



DATE: 03 MAY 2023

REPORT TO: ECONOMIC GROWTH PORTFOLIO COMMITTEE

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1. ITEM NUMBER: EG 12/05/23

2. SUBJECT

**PUBLIC PARTICIPATION: MOBILE BUSINESS POLICY: INFORMAL TRADING  
BY-LAW AMENDMENT AND MOBILE BUSINESS TRADING AREAS**

**ISIHLOKO**

**INTATHONXAXHEBA YOLUNTU: UMGAQONKQUBO ONGOSHISHINO  
OLUNOKUFUDUSELWA KWENYE INDAWO: ULUNGISO LOMTHETHO  
KAMASIPALA ONGORHWEBO LASESITRATWENI NEMIMANDLA  
ENGORHWEBO KUSHISHINO OLUNOKUFUDUSELWA KWENYE INDAWO**

**ONDERWERP**

**OPENBARE DEELNAME: BELEID OOR MOBIELE BESIGHEDE: WYSIGING VAN  
VERORDENING OP INFORMELE HANDEL EN HANDELSGEBIEDE VIR MOBIELE  
BESIGHEDE**

**LSU NO. P2809**

3. DELEGATED AUTHORITY

In terms of delegation

This report is for

- Committee name** : Economic Growth Portfolio Committee
- The Executive Mayor together with the Mayoral Committee (MAYCO)
- Council

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#### 4. DISCUSSION

The City of Cape Town has a draft Mobile Business Policy which it wishes to implement but requires a permitting mechanism and approved Mobile Business Trading Areas to support interest from mobile businesses.

Currently, enquiries by Mobile Business Operators, most specifically food truck operators, are dealt with on an ad-hoc basis which is dependent on a number of uncoordinated approval steps. The consequence of this ad-hoc approval process is inconsistency and uncertainty in the way that Mobile Business Operators are able to access and activate their markets.

Mobile Business Operators leverage their mobility as a key success factor in their business models. They operate from self-contained vehicles and are registered businesses. Via this proposed amendment to the Informal Trading By-law, the City wishes to establish Mobile Business Trading Areas (MBTAs). These areas will enable the activities of Mobile Business Operators by legally permitting trading activity across a number of City-owned sites over the course of a day. Permission to utilise a MBTA by Mobile Business Operators is subject to obtaining a mobile business permit as well as adherence to the applicable rules for the MBTA.

The public participation process is to provide an opportunity for interested and affected parties to comment, input and interrogate the amendments to the City's Informal Trading By-Law and the proposed Mobile Business Trading Areas that enable Mobile Business activity in terms of the draft Mobile Business Policy.

Importantly, this policy and its resultant regulations represent an innovation by the City. The City wishes to respond to the increased market demand for mobile business operations, to support local economic development and the positive utilisation of public places by supporting an emergent form of formal business activity. By receiving important input into the By-law provisions and the proposed Mobile Business Trading Areas, the City is able to develop a comprehensive and public-supported regime for the management of mobile business operators on City land.

- 4.1. Financial Implications  None  Opex  Capex
- Capex: New Projects
  - Capex: Existing projects requiring additional funding
  - Capex: Existing projects with no Additional funding requirements

4.2. Policy and Strategy  Yes  No

4.3. Legislative Vetting  Yes  No

4.4. Legal Implications  Yes  No

4.5. Staff Implications  Yes  No

4.6. Risk Implications  Yes The risks for approving and/or not approving the recommendations are listed below:

No Report is for decision and has no risk implications.

No Report is for noting only and has no risk implications.

POPIA Compliance  Yes It is confirmed that this report has been checked and considered for POPIA compliance.

## 5 RECOMMENDATIONS

It is recommended that the Economic Growth Portfolio Committee consider the report, note the contents of the draft by-law and proposed Mobile Business Trading Areas, and approve the public participation plan for the draft by-law and proposed Mobile Business Trading Areas.

### IZINDULULO

Kundululwe ukuba iKomiti yeMicimbi engoHlumo kwezoQoqosho mayithathele ingqalelo ingxelo, iqwalasele iziqukatho zomthetho kamasipala oluyilo nesiphakamiso seMimandla engoRhwebo kuShishino olunokufuduselwa kwenye indawo kwakhona iphumeze isicwangciso sentathoxaxheba yoluntu ngokujoliswe kumthetho

Making progress possible. Together.

kamasipala oluyilo nakwisiphakamiso seMimandla engoRhwebo kuShishino olunokufuduselwa kwenye indawo.

