

# NOTICE

Ref no. 2/1/4/4/2

Date distributed:

**NOTICE OF THE 1<sup>st</sup> COUNCIL MEETING OF 2023/2024  
FINANCIAL YEAR OF THE COUNCIL OF BREEDE VALLEY MUNICIPALITY  
TUESDAY, 2023-07-25 AT 10:00**

**TO** The Speaker, Alderman J.F. Van Zyl [Chairperson]  
The Executive Mayor, Alderman A. Steyn (Ms)  
The Deputy Executive Mayor, Cllr J.J. von Willingh

**COUNCILLORS**

V.A. Bedworth  
W.M. Blom  
M.N. Bushwana  
G.L. Daames  
Alderman R. Farao  
M.A. Goedeman  
E.N. Isaacs  
Alderman C. Ismail  
J.R. Jack  
R.T. Johnson  
I.J. Joseph  
D. Judge  
J.P. Kritzinger  
S.K. Madlolo  
Z.M. Mangali  
T. S. Manuel  
P.H. Marais  
S.J. Mei  
Alderman W.R. Meiring  
J.M. Mokgosi

N. Nel  
C.T. Nyithana  
J. Pieters  
A. Pietersen  
O. Ralehoko  
P.C. Ramokhabi  
Alderman M. Sampson  
T.P. Sibozo  
S.S.T. Steenberg  
M. Swartz  
H.C. Titus  
E. Van der Westhuizen  
F. Vaughan  
M. Jacobs  
M.T. Williams  
C.F. Wilskut  
N.J. Wullschleger  
L.R. Yayi

Notice is hereby given in terms of Section 29, read with Section 18(2) of the *Local Government: Municipal Structures Act, 117 of 1998*, as amended, that the **1<sup>st</sup> COUNCIL MEETING** of the **2023/2024 FINANCIAL YEAR** of the **COUNCIL of BREEDE VALLEY MUNICIPALITY** will be held at **CAPE WINELANDS DISTRICT MUNICIPALITY, TRAPPE STREET WORCESTER** on **TUESDAY, 2023-07-25** at **10:00** to consider the items on the agenda.



**SPEAKER: ALDERMAN J.F. VAN ZYL**



**BREEDE VALLEY**  
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

**A caring valley of excellence.**

## TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.	<b>OPENING AND WELCOME</b>	5
2.	<b>OFFICIAL NOTICES</b>	5
2.1	Disclosure of interests	5
2.2	Applications for leave of absence	
3.	<b>COMMUNICATION</b>	5
3.1	Interviews or presentations by deputations	5
3.2	Birthdays of Councillors	6
3.3	Statements by the Speaker	6
3.4	Statements by the Executive Mayor	6
4.	<b>CONFIRMATION OF MINUTES</b>	6
4.1	The minutes of the following Council meeting were previously distributed	6
4.2	10 <sup>th</sup> Council Meeting: 2023-06-20	6
	<b>FOR CONFIRMATION</b>	6
5.	<b>REPORT BY THE EXECUTIVE MAYOR ON DECISIONS TAKEN BY THE EXECUTIVE MAYOR, THE EXECUTIVE MAYOR TOGETHER WITH THE DEPUTY EXECUTIVE MAYOR AND THE MAYORAL COMMITTEE</b>	6
5.1	The Deputy Executive Mayor: Cllr J.J. von Willingh	6
	<b><u>MAYCO MEETING HELD ON 18 JULY 2023</u></b>	
5.1.1	MUNICIPAL COURT UPDATE: THE PROGRESS OF THE MUNICIPAL COURT AND STATISTICS	6
5.2	MMC1: Alderman W.R. Meiring	7
	<b><u>MAYCO MEETING HELD ON 18 JULY 2023</u></b>	
5.2.1	SUBMISSION OF THE IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2023. MFMA SECTION 71 Report	7
5.2.2	QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT FOR THE 1 <sup>st</sup> QUARTER OF THE 2022/23 FINANCIAL YEAR	7
5.2.3	QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT FOR THE 4 <sup>th</sup> QUARTER OF THE 2022/23 FINANCIAL YEAR	8
5.2.4	REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH OF SEPTEMBER 2022	8
5.2.5	REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH OF JUNE 2023	8
5.2.6	ANNUAL SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT: 1 JULY 2022 TO 30 JUNE 2023	8



---

---

5.3	MMC2: Cllr. P.C. Ramokhabi	9
5.4	MMC3: Cllr. N. Nel	9
5.5	MMC4: Cllr. E. Van der Westhuizen	9
5.6	MMC5: Cllr J.R. Jack	9
5.7	MMC6: Cllr. V.A. Bedworth	9
5.8	MMC7: Cllr. J.P. Kritzinger	9
5.9	MMC8: Cllr F. Vaughan	9
6.	<b>COLLABORATOR OUTSTANDING RESOLUTIONS REPORT</b>	9
6.1	OUTSTANDING COUNCIL RESOLUTION REPORT PER DIRECTORATE AS EXTRACTED ON 18 JULY 2023.	9



<b>7.</b>	<b>CONSIDERATION OF MATTERS SUBMITTED BY THE ADMINISTRATION</b>	<b>14</b>
7.1	2023/2024 SERVICE DELIVERY BUDGET AND IMPLEMENTATION PLAN (SDBIP)	14
7.2	QUARTERLY PERFORMANCE REPORTS PERTAINING TO THE FOURTH QUARTER (1 APRIL 2023 – 30 JUNE 2023)	17
7.3	QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT FOR THE 1 <sup>st</sup> QUARTER OF THE 2022/23 FINANCIAL YEAR	19
7.4	QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT FOR THE 4 <sup>th</sup> QUARTER OF THE 2022/23 FINANCIAL YEAR	21
7.5	SUBMISSION OF THE IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2023. MFMA SECTION 71 Report	23
7.6	SUBMISSION OF THE IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2023. MFMA SECTION 71 & 52 (d) Report	26
7.7	REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH OF SEPTEMBER 2022	29
7.8	REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH OF JUNE 2023	31
7.9	ANNUAL SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT: 1 JULY 2022 TO 30 JUNE 2023	33
7.10	MUNICIPAL COURT UPDATE: THE PROGRESS OF THE MUNICIPAL COURT AND STATISTICS	35
<b>8.</b>	<b>CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY SUBMITTED BY THE MUNICIPAL MANAGER</b>	<b>40</b>
<b>9.</b>	<b>CONSIDERATION OF MATTERS SUBMITTED BY THE CHAIRPERSON OF COUNCIL</b>	<b>40</b>
<b>10.</b>	<b>CONSIDERATION OF NOTICES OF MOTION AND NOTICES OF QUESTIONS WHICH SHALL APPEAR ON THE AGENDA IN THE ORDER IN WHICH THEY HAVE BEEN RECEIVED BY THE MUNICIPAL MANAGER</b>	<b>40</b>
<b>11.</b>	<b>CONSIDERATION OF MOTION OF EXIGENCY</b>	<b>40</b>
<b>12.</b>	<b>CLOSURE</b>	<b>40</b>



---

## 1. OPENING AND WELCOME

In terms of the Rules of Order for Internal Arrangement By-Law 2012 (as amended) the chairperson must take the chair at the time stated in the notice of the meeting or as soon thereafter as is reasonably possible: provided that the meeting does not commence later than 30 (thirty) minutes after the time stated in the notice of the meeting and must proceed immediately with the business of the meeting.

