



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Recreation and Parks' Concessions Policy

29 April 2021

1 DEFINITIONS AND ABBREVIATIONS

City	means the City of Cape Town, a municipality established by the City of Cape Town Establishment Notice No. 479 of 22 September 2000, issued in terms of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) , or any structure or employee of the City acting in terms of delegated authority.
City Manager	means an official appointed as the administrative manager of a city.
Council	means the Municipal Council of the City.
Councillor	means a member of Council.
Concessionary Rate	means a discounted rate applied by the City to enable the use of a Council facility. The extent of discount is either predetermined in the policy or will be determined by the City upon receipt of an application.
Facility	Refers to City facilities and means halls, swimming pools, parks, sport & recreational facilities, stadia and resorts.
Feedback meeting	means a meeting between a Councillor and residents where the Councillor provides an update or feedback on pertinent issues that are of importance to residents.
Misrepresentation	means a false representation of a matter of fact—whether by words or by conduct, by false or misleading information, or by concealment of what should have been disclosed—that deceives and is intended to deceive another so that the individual will gain an advantage.
Programme	Refers to City programmes and means a set of activities with a focus on community development,enhancement and upliftment.
Speaker	means the councillor elected in terms of section 36 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)to be the chairperson of Council.
Youth innovator	Anyone between the ages of 14-35 who introduces new methods, ideas, or products and who exercises initiative by organising a venture.
Weekend	means Saturday and Sunday.
Worthy cause	means a cause that merits attention, aid, or action due to an inherent goodness of values or intention

IDP	The City's Integrated Development Plan
NGO	Non-governmental organisation
CBO	Community-based organisation
MOU	Memorandum of understanding

2 PROBLEM STATEMENT

The Department of Recreation and Parks ("the department") manages a number of facilities throughout the City. To promote the use of the facilities and to support community initiatives, the department offers concessionary rates. To date, there has been no clear policy that outlines the criteria for users and activities that are eligible for concession. Furthermore, different forms and templates are being used within the department and motivation letters are received in different formats, providing varying information. This has led to inconsistent decision-making and has been the basis for disputes arising. In the absence of an online booking system, this policy aims to provide guidance so that concessions may be more evenly and appropriately applied.

3 DESIRED OUTCOMES

- 3.1 To balance revenue generation with concessionary usage that supports community initiatives and community use of public facilities.
- 3.2 To ensure that groups and organisations that focus on community development are not denied access to City facilities based on cost.
- 3.3 To create a consistent approach to decision making regarding concessions.
- 3.4 To set the criteria for concessionary use of facilities.

4 STRATEGIC ALIGNMENT

- 4.1 IDP: a Well Run City
- 4.2 IDP: a Caring City

5 REGULATORY CONTEXT

Legislative Instruments

- 5.1 Constitution of the Republic of South Africa, 1996
- 5.2 Safety at Sports and Recreational Events Act, 2010 (Act 2 of 2010)
- 5.3 Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)
- 5.4 City of Cape Town: Public Parks By-law, 2010
- 5.5 City of Cape Town: Streets, Public Places and the Prevention of Noise Nuisance By-law, 2007
- 5.6 City of Cape Town Events By-law, 2009
- 5.7 City of Cape Town Events Amendment By-law, 2016
- 5.8 City of Cape Town Tariff By-law, 2007

Policy Instruments

- 5.9 City of Cape Town Recreation Policy
- 5.10 City of Cape Town Tariff Policy

6 POLICY PARAMETERS

- 6.1 Applicable to City owned halls, swimming pools, parks, sport & recreational facilities, stadia, resorts, and public open spaces.
- 6.2 Excludes, cemeteries.
- 6.3 Excludes the City's Strategic Assets portfolio¹

7 ROLEPLAYERS AND STAKEHOLDERS

- 7.1 The Department of Recreation and Parks
- 7.2 NGOs registered on the City's database
- 7.3 CBOs registered on the City's database
- 7.4 Councillors
- 7.5 Residents of Cape Town
- 7.6 Voluntary Associations registered on the City's database
- 7.7 Youth innovators or entrepreneurs
- 7.8 Neighbourhood watch groups
- 7.9 Pensioner associations
- 7.10 Disabled and differently abled associations registered on the City's database.
- 7.11 Ward Committees
- 7.12 Sub-Councils

¹ City Hall, Athlone Stadium, Green Point Athletics Stadium, the Granary, Good Hope Centre, and Grand Parade

8 POLICY DIRECTIVES

- 8.1 Organs of state, NGOs, community groups or voluntary associations including community bodies such as resident organisations, neighbourhood watch, peer support groups, disabled and differently abled associations and youth innovators registered on the City's database, are allowed 100% concessionary rate. This might include the waiving of the refundable deposit in exceptional circumstances as deemed fit by Line Management upon receiving written request.
- 8.2 Individuals or organisations wanting to host fund raisers for a worthy cause may qualify for a 50% concessionary rate.
- 8.3 The person or organisation making use of the facility is liable for any damage to the facility.
- 8.4 Organisations offering activities which complement the core business of the department may -
 - a. apply for membership status at any of the Department's Area bookings offices. Successful applicants will then receive the discounted membership rate as set out in the tariff schedule; or
 - b. apply for a concessionary rate on a single activity or series of activities during a financial year, based on a formal project plan.
- 8.5 Users who do not meet the eligibility criteria include:
 - a. Organizations established for profit;
 - b. Political parties;
 - c. Individuals/Organisations with outstanding debt to the City; and
 - d. Religious institutions for their cultural observance or religious practices provided that religious institutions may receive
 - (i) 100% concession where a project aligns to a City programme; or
 - (ii) 50% concession where a religious organisation is raising funds for a worthy cause .