## AANBEVELINGS

Daar word aanbeveel dat die portefeuljekomitee oor ekonomiese groei die verslag oorweeg, van die inhoud van die konsepverordening en die voorgestelde handelsgebiede vir mobiele besighede kennis neem, en die openbaredeelnameplan vir konsepverordening en die voorgestelde handelsgebiede vir mobiele besighede goedkeur.

## ANNEXURES

- ANNEXURE A** DRAFT INFORMAL TRADING BY-LAW AMENDMENT.
- ANNEXURE B** DRAFT PUBLIC PARTICIPATION PLAN FOR THE PROPOSED INFORMAL TRADING BY-LAW AMENDMENT.
- ANNEXURE C** PROPOSED MOBILE BUSINESS TRADING AREAS.
- ANNEXURE D** DRAFT PUBLIC PARTICIPATION PLAN FOR THE PROPOSED MOBILE BUSINESS TRADING AREAS.

## FOR FURTHER DETAILS CONTACT

	Paul Williamson	021 400 2808
NAME	Andre Roux	CONTACT NUMBER 021 400 7431
	Paul.Williamson@capetown.gov.za	<b>Paul Williamson</b> Digitally signed by Paul Williamson Date: 2023.04.19 12:31:52 +02'00'
E-MAIL ADDRESS	Andre.Roux@capetown.gov.za	
DIRECTORATE	Enterprise and Investment	FILE REF NO
SIGNATURE : DIRECTOR ENTERPRISE AND INVESTMENT LANCE GREYLING	<b>Lance Greyling</b> Digitally signed by Lance Greyling Date: 2023.04.19 14:27:27 +02'00'	

## EXECUTIVE DIRECTOR: ECONOMIC GROWTH

Making progress possible. Together.

NAME Ruby Gelderbloem COMMENT: \_\_\_\_\_

DATE \_\_\_\_\_

SIGNATURE  Digitally signed by Ruby Gelderbloem  
Date: 2023.04.20 11:34:48 +02'00'

The ED's signature represents support for report content and confirms POPIA compliance.

**DIRECTOR: POLICY AND STRATEGY**

- SUPPORTED FOR ONWARD SUBMISSION – PRESCRIBED DEVELOPMENT PROCESS FOLLOWED
- NOT SUPPORTED – PROVIDE COMMENT

NAME HUGH COLE COMMENT: \_\_\_\_\_

DATE \_\_\_\_\_ Supported

SIGNATURE  Digitally signed by Hugh Cole  
Date: 2023.04.21 09:14:06 +02'00'

**MANAGER: LEGISLATIVE VETTING**

- ANNEXURE TO THE REPORT COMPLIANT WITH THE PROVISIONS OF COUNCIL'S POLICIES, BY-LAWS AND ALL LEGISLATION RELATING THERETO.
- ANNEXURE NON-COMPLIANT WITH POLICIES, BY-LAWS AND STRATEGIES.

NAME TIMOTHY ZEEMAN COMMENT: \_\_\_\_\_

DATE \_\_\_\_\_

SIGNATURE  Digitally signed by Timothy Zeeman  
Date: 2023.04.21 10:56:11 +02'00'


**MAYORAL COMMITTEE MEMBER: ECONOMIC GROWTH**

NAME JAMES VOS COMMENT: \_\_\_\_\_



DATE

SIGNATURE

	Digitally signed by Ald James Vos Date: 2023.04.24 11:44:14 +02'00'
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**LEGAL COMPLIANCE**

- REPORT COMPLIANT WITH THE PROVISIONS OF COUNCIL'S DELEGATIONS, POLICIES, BY-LAWS AND ALL LEGISLATION RELATING TO THE MATTER UNDER CONSIDERATION.
- NON-COMPLIANT

NAME

DATE

SIGNATURE

	Digitally signed by Jason Sam Liebenberg Date: 2023.04.25 10:38:49 +02'00'
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COMMENT:

Certified as legally compliant based on the content of the report.

Note: In terms of Part 7, delegation 1(15) of the System of Delegations.

CITY OF CAPE TOWN

DRAFT INFORMAL TRADING  
AMENDMENT BY-LAW, 2023

DRAFT

## CITY OF CAPE TOWN

## DRAFT INFORMAL TRADING AMENDMENT BY-LAW, 2023

## GENERAL EXPLANATORY NOTE:

[                    ]

Words in bold type in square brackets indicate omissions from existing enactments.

\_\_\_\_\_

Words underlined with a solid line indicate insertions in existing enactments.

To amend the provisions in the City of Cape Town: Informal Trading By-law, 2009; so as to provide for the insertion of certain definitions; to provide for the establishment of Mobile Business Trading Areas; to provide for the decommissioning of sites; and to provide for matters related thereto.