---

## 2. OFFICIAL NOTICES

### 2.1 Disclosure of Interests

Item 6 of Schedule 7 of the Municipal Structures Amendment Act 3 of 2021 states:

A councillor must –

- (a) disclose to the council, or any committee of which that councillor is a member, any direct or indirect personal or private business interest that that councillor or any spouse, partner or business associate of that councillor may have in any matter before the council or the committee; and
- (b) withdraw from the proceedings of the council or committee when that matter is considered by the council or committee unless the council or committee decides that the councillors' direct or indirect interest in the matter is trivial or irrelevant.

### 2.2 APPLICATIONS FOR LEAVE OF ABSENCE

In terms of the Rules of Order for Internal Arrangement By-Law 2012 (as amended).

2.2.1 Every Councillor attending a meeting of the Council must sign his or her name in the attendance register kept for such purpose.

2.2.2 A Councillor must attend each meeting except when –

- (a) Leave of absence is granted in terms of Clause 10; or
- (b) The Councillor is required to withdraw in terms of law.

2.2.3 The Attendance Registers will be available at the meeting.

2.2.4 A blank Application for Leave of Absence form is enclosed.

---

## 3. COMMUNICATION

### 3.1 INTERVIEWS OR PRESENTATIONS BY DEPUTATIONS

In terms of the Rules of Order for Internal Arrangement By-Law 2012 (as amended).

*"A deputation seeking an interview with Council must give the Municipal Manager **6 (six) days** written notice of its intention and furnish details of the representations to be made and the source of the deputation. The Municipal Manager must submit a request by a deputation for an interview with Council to the Speaker, who may decide to grant or refuse an interview and under what conditions*

---



---

### 3.2 BIRTHDAYS OF COUNCILLORS

Cllr M.N. Bushwana	21 June 2023
Cllr S.K. Madlolo	7 July 2023
Cllr A. Pietersen	9 July 2023
Cllr J.R. Jack	25 July 2023

### 3.3 STATEMENTS BY THE SPEAKER

### 3.4 STATEMENTS BY THE EXECUTIVE MAYOR

---

## 4. CONFIRMATION OF MINUTES

### 4.1 In terms of the Rules of Order for Internal Arrangement By-Law 2012 (as amended).

- (a) Minutes of the proceedings of meetings must be compiled in printed form and be confirmed by the Council at the next meeting and signed by the Speaker.
- (b) The minutes shall be taken as read, for the purpose of confirmation, if a copy thereof was sent to each Councillor within forty-eight hours before the next meeting, subject to the provisions of sub-Clause (4).
- (c) No motion or discussion shall be allowed on the minutes, except in connection with the correctness thereof.
- (d) The minutes formulated and screened during meetings, shall constitute a resolution for purposes of implementation of decisions.

### 4.2 Council Meeting held on 20 June 2023

#### RECOMMENDATION

That in respect of

#### CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

discussed by Council at the Council Meeting held on 25 July 2023:

1. As the Minutes of the Council Meeting held on 20 June 2023 were sent to each councillor at least forty-eight hours prior to the meeting, the minutes of the Council meeting held 20 June 2023 be taken as read and confirmed.
- 

## 5. REPORT BY THE EXECUTIVE MAYOR ON DECISIONS TAKEN BY THE EXECUTIVE MAYOR, THE EXECUTIVE MAYOR TOGETHER WITH THE DEPUTY EXECUTIVE MAYOR AND THE MAYORAL COMMITTEE



---

**5.1 The Deputy Executive Mayor: Cllr J.J. von Willingh****5.1.1 MUNICIPAL COURT UPDATE: THE PROGRESS OF THE MUNICIPAL COURT AND STATISTICS****RESOLVED:**

That in respect of –

**MUNICIPAL COURT UPDATE: THE PROGRESS OF THE MUNICIPAL COURT AND STATISTICS**

as discussed by Mayco at the meeting held on 18 July 2023 with resolution number **EX19/2023**, the following recommendation be made to Council:

That Council take cognisance of the progress update and statistics of the Municipal Court.

---

**5.2 MMC1: Alderman W.R. Meiring.****5.2.1 SUBMISSION OF THE IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2023. MFMA SECTION 71 Report****RESOLVED:**

That in respect of

**SUBMISSION OF THE IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2023,**

discussed at the Mayco meeting held on the 18 July 2023 with resolution number **EX13/2023:**

That the committee take note of the in-year financial management report for the period ended 31 May 2023.

**5.2.2 QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT FOR THE 1<sup>st</sup> QUARTER OF THE 2022/23 FINANCIAL YEAR****RESOLVED:**

That in respect of

**QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT FOR THE 1<sup>st</sup> QUARTER OF THE 2022/23 FINANCIAL YEAR**

discussed at the Mayco meeting held on the 18 July 2023 with resolution number **EX14/2023:**

That the approved SCM quarterly implementation report for the 1<sup>st</sup> quarter of the 2022/23 financial year, be noted.



---

---

### 5.2.3 QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT FOR THE 4<sup>th</sup> QUARTER OF THE 2022/23 FINANCIAL YEAR

**RESOLVED:**

That in respect of

**QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT FOR THE 4<sup>th</sup> QUARTER OF THE 2022/23 FINANCIAL YEAR**

Discussed at the Mayco meeting held on 18 July 2023 with resolution number **EX15/2023:**

That the approved SCM quarterly implementation report for the 4th quarter of the 2022/23 financial year, **be noted.**

### 5.2.4 REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH OF SEPTEMBER 2022

**RESOLVED:**

That in respect of

**REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH OF SEPTEMBER 2022**

Discussed at the Mayco meeting held on 18 July 2023 with resolution number **EX16/2023:**

1. That the deviations from the procurement processes, approved in terms of delegated authority for the month of September 2022, be noted.