- 8.6 All **Councillors** (Ward and PR), are subject to the following conditions which apply to the use of halls -
- 8.6.1 100% concessionary rate for feedback meetings or community-based programmes or activities limited to 2 occasions per month from Mondays to Fridays excluding Public holidays.
 - 8.6.2 One Saturday morning (up until 12 noon) per month for a feedback meeting or a community-based programme or activity, provided the facility is not already booked.
 - 8.6.3 Time may be extended beyond 12 noon in consultation with the relevant Recreation and Parks' appointed official, provided the facility is not already booked.
 - 8.6.4 Bookings for a weekend will be processed provided that the facility is not already booked.
 - 8.6.5 Additional bookings beyond 3 per month, for a feedback session, will require authorisation from the Area Head Recreation and Parks.
 - 8.6.6 In addition to the feedback meetings of community-based activities, Councillors may block book a facility, for a period not exceeding three months, for a community-based programme or activity, provided that the facility is not already booked. Supporting documentation must be forwarded to the Director Department Recreation and Parks.
 - 8.6.7 Community-based programmes or activities, organised by Councillors should, wherever possible, compliment or link in with programmes or projects that are being offered by City line departments.
 - 8.6.8 Councillors may not make bookings on anyone else's behalf in order for them to be granted a concessionary rate for personal use.
 - 8.6.9 Councillors may make bookings on behalf of organisations or community groups in urgent circumstances, if in the public interest, and where the urgency can be supported by relevant documentation.
 - 8.6.10 Councillors will be required to provide all relevant documentation to comply with auditing requirements.
 - 8.6.11 Facilities that have been block booked by members of the public or organisations may have their booking adjusted to accommodate Council feedback sessions, provided ten working days notice is provided to the Department Recreation and Parks.
 - 8.6.12 Councillors may undertake feedback meetings through community organisations and make bookings on their behalf as long as the councillor or his/her representative is present.

- 8.7 **Companies** (Commercial organisations or Sole Traders) are eligible to apply for a 50% concessionary rate only if they meet the following additional criteria:
- 8.7.1 They are offering a programme which complements existing City programmes (their application needs to be supported or endorsed by the relevant City department to qualify for the concession or it must be governed by a formal MOU with the City).
 - 8.7.2 They are not involved in any activities which are generally inconsistent with the Council's values or policies, or that may affect the Council's public image or reputation.
 - 8.7.3 They are not charging participants or attendees for participation.
- 8.8 **City departments** may book a facility at a 50% concessionary rate for use of a community-based project or programme provided that the Director Recreation and Parks provides authorisation.
- 8.8.1 Departments may use a facility at a 100% concessionary rate to house residents during a flood, fire or any other disaster. In such cases, the relevant Department requesting the use for emergencies, must take full control of said facility
 - 8.8.2 Departments that use a facility at a concessionary rate must return the facility in its original state. An assessment of the facility must be done prior to and after use to ensure that the facility is maintained and returned in good order.
 - 8.8.3 Appropriate facilities must be booked. This will be determined by the size and nature of the gathering or event so as to prevent larger facilities needlessly or inappropriately being reserved.
 - 8.8.4 A City official may inspect an event to verify the information provided in the booking form.
 - 8.8.5 Block bookings may not exceed a period of three months, and must be supported by relevant documentation and submitted to the department Recreation and Parks for approval by the Area head Recreation and Parks .
- 8.9 A concessionary rate for resorts is only applicable outside of high season and during the week. Any exception must be motivated and submitted to the Director Recreation and Parks for approval.
- 8.10 Any misrepresentation or misuse of the policy will be referred to the relevant authority.
- 8.11 Examples of misuse and misrepresentation include but are not limited to booking the facility at a concessionary rate only to use the facility for a private function, falsifying documents, booking a facility but having no intention of using the facility.

9 IMPLEMENTATION PROGRAMME

- 9.1 This policy will be rolled out over a period of six months and will be supported by standard operating procedures and standardised templates.

10 MONITORING, EVALUATION AND REVIEW

10.1 An annual report will serve before the relevant section 79 committee that will detail -

10.1.1 The concession offered to Councillors for report back sessions

10.1.2 The concession offered to Councillors for community-based programmes and projects;

10.1.3 The concession offered to City departments for community-based programmes and projects,

10.1.4 The concession offered to City departments for housing residents in times of flood, fire or any other disaster;

10.1.5 Concessions offered to NGOs, CBOs and voluntary organisations;

10.1.6 Concessions applied to organisations that have membership status; and

10.1.7 Any instances of misuse by City officials that were reported to the City Manager or instances of misuse by Councillors that were reported to the Speaker's office

10.2 This policy will be reviewed every three years, following adoption by Concil.