trade to enter the virtual space to ensure accountability, oversight and monitoring?</p> <p>(v) It is reported that many municipalities currently don't hold virtual meetings, since video-chat consumes a lot of data per hour. How will these councils be assisted by SALGA?</p>	<p>has made a submission to COGTA to amend the regulations such as to specifically provide for municipalities to convene virtual Council as well as other governance meetings.</p> <ul style="list-style-type: none"> • Within the context of the prohibition, during the lockdown, of public participation processes related to the draft budget and IDP, SALGA has interacted with the SITA to explore options of municipalities conducting public participation processes both virtually and through the use of municipal websites. To avoid data costs to access municipal websites, steps have been initiated to secure zero rated status for municipal websites, which would enable access to the websites without data costs. • With all councillors having tools of trade (laptop or tablet) together with cellphone & data allowances, many municipalities have already rolled out <u>paperless meetings and now virtual meetings</u>. In order to limit the financial exposure to municipalities, SALGA has likewise engaged with the SITA to explore secure video conferencing solutions that could be used by municipalities. SALGA is in the process of rolling this support out to municipalities nationally.
6	<p>FISCAL RESPONSE (FUNDING)</p> <p>(i) What is Salga plan's to deal corruption on the R20billion allocated to municipalities?</p> <p>(ii) Are there measures in place to propel municipalities to adequately collect taxes from stakeholders and drive economic activity in rural municipalities? If yes, what are the relevant details?</p> <p>(iii) National Government should assist municipalities who are not able to collect revenue to meet their financial commitments.</p>	<ul style="list-style-type: none"> • In SALGA's view, the R20b allocation is part of a broader social package and interventions in responding to COVID-19, and in this instance, to address cash flow and liquidity challenges in municipalities for the provision of; emergency water supply, increased sanitization of public transport and facilities; providing food and shelter for the homeless as the President stated in his address on the 21 April 2020. the areas that will be prioritised include; <ul style="list-style-type: none"> – Addressing challenges of municipalities under financial distress – COVID-19 Related Interventions – Municipal Infrastructure and Services – Contribution to the Broader Local Government Economic Response • SALGA proposed that the R 20 Billion distribution should be equitable and agile in responding to the urgency of the COVID19 crisis and that the money should be used for the intended purpose, within the context that all related expenditure will be audited as with all expenditure of the municipality.

7	<p>ALLEGATIONS OF MISCONDUCT</p> <p>(i) The 19 cases as reported is an incomplete picture, please clarify and more details could be provided by members of the Committee.</p> <p>(ii) Exact details of what action has been taken should be provided.</p> <p>(iii) Why did SALGA not include the Mayor of Polokwane in the list of Councillors who were found to have bridged the code of conduct?</p> <p>(iv) External investigative authorities like SAPS should take over, municipalities should not investigate instances where their own councillors are alleged to be involved. This will ensure that stronger action are taken against culprit councillors.</p> <p>(v) Have all breaches of the Code of Conduct been referred to Municipal Ethics Committees?</p>	<ul style="list-style-type: none"> • The 19 incidents reported to the Portfolio Committee, are cases that SALGA could pick up both in the media as well as across the different Command Centres. SALGA welcome submissions from the Committee on matters that may not have been reported and will continue to update the list as and when progress is reported. • As per the SALGA presentation as well as the Circular sent to municipalities, SALGA had called upon Speakers of Municipalities, who are given the authority by the Code of Conduct for Councillors, to initiate proceedings against those who are alleged to contravene the regulations and as a consequence the Code of Conduct. As is indicative from the report, most municipalities have initiated proceedings, including referring the matters to Municipal Ethics Committees. • Whereas the Code of Conduct gives the investigative authority to Speakers, it does not prevent and/or stop both political parties and law enforcement agencies from against within their respective authorities. The report likewise, provide details of where a political party and law enforcement agencies have acted. • The matter raised pertaining to the Executive Mayor of Polokwane has been clarified in the media, but for sake of completeness, a response had been issued by the Municipality that the allegation that the Executive Mayor has excluded other wards for political reasons and that her assertions are refuted by Anglo, as the donor, and have no substance and are malicious. The Municipality confirmed that the wards are not allocated on political party partisan, but the determination of the criteria is based on the most needy, as per criteria of Anglo as the donor, and the municipal indigent policy. The wards selected to benefit are cutting across the different political parties in the municipal council. The donation received cannot cover all wards at once. It also confirmed that the Executive Mayor is not involved in approving any lists for food parcels. Ward Councillors were tasked to put together the lists and submit for further screening in line with the indigent policy. Furthermore that, the Gift of the Givers was responsible for the distribution of the food parcels and therefore the municipality through its Councillors did not receive any food parcels for distribution.
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		<p>established relevant sub-committees, which may include:</p> <ul style="list-style-type: none"> • A Disbursements Committee to interrogate all disbursement proposals; • An Audit and Risk Committee; • A Fundraising Committee which will drive the Fund's fundraising efforts and ensures appropriate processes are in place to safeguard the highest levels of accountability to funders and donors. • The Municipal Solidarity Funds will open separate and independent bank accounts and develop a governance framework that will guide the allocation and spending of all funds.
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