### 5.2.5 REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH OF JUNE 2023

**RESOLVED:**

That in respect of

**REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH OF JUNE 2023**

Discussed at the Mayco meeting held on 18 July 2023 with resolution number **EX17/2023:**

That the deviations from the procurement processes, approved in terms of the delegated authority for the month of June 2023, **be noted.**

### 5.2.6 ANNUAL SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT: 1 JULY 2022 TO 30 JUNE 2023

**RESOLVED:**

That in respect of

**ANNUAL SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT: 1 JULY 2022 TO 30 JUNE 2023**

Discussed at the Mayco meeting held on 18 July 2023 with resolution number **EX18/2023:**



That the approved SCM annual implementation report for the 2022/2023 financial year, **be noted.**

5.3 MMC 2: Cllr. P.C. Ramokhabi

5.4 MMC 3: Cllr. N. Nel

5.5 MMC 4: Cllr. E. Van der Westhuizen

5.6 MMC 5: Cllr J.R. Jack

5.7 MMC 6: Cllr. V.A. Bedworth

5.8 MMC 7: Cllr. J.P. Kritzinger

5.9 MMC 8: Cllr F. Vaughan

## 6. COLLABORATOR OUTSTANDING RESOLUTIONS REPORT

Council	Resolution	Meeting Date	Allocate To	% Compl.	Feedback Comment
172625	<p><b>SUBMISSION OF BY-LAW RELATING TO THE MANAGEMENT AND CONTROL OF FLATS (rental housing units) OWNED OR ADMINISTERED BY THE BREEDE VALLEY MUNICIPALITY</b></p> <p>RESOLVED C41/2015 That in respect of the SUBMISSION OF BY-LAW RELATING TO THE MANAGEMENT AND CONTROL OF FLATS (rental housing units) OWNED OR ADMINISTERED BY THE BREEDE VALLEY MUNICIPALITY discussed by Council at the Council meeting held on 25 of June 2015:</p> <p>1. That Council approved the draft By-Law relating to the Management and Control of flats (rental housing units) owned or administer by the Breede Valley Municipality;</p> <p>2. That the administration advertises said draft By-Law for public comments;</p> <p>3. That all comments be collated submitted to Council for final approval and promulgation in the Provincial Gazette.</p>	2015-06-25	GMAYEKI	95	The item will be submitted to the council in order to amend. The by-law will be included in the next policy workshop with all other policy related documents.



		4. That the draft By-Law be workshopped with all the Councillors.				
--	--	---	--	--	--	--

Council	Resolution	Meeting Date	Allocate To	% Compl.	Feedback Comment
776194	<b>ALLEGED BREACH OF CODE OF CONDUCT FOR COUNCILLORS: CLLR. C.F. WILSKUT</b> RESOLVED C21/2020 1. That Council appoint a Disciplinary Committee comprising of 11 members (6 DA members and one member of each other Political Party ( i.e ANC; BO; FF+; PDM; EFF); 2. That Cllr J.F. van Zyl be appointed as the Chairperson of the Disciplinary Committee; 3. The names of members to the Disciplinary Committee should be submitted to the Speaker within 7 days from the date of the Council Meeting.	2020-02-25	JVANWYK	75	Compilation of Disciplinary Committee rescinded and reviewed and replaced by a committee comprising of 5 Councillors, inclusive of the Chairperson. The Prosecutor has been appointed and trial date is pending.
1155841	<b>ALLEGED BREACH OF CODE OF CONDUCT FOR COUNCILLORS: CLLR. MARGARET SWARTZ. ITEM FOR COUNCIL: 26 JULY 2022</b> RESOLVED C85/2022 In terms of Clause 16 of the Code of Conduct: a) A Municipal Council may – investigate and make a finding on any alleged breach of a provision of this Code; or b) Establish a Special Committee: i) to investigate and make a finding on any alleged breach of this code and ii) to make appropriate recommendations to the Council. And whereas a special committee, pertaining to the investigation of disciplinary matters, has already been established by Council per Council decision C40/2022. Cllr Nel proposed that Council recommends this motion to the established Special Committee to investigate and make a finding on any alleged breach of this code and to make appropriate recommendations to the Council, as stated above under point (b).	2022-07-26	JVANZYL	50	Finalization of trial date pending.
1185140	<b>ALLEGED BREACH OF CODE OF CONDUCT FOR COUNCILLORS: CLLR. C.F. WILSKUT.</b> RESOLVED: That in respect of – ALLEGED BREACH OF CODE OF CONDUCT FOR COUNCILLORS: CLLR.C.F. WILSKUT. as discussed by Council at the Council meeting held on 23 August 2022 with resolution number C98/2022 Council decide that: In terms of Clause 16 of the	2022-08-23	JVANZYL	50	Finalization date of trial pending. Prosecutor appointed.



		<p>Code of Conduct :</p> <p>1. a) A Municipal Council may – investigate and make a finding on any alleged breach of a provision of this Code ; or</p> <p>b) Establish a Special Committee :</p> <p>i) to investigate and make a finding on any alleged breach of this code and</p> <p>ii) to make appropriate recommendations to the Council.</p> <p>And whereas a special committee, pertaining to the investigation of disciplinary matters, has already been established by Council per Council decision C40/2022.</p>				
--	--	---	--	--	--	--

Council	Resolution	Meeting Date	Allocate To	% Compl.	Feedback Comment
1352782	<p><b>2023 CUSTOMER SERVICE CHARTER</b></p> <p>RESOLVED: That in respect of - The 2023 Customer Service Charter tabled before Council at the Council meeting held on 30 May 2023 with resolution number C37/2023:</p> <p>1. That Council, having noted the content of the 2023 Customer Service Charter, provides in principle approval thereof subject to the following conditions: a. The Customer Service Charter be referred to a Council Workshop to be held on 8 June 2023; b. The Customer Service Charter be made public in terms of section 21 of the MSA; c. That such public comments (if any) be tabled at Council for consideration; and d. The Customer Service Charter be resubmitted to Council for final consideration and approval.</p>	2023-05-30	CMALGAS	75	All recommendations implemented apart form recommendation (d). Emanating from the Council Workshop, certain recommendations were made linked to the refinement of the final product before resubmission to Council. Resubmission is prioritised to occur within Q1 of the 2023/2024 financial period.
1352783	<p><b>2022/2023 COMMUNICATION STRATEGY</b></p> <p>RESOLVED: That in respect of - The 2022/2023 Communication Strategy tabled before Council at the Council meeting held on 30 May 2023 with resolution number C38/2023:</p> <p>1. That Council, having noted the content of the 2022/23</p>	2023-05-30	CMALGAS	75	The Communication Strategy served before Council on 30 May 2023 and was workshopped with Council on 8 June 2023. The Strategy has also been circulated to the public for input. Upon receipt and consideration of the latter, the Strategy will be resubmitted to



