

ANNEXURE A: Public Participation Policy Review

1. PREAMBLE

The Breede Valley municipality acknowledges its commitment to the development of a culture of municipal governance that complements formal representative government with a system of participatory governance (Municipal Systems Act, Section 16). The municipality has an obligation to establish appropriate mechanisms, processes and procedures to enable the local community to participate in the affairs of the municipality in terms of the provisions of the Local Government: Municipal Systems Act, Act no 32 of 2000 (Section 17).

2. PURPOSE

The purpose of the policy is to provide for mechanisms by which citizens may participate in the affairs of the municipality; communicate available mechanisms, processes and procedures to communities to encourage and facilitate public participation; to fully mainstream public participation in Breede Valley's municipal processes; and to ensure openness, transparency, and accountability on the part of the Council, its political structures and its administration by providing for citizens to exercise their right to public participation.

3. DEFINITIONS

In this policy, unless the context indicates otherwise-

“Council” means the municipal council of Breede Valley municipality established by Municipal Systems Act, Act No. 32 of 2000 and Provincial Notice;

“Councillor” means a member of the council;

“IDP” means the integrated development plan as contemplated by Chapter 5 of the Systems Act

“Local community” or “community” in relation to the municipality, means that body of people comprising –

-The residents of the municipality

-The rate payers of the municipality

-Any civic organisation and non-governmental, private sector or labour organisation or bodies which are involved in local affairs in the municipality;

“Minister” means national minister responsible for local government;

“Municipal manager” means the person appointed in terms of Section 82 of the Local Government: Municipal Structures Act, Act No 117 of 1998;

“Municipality”, when referred to as “an entity” means municipality as described in Section 2 of the Local Government: Municipal Systems Act, Act No. 32 of 2000; and when referred to as a geographic area

means a municipality area determined in terms of the Local Government: Municipality Demarcation Act, Act No. 27 of 1998;

“**Province**” means the province of the Western Cape;

“**Provincial Gazette**” means the official gazette of the province;

“**Structures Act**” means the Local Government: Municipal Structures Act, Act No. 117 of 1998, as amended;

“**MSA/Systems Act**” means the Local Government: Municipal Systems Act, Act No. 32 of 2000, as amended.

4. DEVELOPMENT OF A CULTURE OF COMMUNITY PARTICIPATION

4.1 In giving effect to Section 16 of the MSA and as set out in the policy, the municipal manager must ensure that for this purpose –

4.1.1 The municipality encourages and creates conditions for the local community to participate in the affairs of the municipality, including in –

- The preparation, implementation and review of its integrated development plan;
- The establishment, implementation and review of its performance management plan;
- Consideration of drafts by-laws;
- The monitoring and review of its performance, including the outcome and impact of such performance;
- The preparation of its budget; and
- Strategic decisions relating to the provisioning of municipal services.

4.1.2 The municipality employs sufficient staff members, other than councillors, who may help in informing and educating the local community about the affairs of the municipality, in particular, in the areas referred to in Section 16 (1) (a), taking into account special needs, as described in Section 17 (2) of the Systems Act.

4.1.3 That all staff members, including councillors, are trained in the basic knowledge of the areas referred to in Section 16 of the MSA.

4.1.4 The municipal manager may establish a working group, consisting of councillors and previously trained staff members, to administer the training of new staff and councillors under Section 16 of the MSA.

5. MECHANISMS, PROCESSES AND PROCEDURES

5.1 The municipal manager must notify the public of all the available methods for public participation (MSA, Section 18). Notification may take the form as provided for in this policy.

5.2 The municipality must, when implementing methods for public participation, provide –

5.2.1 For a staff member to help members of the community who cannot read or write;

5.2.2 Appropriate access to public meetings for people with physical disabilities;

5.2.3 For the special needs of women and other disadvantaged groups;

5.2.4 A translator, after having assessed the language preferences and usage and where appropriate.

6. COMMUNICATION OF INFORMATION CONCERNING COMMUNITY PARTICIPATION

The provisions of Sections 17-21 of the Systems Act shall apply.