BE IT ENACTED by the Council of the City of Cape Town, as follows: -

**Amendment of section 2 of the City of Cape Town: Informal Trading By-law, 2009**

1. Section 2 of the City of Cape Town: Informal Trading By-law, 2009, (herein referred to as the principal By-law) is hereby amended —

(a) by the insertion before the definition of “**beach**” of the following definition:

“**authorised official**” means an employee of the City responsible for carrying out any duty or function or exercising any power in terms of this By-Law and includes employees delegated to carry out or exercise such duties, functions or powers.’;

(b) by the insertion after the definition of “**Council**” or “**the Council**” of the following definition.



‘**“Decommission”** means the Council approved rescindment of a Mobile Business Trading Area which is no longer zoned for economic activity and permitted for mobile business operations.’;

(c) by the insertion before the definition of **“high-water mark”** of the following definition:

‘**“Designated mobile business site trading plans”** means plans indicating the mobile trading bays within a Mobile Business Trading Area.’;

(d) by the insertion after the definition of **“informal trading”** of the following definition:

‘**“land-custodian department”** means a City department who is the custodian of land owned by the a City and who is duly authorised to consent to the establishment of an MBTA on such property’;

(e) by the insertion after the definition of **“market”** of the following definitions:

‘**“Mobile Business”** means a business registered with the South African Revenue Service, that operates inside a self-contained and self-propelled vehicle or a vehicle designed to be drawn by a self-propelled vehicle that is licensed for use on a public road. A Mobile business does not form part of mobile trading.’;

‘**“Mobile Business Operator”** means a person whose business is registered with the South African Revenue Service, has attained the necessary licenses and has been issued with a mobile business permit by the City to operate a mobile business.’;

‘**“Mobile Business Permit”** means a permit to operate as a mobile business within the City.’;

‘**“Mobile Business Trading Area (MBTA)”** means a trading area for mobile businesses within the jurisdictional area of the City of Cape Town.’;

(f) by the deletion of the definition of **“officer”**:

[“ 2.18 **“officer”** means –

- 2.18.1 a traffic officer appointed in terms of section 3 of the Road Traffic Act, No. 29 of 1989 or section 3A of the National Road Traffic Act No. 93 of 1996 as the case may be;
- 2.18.2 a member of the South African Police Service;
- 2.18.3 a peace officer contemplated in section 334 of the Criminal Procedure Act, No. 51 of 1977;
- 2.18.4 a municipal police officer of the Metropolitan Police, which has been established in terms of section 64A of the South African Police Services Act, No. 68 of 1995[; or]
- 2.18.5 an employee, agent, representative and/or service provider of the City who are specifically authorised by the City in this regard;]”.

(g) by the insertion before the definition of **“special events”** of the following definition:

‘ **“Service Level Agreement”** means an inter-departmental agreement which outlines the roles, responsibilities and authoritative powers of the City departments party to the agreement.’

**Substitution for the word “officer” in the City of Cape Town: Informal Trading By-law, 2009.**

2. The principal by-law is hereby amended by the substitution for the word “Officer” wherever it appears with the words “authorised official”.

**Insertion of section 3A in the City of Cape Town: Informal Trading By-law, 2009.**

3. The following section is hereby inserted in the principal By-law after section 3:

**“TYPES OF RECOGNISED MOBILE BUSINESSES**

3A.1 The following are types of mobile business trading:

3A.1.1 A registered mobile business providing food or beverages which involve single preparation, i.e. coffee or ice-cream vending.

3A.1.2 A registered mobile business providing food or beverages that involve numerous preparation steps and requires the use of cooling and cooking appliances and apparatus to prepare the food.

3A.1.3 A registered mobile business providing goods or services.”

**Substitution of section 4 of the City of Cape Town: Informal Trading By-law, 2009.**

4. The following section hereby substitutes section 4 of the principal By-law:

“Informal trading and mobile business trading is permitted in any area within the jurisdiction of the City, subject to any trading plans and MBTAs adopted by the City, the provisions of this By-law and any other applicable law.”

**Insertion of section 7A and 7B in the City of Cape Town: Informal Trading By-law, 2009.**

5. The following sections are hereby inserted in the principal By-law after section 7:

**“ESTABLISHMENT AND DECOMMISSIONING OF MOBILE BUSINESS****TRADING AREAS**

7A.1 The City may designate a public space for the establishment of MBTAs. A detailed process for the establishment of MBTAs must be contained in a standard operating procedure which is applicable to all affected City departments.