		<p>Communications Strategy, provides in principle approval thereof subject to the following conditions:</p> <p>a. The strategy be referred to a Council Workshop to be held on 8 June 2023 ;</p> <p>b. The strategy be made public in terms of section 21 of the MSA and submitted to the relevant stakeholders (i.e. relevant National &amp; Provincial Government Departments as well as the Cape Winelands District Municipality) for input;</p> <p>c. That such public comments (if any) be tabled at Council for consideration; and</p> <p>d. The strategy be resubmitted to Council for final consideration and approval.</p>				Council.
1364219	<b>BREDE VALLEY MUNICIPALITY INVESTMENT INCENTIVE POLICY</b>	<p><b>RESOLVED:</b></p> <p>That in respect of the BREDE VALLEY MUNICIPALITY INVESTMENT INCENTIVE POLICY</p> <p>Discussed by Council in the Council meeting held on 20 June 2023, resolution number C61/2023; the following recommendation is proposed:</p> <p>1. To present the initial discussion document "Draft BVM Investment Incentive Policy" to Council for notification that an internal administrative committee must be established to develop an Investment Incentive Policy for BVM.</p> <p>2. That council task the municipal manager to establish an intra-municipal administrative committee of senior officials and internal specialists under the Director of Strategic Support Services chairmanship to draft the Investment Incentive Policy and table it to the council within four months.</p> <p>3. At the minimum, the following key sections and departments, being the CFO, the Director of Engineering, the Director of Community Services, the Director of Public Services, the Senior Managers of Financial Planning, SCM, Electricity, Income, Planning and Public</p>	2023-06-20	CJANUARY2	25	As per the Council resolution a series on internal consultation session is planned for the current financial year



---

---

		Services must serve on the committee and actively provide specialist detailed inputs in writing to the draft policy within the deadlines as set out by the committee chairperson and actively attend all meetings of the committee.				



---

**7. CONSIDERATION OF AGENDA ITEMS****7.1 2023/2024 SERVICE DELIVERY BUDGET AND IMPLEMENTATION PLAN (SDBIP)****File No./s:** 3/15/1**Responsible Official:** C Malgas**Directorate:** Strategic Support Services**Portfolio:** Performance Management

---

**1. PURPOSE:**

To notify Council of the approval of the 2023/2024 Service Delivery Budget and Implementation Plan (SDBIP).

**2. BACKGROUND:**

In terms of Section 1 of the Municipal Finance Management Act, Act no. 56 of 2003, the “service delivery and budget implementation plan” means a detailed plan approved by the mayor of a municipality in terms of Section 53 (1)(c)(ii) for implementing the municipality’s delivery of municipal services and its annual budget, and which must indicate—

(a) projections for each month of—

(i) revenue to be collected, by source; and

(ii) operational and capital expenditure, by vote;

(b) service delivery targets and performance indicators for each quarter; and

(c) any other matters that may be prescribed,

and includes any revisions of such plan by the mayor in terms of section 54(1)(c).

The municipality’s SDBIP is approved by the mayor within 28 days after the approval of the budget. According to Section 53 (3), the mayor must ensure—

(a) that the revenue and expenditure projections for each month and the service delivery targets and performance indicators for each quarter, as set out in the service delivery and budget implementation plan, are made public no later than 14 days after the approval of the service delivery and budget implementation plan; and

(b) that the performance agreements of the municipal manager, senior managers and any other categories of officials as may be prescribed, are made public no later than 14 days after the approval of the municipality’s service delivery and budget implementation plan.



According to MFMA Circular 13 of National Treasury, the SDBIP provides the **vital link** between the mayor, council (executive) and the administration, and facilitates the process for holding management accountable for its performance. The SDBIP serves as a **management, implementation and monitoring tool** that will assist the mayor, councillors, municipal manager, senior managers and community to monitor in-year information, such as quarterly service delivery and monthly budget targets, and links each service delivery output to the budget of the municipality, thus providing credible management information and a detailed plan for how the municipality will provide such services and the inputs and financial resources to be used. A properly formulated SDBIP will ensure that appropriate information is circulated internally and externally for purposes of monitoring the execution of the budget, performance of senior management and achievement of the strategic objectives set by council.

Council should note that the compilation of the 2023/2024 SDBIP was based on the premise of due consultation amongst the senior management team, KPI custodians (i.e. management) and the Mayoral Committee (i.e. portfolio Councillors). The consultation process commenced in March 2023 and concluded in June 2023.

### 3. COMMENT

A copy of the approved 2023/2024 SDBIP is attached as Annexure "A"

### 4. FINANCIAL IMPLICATIONS:

None

### 5. APPLICABLE LEGISLATION / COUNCIL POLICY:

Local government: Municipal Finance Management Act, Act no.56 of 2003

MFMA Circular 13 dealing with the SDBIP

### 6. COMMENT OF DIRECTORATES / DEPARTMENTS CONCERNED:

<b>Municipal Manager:</b>	Recommendation supported
<b>Director: Strategic Support Services:</b>	Recommendation supported
<b>Director: Financial Services:</b>	Recommendation supported



- Director: Engineering Services:** The Director Engineering Services was on official leave during the time of circulation of this item. However, the Director duly participated in the compilation of the SDBIP (particularly Engineering Services), hence, the recommendation is captured as supported in his absence (Manager: IDP/PMS)
- Director: Community Services:** Recommendation supported
- Senior Manager: Legal Services:** Recommendation supported

**RECOMMENDATION**

That in respect of -

**The 2023/2024 SERVICE DELIVERY BUDGET AND IMPLEMENTATION PLAN (SDBIP)** discussed by the Council at the Council meeting held on 25 July 2023:

1. That Council takes note of the approved 2023/2024 SDBIP as attached in the annexed schedule.



---

## 7.2 QUARTERLY PERFORMANCE REPORTS PERTAINING TO THE FOURTH QUARTER (1 APRIL 2023 – 30 JUNE 2023)

**File No./s:** 3/15/1

**Responsible Official:** C Malgas

**Directorate:** Strategic Support Services

**Portfolio:** Performance Management

---

### 1. PURPOSE

To inform Council on the implementation of the budget and the financial state of affairs of the Municipality and assess performance against the performance indicators set in the approved 2022/2023 Top-Layer SDBIP.