7. METHODS FOR PUBLIC PARTICIPATION

7.1 The municipal manager must inform the community of any public comment procedures available through which community members can voice their opinions and views on any affairs of the municipality on which the community's input is required, which may include, but is not limited to –

7.1.1 Public meetings by the Council and other political structures and office bearers of the municipality;

7.1.2 Consultative sessions with locally recognised community organisations, and;

7.1.3 The submission of written public comments.

7.3 Invitation for public comments and open sessions

7.3.1 When the municipality considers and deliberates on any of the following issues, it must hold open sessions to which the public and interested organisations must be invited to submit their views on –

7.3.1.1 The identification of needs of the community;

7.3.1.2 Strategies, programmes and services to address priority needs through the IDP;

7.3.1.3 The development, implementation and review of Council's performance management system, the setting of appropriate key performance indicators and performance targets;

7.3.1.4 Proposed tariffs, as contemplated in Section 74 of the Systems Act, as well as its Credit and Debt control policy.

7.3.1.5 Decisions on mechanisms for the provisioning of services through service delivery agreements, as contemplated by Section 76 (b) of the Systems Act.

7.3.1.6 The municipal manager must, after the Council has held an open session on any of the matters contemplated in this policy or other relevant legislation and after the conclusion of the session concerned:

7.3.2 Formulate a full report thereon together with any advice or recommendations the Council may deem necessary or desirable.

7.3.3 Make copies of the report available to the community in one or more of the following manners -

7.3.3.1 by publication in the local newspaper;

7.3.3.2 leaving a copy at all the libraries in the municipal area

7.3.3.3 posting a copy on the notice board at the council's offices; and

7.3.3.4 providing every councillor of each ward with copies for distribution to communities

7.3.5 The municipal manager must ensure that the report is published according to the council's language policy of the municipality.

7.4 Public participation meetings by the Council

7.4.1. The municipal manager must on appropriate notice and in a manner provided for in this policy notify the community of any public participation meeting.

7.4.2. Any such public participation meeting must take place within 14 (fourteen) days of the municipal manager having notified the community, unless otherwise specified.

7.4.3 Public participation meetings for wards 1 - 21 will be held separately

7.5 Notification of the public

7.5.1 Whenever the Council –

7.5.1.1 Holds a meeting as provided for under this policy;

7.5.1.2 Holds a session about any matter contemplated in this policy or any relevant legislation;

7.5.1.3 Holds a public meeting on any other matter decided by the Council that warrants notification of the community in terms of this policy in a reasonable period.

7.5.2 Copies of all notices as contemplated in this policy must be posted at:

7.5.2.1 The notice board at the Council's offices;

7.5.2.2 All libraries in the municipal area;

7.5.2.3 The local newspaper or newspapers of the municipal area; and

7.5.2.4 Ward information centres or other places as may be determined.

7.6 Notification of councillors

7.6.1 Ward councillors will be notified in writing 14 days in advance of public participation meetings that will be conducted by the municipality in their wards.

7.6.2 Councillors will be required to sign a receipt of notification of such meetings, which will be filed by the IDP Office.

7.6.3 Promotional material in the form of flyers to be distributed in the wards will be handed to ward councillors or anyone designated by the ward councillor.

7.7 Comments via electronic mail

7.7.1 The municipal manager, if it's in the confines of the municipality's resources and capacity, provide the public with a central e-mail address, whereby members of the local community may submit written comment directly to the municipality on any matter referred to in this policy and/or other relevant legislation.

7.7.2 The municipal manager must ensure that the comments are addressed regularly and collated by a member specifically allocated to this task.

8. Venue for public meetings

The municipal manager must ensure that the municipality make use of an appropriate venue for any public meeting as provided for in this policy in terms of –

8.1 The size of the venue after gauging and taking into consideration the approximate number of people who might be attending;

8.2 The location of the venue and access to it via public and private transport;

8.3 The number of staff members of the Council to be made available to ensure the smooth administration of the meeting;

8.4 The provision of security, if designated by the ward councillor, for both the members of the municipality as well as members of the local community attending the meeting.