7A.2 The City department responsible for establishing an MBTA must:-

- (a) after an area is identified as a potential MBTA, engage the land-custodian department and provide written information such as site conditions, proximity to existing infrastructure, possible risks and any other necessary information to the land-custodian department;
- (b) enter into a standard Service Level Agreement signed by the land-custodian department’s Executive Director. The Service Level Agreement should contain all matters related to the management of the MBTA such as, amongst other, roles and responsibilities of the respective parties involved and designated signatories.
- (c) ensure that a potential MBTA goes through a public participation process in accordance with the City’s public participation policies and national legislation; and
- (d) undertake the process of establishing MBTAs annually or at the discretion of the Executive Director of the responsible City department.

7A.3 Newly established MBTAs must be approved by Council.

**DECOMMISSIONING OF EXISTING MOBILE BUSINESS TRADING AREAS.**

7B.1 The City may decommission an existing MBTA upon a request received or where the City deems it necessary. A detailed process to decommission existing MBTAs must be contained in a standard operating procedure which is applicable to all affected City departments.

7B.2 The department responsible for the decommissioning of an existing MBTA must:

- (a) consider all written requests received to decommission an existing MBTA;
- (b) undertake a site visit to the MBTA in question; and

- (c) Issue a notice informing all affected mobile business operators of the intent to decommission any MBTA and provide an opportunity for mobile business operators to comment.

7B.3 Council must approve the decommissioning of any MBTAs.”

**Insertion of section 8A in the City of Cape Town: Informal Trading By-law, 2009.**

6. The following section is hereby inserted in the principal By-law after section 8:

**“8A PERMITS FOR MOBILE BUSINESSES**

8A.1 A person may not operate a mobile business on City-owned land without a valid permit issued by the City.

8A.2 A person may apply to the City for a permit to operate a mobile business on City-owned land.

8A.3 A Mobile Business permit application must include—

- (a) a description of the intended business activity;
- (b) an approved roadworthy certificate or proof of vehicle licence and registration;
- (c) a fire safety certificate issued by the City; and
- (d) a waste management plan.

8A.4 The City is entitled to charge the applicant an application fee. The fee is determined in accordance with the City’s tariff policies and schedules.

8A.5 The City must take the following factors into account when considering an application for a permit—

- a) The nature of the mobile business trading and the vicinity in which the mobile business intends to operate, factoring in possible overcrowding and lack of infrastructure;
- b) Access to and availability of basic service infrastructure, such as public toilets and seating; and
- c) Undertake an inspection to determine the category of the land or area on which the mobile business intends to operate and to ensure that operating on such land is appropriate and conducive.

8A.6 The City may issue a permit to operate a mobile business on City land after consideration of factors listed in section 8A.5 and once the City is satisfied that the application has met all the necessary requirements contained in the By-law.”

**Amendment section 18 in the City of Cape Town: Informal Trading By-law, 2009**

7. Section 18 of the principal By-law is hereby amended by the addition after section 18.8.3 of the following sections:

“18.9 An authorised official may issue a written warning to a mobile business operator who contravenes the rules of the MBTA.

18.10 An authorised official may, after issuing three written warnings to the same mobile business operator, rescind the mobile business operator’s permit for a period of up to one year.”

**Short title**

8. This by-law is called the City of Cape Town: Informal Trading Amendment By-law, 2023.



**CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD**

# Pre-Public Participation Plan

<b>NAME OF PROCESS</b>	Informal Trading By-Law Review in respect of Mobile Businesses
<b>LINE DEPARTMENT</b>	Enterprise and Investment
<b>RESPONSIBLE OFFICIAL</b>	Paul Williamson and Andre Roux
<b>PPU PRACTITIONER</b>	Mbuthokazi Patience Kubashe

## SECTION 1: PUBLIC PARTICIPATION PLAN

### BACKGROUND: MOBILE BUSINESS POLICY

The City of Cape Town has a draft Mobile Business Policy which it wishes to implement but requires a permitting mechanism to support interest from mobile businesses.

Currently, enquiries by Mobile Business Operators, most specifically food truck operators, are dealt with on an ad-hoc basis which is dependent on a number of uncoordinated approval steps. The consequence of this ad-hoc approval process is inconsistency and uncertainty in the way that Mobile Business Operators are able to access and activate their markets.

Mobile Business Operators leverage their mobility as a key success factor in their business models. They operate from self-contained vehicles and are registered businesses. Via this proposed amendment to the Informal Trading By-law, the City wishes to establish Mobile Business Trading Areas (MBTAs). These areas will enable the activities of Mobile Business Operators by legally permitting trading activity across a number of City-owned sites over the course of a day. Permission to utilise a MBTA by a Mobile Business Operator is subject to obtaining of a mobile business permit as well as adherence to the applicable rules for the MBTA.