### 2. BACKGROUND

According to Section 52(d) of the MFMA, the Mayor must, submit a report to the Council on the implementation of the budget and the financial state of affairs of the Municipality. Effective in-year reporting provides municipal management with an opportunity to analyse performance and address shortcomings and improve internal controls and service delivery.

All quarterly reports tabled in the Council in terms of section 52(d) must be placed on the website not later than five days after its tabling in the Council or on the date on which it must be made public, whichever occurs first.

### 3. COMMENT

A copy of the Quarter 4 SDBIP Performance Report and Top-Layer KPI Report is attached as Annexures "A" and "B" respectively.

### 4. FINANCIAL IMPLICATIONS

None

### 5. APPLICABLE LEGISLATION / COUNCIL POLICY

- Municipal Finance Management Act, no. 56 of 2003



---

---

## 6. COMMENTS OF DIRECTORATES CONCERNED

<b>Municipal Manager:</b>	Recommendation supported
<b>Director: Strategic Support Services:</b>	Recommendation supported
<b>Director: Financial Services:</b>	Recommendation supported
<b>Director: Engineering Services:</b>	<i>*On official leave</i>
<b>Director: Community Services:</b>	Recommendation supported
<b>Senior Manager: Legal Services:</b>	Recommendation supported
<b>IDP/PMS Manager (Author of the Item):</b>	The comment/recommendation of the Director Engineering Services has not been captured on the item, as the applicable Director was on official leave during the time of circulating the item. However, due to the legislative importance hereof, the item is submitted in his absence and in good faith.

### RECOMMENDATION

That in respect of -

**The Quarterly Performance Report for the Fourth Quarter (1 April 2023 – 30 June 2023),**  
as discussed by Council at the Council meeting held on 25 July 2023:

1. That Council takes note of the Quarter 4 SDBIP Performance Report and the Top-Layer KPI Report for the period 1 April 2023 – 30 June 2023.



---

---

### 7.3 QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT FOR THE 1<sup>ST</sup> QUARTER OF THE 2022/23 FINANCIAL YEAR

**File No./s:** 2/1/1/1

**Responsible Official:** R. Ontong

**Directorate:** Financial Services

**Portfolio:** Supply Chain Management

---

---

#### 1. PURPOSE

The Local Government: Municipal Finance Management Act, no 56 of 2003 (MFMA), requires the municipality to have and implement a Supply Chain Management (SCM) Policy who gives effect to the provisions of Part 1 of Chapter 11 of the Act that deals with 'Supply Chain Management'.

#### 2. BACKGROUND

Although the MFMA prohibits a Councillor from being a member of a bid committee or any other committee evaluating or approving quotations or tenders, Council has an oversight role to ensure that the Accounting Officer implements all supply chain management activities in accordance with this policy. For the purposes of such oversight, Council's Supply Chain Management Policy, **paragraph 6.3** requires that the Accounting Officer must "**within 10 working days of the end of each quarter, submit a report on the implementation of the supply chain management policy to the mayor of the municipality.**" In addition, **paragraph 6.4** requires that the report referred to in paragraph 6.3 above **also to be tabled to council on a quarterly basis.** The report may be included as part of any other report to serve before council.

The SCM quarterly implementation report approved in terms of paragraph 6.3 for the 1<sup>st</sup> quarter of the 2022/23 financial year, is attached as **Annexure A.**

#### 3. FINANCIAL IMPLICATIONS

None

#### 4. APPLICABLE LEGISLATION / COUNCIL POLICY

Municipal Finance Management Act. 2003, (Act 56 of 2003)  
Breede Valley Supply Chain Management Policy, as amended.  
Supply Chain Management Regulations



**Annexure**

Annexures A: SCM quarterly implementation report (1<sup>st</sup> quarter ending 30 September 2022) approved in terms of paragraph 6.3.

**Decision by Section 80 Committee**

The item served as Item 5.2 on the Agenda before the Financial Services Committee on 13 July 2023, resolution number **FC7/2023**, the Committee referred the below recommendation to Council for notification.

**RECOMMENDATION**

That in respect of

**QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT FOR THE  
1<sup>st</sup> QUARTER OF THE 2022/23 FINANCIAL YEAR**

Discussed by Council at the Council meeting held on 25 July 2023:

That the approved SCM quarterly implementation report for the 1<sup>st</sup> quarter of the 2022/23 financial year, be noted.



---

---

## 7.4 QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT FOR THE 4<sup>th</sup> QUARTER OF THE 2022/23 FINANCIAL YEAR

**File No./s:** 2/1/1/1

**Directorate:** Financial Services

**Responsible Official:** R. Ontong

**Portfolio:** Supply Chain Management

---

---

### 1. Purpose

The Local Government: Municipal Finance Management Act, no 56 of 2003 (MFMA), requires the municipality to have and implement a Supply Chain Management (SCM) Policy which gives effect to the provisions of Part 1 of Chapter 11 of the Act that deals with 'Supply Chain Management'.

### 2. Background

Although the MFMA prohibits a Councillor from being a member of a bid committee or any other committee evaluating or approving quotations or tenders, Council has an oversight role to ensure that the Accounting Officer implements all supply chain management activities in accordance with this policy. For the purposes of such oversight, Council's Supply Chain Management Policy, **paragraph 6.3** requires that the Accounting Officer must "**within 10 working days of the end of each quarter, submit a report on the implementation of the supply chain management policy to the mayor of the municipality.**" In addition, **paragraph 6.4** requires that the report referred to in paragraph 6.3 above **also to be tabled to council on a quarterly basis**. The report may be included as part of any other report to serve before council.

The SCM quarterly implementation report approved in terms of paragraph 6.3 for the 4th quarter of the 2022/23 financial year, is attached as **Annexure A**.

### 3. Financial Implications

None

### 4. Applicable Legislation / Council Policy

Municipal Finance Management Act, 2003, (Act 56 of 2003)  
Breede Valley Supply Chain Management Policy, as amended.  
Supply Chain Management Regulations



**Annexure**

Annexures A: SCM quarterly implementation report (4th quarter ending 30 June 2023) approved in terms of paragraph 6.3.

**Decision by Section 80 committee**

The item served as Item 5.3 on the Agenda before the Financial Services Committee on 13 July 2023, resolution number **FC8/2023**, the Committee referred the below recommendation to Council for notification.

**RECOMMENDATION**

That in respect of

**QUARTERLY SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT FOR THE 4<sup>th</sup> QUARTER OF THE 2022/23 FINANCIAL YEAR**

Discussed by Council at the Council meeting held on 25 July 2023:

That the approved SCM quarterly implementation report for the 4th quarter of the 2022/23 financial year, **be noted**.