8.5 The provision of a sound system or public address system to facilitate effective participation by all in attendance;

8.6 The provision of appropriate audio and visual aids such as microphones, screens, data projector and laptops to ensure effective information sharing;

8.7 The provision of at least one roving microphone and a minimum of three microphones in the venue to ensure that all inputs are audible;

8.8 The provision of interpreting services at all venues, when required.

8.9 The arrangement of appropriate transport arrangements for community members to all venues, in close collaboration with ward councillors;

8.10 A mayoral committee member/ward councillor in attendance at a public meeting will be responsible to open the meeting;

8.11 Ward councillors will act as chairperson/co-chairperson and manage public participation meetings in their respective wards;

8.12 Political office bearers present at a public meeting will be required to take up seating in front of the meeting hall next to administration personnel;

8.13 A director or municipal representative will be required to be in attendance at public participation meetings;

8.14 Access to the venue will be carefully controlled at the entrance to deal with unruly individuals;

8.15 Ward councillors will be briefed on the agenda prior to ward engagements and IDP public meetings;

8.16 A community member will be afforded a maximum of three opportunities of no longer than 3 minutes to give inputs at a particular public participation meeting. However, the chairperson of the meeting has the discretion to deviate from this stipulation.

8.17 On request from a councillor, an audio recording of a public participation meeting can be made, which will be filed by the IDP Office within three days of such a recording having been made;

8.18 Ward councillors are required to conduct quarterly feedback sessions to inform ward community of progress made with priority needs identified in the IDP.

8.19 The IDP Office will be responsible for all logistical arrangements at IDP public meetings

9. Communication to local community

9.1 When anything must be notified by the municipality through the media to the local community under this policy or any other applicable legislation, it must be done through one or more of the following –

9.1.1 In the local newspaper or newspapers of the municipal area and in the appropriate language for the area;

9.1.2 By means of the local radio station, Valley FM;

9.1.3 By means of the distribution of flyers and pamphlets at points determined by the ward councillor/ward committee;

9.1.4 By use of loud hailing using a public address (pa) system;

9.1.5 Announcement (s) at public meeting (s);

9.1.6 Pasting posters at all ward information centres.

10. Generic Communications Plan for Public Participation Meetings

ACTION	RESPONSIBLE
• Advertisement in the Worcester Standard	IDP/ Communication
• Interview – local radio station	Communication
• Ward Councillor/ Ward Committee interaction	Ward Councillors
• Loud hailing	IDP/ Traffic Dept.
• Pamphlets	IDP/ Communication
• Webpage	Communication
• Face book	Communication
• Municipal notice boards (buildings/ libraries)	Communication
• Community announcements – local radio station	Communication
• Request to main stakeholders such as Worcester Business Forum etc. to inform their members and employees	Communication
• Internal e-mail system – informing personnel	Communication
• SMS's	Communication

11. Community participation in the integrated development plan

11.1 Once the Council has formulated a process set out in writing to guide the planning, drafting, adoption and review of its integrated development plan, the municipal manager must, through appropriate

mechanisms, processes and procedures set out in this policy, consult the local community before adopting the process.

11.2 The notification to the local community may take place in a suitable manner provided for in this policy.

11.3 The notification must inform the community about their rights and duties for input required on the integrated development plan as well as how the community may go about commenting on such a process (MSA Section 18).

11.4 The notice should also include the particulars of the process which the municipality intends to follow.

11.5 The municipal manager must ensure that the publication setting out the process specifies a date, time and/or place or where the input from the community may be submitted;

11.6 Ward priority needs must be identified at a full community meeting and/or ward committee meeting per ward;

11.7 Once the municipality has finalised its integrated development plan under Section 25 of the Systems Act, it must within 14 (fourteen) days after its adoption give notice to the public in a manner provided for in this policy, as well as make available copies of or extracts for public inspection at specified places and publish a summary of the plan in the local newspaper.