---

---

**7.5 SUBMISSION OF THE IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2023.  
MFMA SECTION 71 Report**

**File No. /s:** 3/15/1

**Responsible Officials:** R. Ontong

**Directorate:** Financial Services

**Portfolio:** Financial Services

---

---

**1. PURPOSE**

To submit to Council the in-year financial management report for adoption.

**2. BACKGROUND**

**In terms of the Municipal Finance Management Act, 56 of 2003, section 71.**

(1) The accounting officer of a municipality must by no later than 10 working days after the end of each month submit to the mayor of the municipality and the relevant provincial treasury a statement in the prescribed format on the state of the municipality's budget reflecting the following particulars for that month and for the financial year up to the end of that month:

- (a) Actual revenue, per revenue source;
- (b) actual borrowings;
- (c) actual expenditure, per vote;
- (d) actual capital expenditure, per vote;
- (e) the amount of any allocations received;
- (f) actual expenditure on those allocations, excluding expenditure on
  - (i) its share of the local government equitable share; and
  - (ii) allocations exempted by the annual Division of Revenue Act from compliance with this paragraph; and
- (g) when necessary, an explanation of-
  - (i) any material variances from the municipality's projected revenue by source, and from the municipality's expenditure projections per vote;
  - (ii) any material variances from the service delivery and budget implementation plan; and
  - (iii) any remedial or corrective steps taken or to be taken to ensure that projected revenue and expenditure remain within the municipality's approved budget.

(2) The statement must include-

- (a) a projection of the relevant municipality's revenue and expenditure for the rest of the financial year, and any revisions from initial projections; and
- (b) the prescribed information relating to the state of the budget of each municipal entity as provided to the municipality in terms of section 87(10).

(3) The amounts reflected in the statement must in each case be compared with the corresponding amounts budgeted for in the municipality's approved budget.



- 
- (4) The statement to the provincial treasury must be in the format of a signed document and in electronic format.
- (5) The accounting officer of a municipality which has received an allocation referred to in subsection (1)(e) during any particular month must, by no later than 10 working days after the end of that month, submit that part of the statement reflecting the particulars referred to in subsection (1)(e) and (f) to the national or provincial organ of state or municipality which transferred the allocation.
- (6) The provincial treasury must by no later than 22 working days after the end of each month submit to the National Treasury a consolidated statement in the prescribed format on the state of the municipalities' budgets, per municipality and per municipal entity.
- (7) The provincial treasury must, within 30 days after the end of each quarter, make public as may be prescribed, a consolidated statement in the prescribed format on the state of municipalities' budgets per municipality and per municipal entity. The MEC for finance must submit such consolidated statement to the provincial legislature no later than 45 days after the end of each quarter.

### 3. FINANCIAL IMPLICATIONS

None

### 4. APPLICABLE LEGISLATION/ COUNCIL POLICY

Municipal Finance Management Act, 56 of 2003 (Section 71);

Municipal Budget and Reporting Regulations, 2009

#### Comment of Directorates/ Departments concerned:

<b>Municipal Manager:</b>	Recommendation supported
<b>Director: Strategic Support Services:</b>	Recommendation supported
<b>Director: Financial Services:</b>	Recommendation supported
<b>Director: Community Services:</b>	Recommendation supported
<b>Director: Engineering Services:</b>	Recommendation supported



**Decision by Section 80 Committee**

The item served as Item 5.1 on the Agenda before the Financial Services Committee on 13 July 2023, resolution number **FC6/2023**, the Committee referred the below recommendation for notification.

**RECOMMENDATION:**

That in respect of  
**SUBMISSION OF THE IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2023**,  
discussed by Council at the Council meeting held on the 25 July 2023:

1. That Council take note of the in-year financial management report for the period ended 31 May 2023.



---

**7.6 SUBMISSION OF THE IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2023.  
MFMA SECTION 71 & 52 (d) Report****File No. /s:** 3/15/1**Responsible Officials:** R. Ontong**Directorate:** Financial Services**Portfolio:** Financial Services

---

**Purpose**

To submit to Council the In-year financial management report for adoption.

**Background:****In terms of the Municipal Finance Management Act, 56 of 2003, section 71.**

(1) The accounting officer of a municipality must by no later than 10 working days after the end of each month submit to the mayor of the municipality and the relevant provincial treasury a statement in the prescribed format on the state of the municipality's budget reflecting the following particulars for that month and for the financial year up to the end of that month:

- (a) Actual revenue, per revenue source;
  - (b) actual borrowings;
  - (c) actual expenditure, per vote;
  - (d) actual capital expenditure, per vote;
  - (e) the amount of any allocations received;
  - (f) actual expenditure on those allocations, excluding expenditure on
    - (i) its share of the local government equitable share; and
    - (ii) allocations exempted by the annual Division of Revenue Act from compliance with this paragraph; and
  - (g) when necessary, an explanation of-
    - (i) any material variances from the municipality's projected revenue by source, and from the municipality's expenditure projections per vote;
    - (ii) any material variances from the service delivery and budget implementation plan; and
    - (iii) any remedial or corrective steps taken or to be taken to ensure that projected revenue and expenditure remain within the municipality's approved budget.
- (2) The statement must include-
- (a) a projection of the relevant municipality's revenue and expenditure for the rest of the financial year, and any revisions from initial projections; and
  - (b) the prescribed information relating to the state of the budget of each municipal entity as provided to the municipality in terms of section 87(10).
- (3) The amounts reflected in the statement must in each case be compared with the corresponding amounts budgeted for in the municipality's approved budget.
- (4) The statement to the provincial treasury must be in the format of a signed



document and in electronic format.

- (5) The accounting officer of a municipality which has received an allocation referred to in subsection (1)(e) during any particular month must, by no later than 10 working days after the end of that month, submit that part of the statement reflecting the particulars referred to in subsection (1)(e) and (f) to the national or provincial organ of state or municipality which transferred the allocation.
- (6) The provincial treasury must by no later than 22 working days after the end of each month submit to the National Treasury a consolidated statement in the prescribed format on the state of the municipalities' budgets, per municipality and per municipal entity.
- (7) The provincial treasury must, within 30 days after the end of each quarter, make public as may be prescribed, a consolidated statement in the prescribed format on the state of municipalities' budgets per municipality and per municipal entity. The MEC for finance must submit such consolidated statement to the provincial legislature no later than 45 days after the end of each quarter.

**In terms of the Municipal Finance Management Act, 56 of 2003, section 52(d).**

The mayor of a municipality—

- (d) must, within 30 days of the end of each quarter, submit a report to the council on the implementation of the budget and the financial state of affairs of the municipality.

**Financial Implications:**

None

**Applicable Legislation/ Council Policy:**

Municipal Finance Management Act, 56 of 2003 (Section 52(d) & 71);  
Municipal Budget and Reporting Regulations, 2009

**Comment of Directorates/ Departments concerned:**

<b>Municipal Manager:</b>	Recommendation supported
<b>Director: Strategic Support Services:</b>	Recommendation supported
<b>Director: Financial Services:</b>	Recommendation supported
<b>Director: Community Services:</b>	Recommendation supported
<b>Director: Engineering Services:</b>	Recommendation supported



**RECOMMENDATION:**

That in respect of

**SUBMISSION OF THE IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2023** discussed by council at the council meeting held on the 25 July 2023:

1. That council take note of the in-year financial management report for the period ended 30 June 2023.



---

**7.7 REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH OF SEPTEMBER 2022****File No./s:** 2/1/1/1**Responsible Official:** R. Ontong**Directorate:** Financial Services**Portfolio:** SC Management

---

**Purpose**

To report to Council on all deviations and their reasons, approved by the delegated authority in terms of paragraph 36(2) of the Supply Chain Management Policy, for the month of September 2022.

**Background**

The purpose of this report is to ensure that Council maintains oversight over the implementation of the Supply Chain Management Policy. In terms of paragraph 36(2) of the said policy, the Accounting Officer must record the reasons for any deviations in terms of paragraph 36(1)(a) of the policy and report them to Council. However, it must be noted that these deviations also serve on the **monthly Section 71** (MFMA) report/s to Mayco and **quarterly Section 52** (MFMA) report/s to Council.

Deviations approved in terms of paragraph 36(1)(a) for the month of September 2022, are attached as **Annexure A**.

**Financial Implications**

Reference can be made to the total approved amount as reflected in annexure "A"

**Applicable Legislation / Council Policy**

Municipal Finance Management Act. 2003, (Act 56 of 2003)  
Breede Valley Supply Chain Management Policy, as amended.  
Supply Chain Management Regulations

**Comment of Directorates / Departments****Municipal Manager:** Noted**Director: Strategic Support Services:** Noted**Director: Financial Services:** Noted**Director: Engineering Services:** Noted**Director: Community Services:** Noted**Senior Manager: Legal Services:** Noted

**Decision by Section 80 committee**

The item served as Item 5.4 on the Agenda before the Financial Services Committee on 13 July 2023, resolution number **FC9/2023**, the Committee referred the below recommendation to Council for notification.

**RECOMMENDATION:**

That in respect of

**REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH OF SEPTEMBER 2022**

Discussed by Council at the Council meeting held on 25 July 2023:

1. That the deviations from the procurement processes, approved in terms of the delegated authority for the month of September 2022, be noted.



---

---

**7.8 REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH OF JUNE 2023****File No./s:** 2/1/1/1**Responsible Official:** R. Ontong**Directorate:** Financial Services**Portfolio:** Supply Chain Management

---

---

**1. Purpose**

To report to Council on all deviations and their reasons, approved by the delegated authority in terms of paragraph 36(2) of the Supply Chain Management Policy, for the month of June 2023.

**2. Background**

The purpose of this report is to ensure that Council maintains oversight over the implementation of the Supply Chain Management Policy. In terms of paragraph 36(2) of the said policy, the Accounting Officer must record the reasons for any deviations in terms of paragraph 36(1)(a) of the policy and report them to Council. However, it must be noted that these deviations also serve on the **monthly Section 71** (MFMA) report/s to Mayco and **quarterly Section 52** (MFMA) report/s to Council.

Deviations approved in terms of paragraph 36(1)(a) for the month of June 2023, are attached as **Annexure A**.

**3. Financial Implications**

Reference can be made to the total approved amount as reflected in annexure "A"

**4. Applicable Legislation / Council Policy**

Municipal Finance Management Act. 2003, (Act 56 of 2003)  
Breede Valley Supply Chain Management Policy, as amended.  
Supply Chain Management Regulations

**5. Comment of Directorates / Departments**

**Municipal Manager:** Noted

**Director: Strategic Support Services:** Noted

**Director: Financial Services:** Noted

**Director: Engineering Services:** Noted

**Director: Community Services:** Noted

**Senior Manager: Legal Services:** Noted



**Decision by Section 80 committee**

The item served as Item 5.5 on the Agenda before the Financial Services Committee on 13 July 2023, resolution number **FC10/2023**, the Committee referred the below recommendation as stated to Council for notification.

**RECOMMENDATION**

That in respect of

**REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH OF JUNE 2023**

Discussed by Council at the Council meeting held on 25 July 2023:

1. That the deviations from the procurement processes, approved in terms of the delegated authority for the month of June 2023, **be noted**.



---

---

**7.9 ANNUAL SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT: 1 JULY 2022 TO 30 JUNE 2023****File No./s:** 2/1/1/1**Responsible Official:** R. Ontong**Directorate:** Finance**Portfolio:** Finance

---

---

**1. PURPOSE**

The Local Government: Municipal Finance Management Act, no 56 of 2003 (MFMA), requires the municipality to have and implement a Supply Chain Management (SCM) Policy which gives effect to the provisions of Part 1 of Chapter 11 of the Act that deals with 'Supply Chain Management'.

Although the MFMA prohibits a Councilor from being a member of a bid committee or any other committee evaluating or approving quotations or tenders, Council has an oversight role to ensure that the Accounting Officer implements all supply chain management activities in accordance with this policy. For the purposes of such oversight, Council's Supply Chain Management Policy, **Paragraph 6.2(a)(i)** requires that the Accounting Officer must **"Within 30 calendar days of the end of each financial year, submit a report on the implementation of the policy to Council."**

**2. Background**

Although the MFMA prohibits a Councilor from being a member of a bid committee or any other committee evaluating or approving quotations or tenders, Council has an oversight role to ensure that the Accounting Officer implements all supply chain management activities in accordance with this policy. For the purposes of such oversight, Council's Supply Chain Management Policy, **paragraph 6.2(a)(i)** requires that the Accounting Officer must **"within 30 working days of the end of each quarter, submit a report on the implementation of the supply chain management policy to the mayor of the municipality."** In addition, **paragraph 6.4** requires that the report referred to in paragraph 6.2 above **also to be tabled to council on a quarterly basis**. The report may be included as part of any other report to serve before council.

The SCM annual implementation report approved in terms of paragraph 6.2(a)(i) for the financial year 2022/2023, is attached as **Annexure A**.

**3. Financial Implications**

None

**4. Applicable Legislation / Council Policy**

Municipal Finance Management Act, 2003, (Act 56 of 2003)  
Breede Valley Supply Chain Management Policy, as amended.  
Supply Chain Management Regulations

Annexure



---

Annexures A: SCM annual implementation report (1 July 2022 to 30 June 2023) approved in terms of paragraph 6.2 (a)(i).

### **Decision by Section 80 Committee**

The item served as Item 5.6 on the Agenda before the Financial Services Committee on 13 July 2023, resolution number **FC11/2023**, the Committee referred the below recommendation as stated to Council for notification.

### **RECOMMENDATION**

That in respect of

### **ANNUAL SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT: 1 JULY 2022 TO 30 JUNE 2023**

Discussed by Council at the Council meeting held on 25 July 2023:

That the approved SCM annual implementation report for the 2022/2023 financial year, **be noted.**



---

## 7.10 MUNICIPAL COURT UPDATE: THE PROGRESS OF THE MUNICIPAL COURT AND STATISTICS

**File no.:** 9/2/1/1/56

**Responsible Official:** S Schroeder

**Directorate:** Community Services

**Portfolio:** Municipal Court

---

### 1. PURPOSE

The purpose of the item is to:

- a) Provide an update on progress made at the Municipal Court since the establishment, and
- b) What matters are to be placed on the court roll, and
- c) Statistics of the Municipal (Additional) Court relating to court appearances.

### 2. BACKGROUND / DISCUSSION

The principle/goal of the Municipal Court has a direct link with the vision of the Breede Valley Municipality. The Municipal Court, through effective and efficient prosecuting of transgressors of Traffic offences, by-laws, National Building Regulations, and others, can fulfil the ultimate goal to empower the Breede Valley community to prosper in a safe and healthy environment.

The Municipal Court commenced with operations during July 2021. The Department of Justice appointed a Magistrate designated for the Municipal Court on 1 October 2021.

The Municipal Court is fully operational and is sitting on a full-time basis.

### 3. PROGRESS OF THE MUNICIPAL COURT SINCE OPENING IN JULY 2021:

The Municipal court commenced with operations during July 2021. During this period, we operated with the assistance of a Magistrate from the Magistrates' Court in Worcester. The Magistrate allocated to the Municipal Court was appointed on the 1<sup>st</sup> of October 2021. The Municipal Court Magistrate is appointed by the Department of Justice and Constitutional Development on a contractual basis.

Since its commencement, the Municipal Court has an important function in ensuring the compliance with the National Building Regulations and Municipal By-Laws.



---

The Municipal Court also adjudicates traffic related offences received from the Provincial and Municipal Traffic Departments that are committed within the jurisdiction of the Breede Valley Municipality.

The Municipal Court roll is also compiled of speeding fines deduced from speeding cameras; these matters are placed on the court roll once a week.

The Municipal court process all representations received by the public.

By -Law Matters, such as public nuisance, was also received and placed on the court roll. These matters were postponed for compliance by the accused.

The Municipal court received encroachment matters, which matters were placed on the court roll. The accused are in the process of removing the encroachments after their applications were declined.

The relevant Municipal departments are engaging and forwarding their matters to the Municipal Court.

The Department of Justice and Constitutional Development employed a new Municipal Court Magistrate on 01 March 2023.

**Traffic Violations issued for the period of April 2023-June 2023:**

A total number of 24 690 Traffic violations were issued for the period.

**Building Regulations and By-Law matters:**

The Municipal Court deals with Matters from the Directorate: Planning and Integrated Services, such as failure to submit building plans, failure to apply for occupancy certificates and failure to remove building rubble etc.



During this period 16 matters were received, 12 new matters were placed on the Municipal Court roll and 2 was withdrawn due to compliance.

### **Finance and warrants of arrest:**

During the period of 1 April 2023 to 30 June 2023 the Municipal Court received an income of R 1 986 278.

	MONTHLY INCOME	MUN FINES ON ROLL	PROVINCIAL FINES ON COURT ROLL	TOTAL WARRANTS ISSUED
January 2023	R 1 571 834	366	1801	1683
February 2023	R 612 006	472	2556	2677
March 2023	R 849 352	979	3802	3603
TOTAL	<u>R 3 033 192</u>			
<b>*April 2023</b>	<b>R 335 551</b>	<b>257</b>	<b>1720</b>	<b>1 145</b>
<b>*May 2023</b>	<b>R 1 064 333</b>	<b>358</b>	<b>2845</b>	<b>2 104</b>
<b>*June 2023</b>	<b>R 586 394</b>	<b>339</b>	<b>2745</b>	<b>1 878</b>
<b>TOTAL</b>	<b><u>R 1 986 278</u></b>			

### **Municipal Court expenses (Budgeted personnel costs):**

1. Magistrate annual remuneration: R 934 277
2. Prosecutor annual remuneration: R 882 294

### **Statistics relating to court appearances:**

During the period of April 2023 to 30 June 2023 the Municipal Court sat for 42 days and heard the following matters:



Total matters in court	321
Guilty	179
Not guilty	0
Withdrawn:	2-complied 2 withdrawn
Postponements	113
Bench warrants issued in court	25
warrants placed on court roll	36
Court hours	49 hours
New building/By law matters on court roll	12
Representations	1 209

**4. COMMENTS**

- Municipal Manager** : Noted
- Director Community Services** : Noted
- Director: Engineering** : Noted
- Director Financial Services** : Noted
- Director Strategic Support Services** : Noted



---

---

**Decision by Section 80 Committee**

The item served as Item 5.1 on the Agenda before the Community and Strategic Support Services Committee on 13 July 2023, resolution number **CS15/2023**, the Committee referred the below recommendation to Council to take cognisance of.

**RECOMMENDATION**

That in respect of –

**MUNICIPAL COURT UPDATE: THE PROGRESS OF THE MUNICIPAL COURT AND STATISTICS**

as discussed by Council at the Council meeting held on 25 July 2023, the following recommendation be made to Council:

That Council take cognisance of the progress update and statistics of the Municipal Court.



---

**8. CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY SUBMITTED BY THE MUNICIPAL MANAGER**

---

**9. CONSIDERATION OF MATTERS SUBMITTED BY THE CHAIRPERSON OF COUNCIL**

---

**10. CONSIDERATION OF NOTICES OF MOTION AND NOTICES OF QUESTIONS WHICH SHALL APPEAR ON THE AGENDA IN THE ORDER IN WHICH THEY HAVE BEEN RECEIVED BY THE MUNICIPAL MANAGER**

---

**11. CONSIDERATION OF MOTIONS OF EXIGENCY**

---

**12. CLOSURE**

---