The public participation process is to provide an opportunity for interested and affected parties to comment, input and interrogate the amendments to the City's Informal Trading By-Law that enable Mobile Business activity in terms of the draft Mobile Business Policy. Importantly, this policy and its resultant regulations represent an innovation by the City.

The City wishes to respond to the increased market demand for mobile business operations, to support local economic development and the positive utilisation of public places by supporting an emergent form of formal business activity. By receiving important input into the By-law provisions, the City is able to develop a comprehensive and public-supported regime for the management of mobile business operators on City land.

### PROJECT OUTCOME

The public participation process is to provide an opportunity for interested and affected parties to comment, input and interrogate the specific amendments to the City's Informal Trading By-Law in order to enable Mobile Business activity in terms of the draft Mobile Business Policy. Importantly, this policy and its resultant regulations represent an innovation by the City.

The City wishes to respond to the increased market demand for mobile business operations, to support local economic development and the positive utilisation of public places by supporting an emergent form of formal business activity. By receiving important input into the by-law review provisions, the City is able to develop a comprehensive and public-supported regime for the management of mobile business operators on City land.



**INTERNAL STAKEHOLDERS**

Line Department	Representative	Role
Public Participation Unit	Mbuthokazi Kubashe	Public Participation Process Coordinator
Enterprise and Investment	Paul Williamson	Project Manager
MAYCO: <u>Economic Growth</u>	Ald James De Vos	Oversight
Economic Growth: Portfolio Chairperson	Ald Clive Justice	Approval and Endorsement of the Plan
Director: Policy and Strategy	Hugh Cole	Oversight
Director: Enterprise and Investment	Lance Greyling	Oversight
Communication Department	Karen Thompson Jean Marie De Waal	Publish Advert Media Coordinator
Digital Communication	Jessica Trim	Digital Media Coordinator
Subcouncils	Paul Williamson	Public Participation
Ward Councillor	All Ward Councillors	Oversight

**Period****6 April 2023****Method of engagements**

- Councillor's Social Networks e, g WhatsApp, Facebook etc.
- Comment forms to be circulated to all Subcouncil database
- Corporate Newspapers and all local newspapers
- Have Your Say online portal
- Meeting with umbrella bodies

**Communication Tools**

Communication Tools	Description / Use	Push	Pull	Access
Print Media	Advert will be published in Corporate and all the Local Newspapers.	X		
City Website	The process will be published via Council's Have Your Say web page ( <a href="http://www.capetown.gov.za/haveyoursay">www.capetown.gov.za/haveyoursay</a> ) and provide access to a downloadable version of the draft strategy and summary. An online comment form will also be made available for online input.	X	X	X
Comment forms	To be circulated in the community so that members of the public can comment through the advert	X	X	X

Subcouncil Office	Advert, comment forms, and posters will be submitted to the Subcouncil Offices to make available for viewing only by interested and affected parties who do not have access to online platforms.			X
Community Organisations	Advert, comment forms, layout of the proposed policy changes to be made available to registered sport bodies/organisations. The Mobile Business representative bodies	X		X
Libraries	Advert, comment forms, and posters will be submitted			X
Posters	Request for copies will be made to be distributed to the community	x		
Social media	Facebook and WhatsApp via ward Cllr	x	x	x

### Public Participation Process

Mark with an "X"

Localised Process	<input type="checkbox"/>	City Wide Process	<input checked="" type="checkbox"/>
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**Sub council:** If a Localised Process, please indicate which Sub councils are affected. Mark with an "X"

01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	
x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x

### Action plan

Deadlines	Task/Function	Responsibility
09 February 2023	<b>Meeting with internal stakeholders to discuss the project</b>	Paul and Andre
17 February 2023	Draft pre plan forwarded to line department	Mbuthokazi Kubashe and
27 February 2023	Lines department to send back the 1st draft for checking or approval.	Paul and Andre
01 March 2023	PPU and Line department signs off the public participation final pre plan and to be submitted to the Portfolio committee.	Mbuthokazi and Paul
24 March 2023	Line department to coordinate the pre plan to be submitted to the portfolio Committee secretariat.	Paul and Andre
5 April 2023	The Draft pre plan to be approved and endorse by Economic Growth Portfolio Committee. Draft pre-plan to be discussed and way forward to be taken, then the advert to drafted and forwarded to PPU	Paul and Andre
7 April 2023	Draft advert to be Submitted to PPU and be forwarded to communications	Paul and Andre
7 April 2023	Public participation unit to submit the draft advert to communications	Mbuthokazi Kubashe
10 April 2023	Communications to send back the 1 <sup>st</sup> draft for checking or approval	Karen Thompson

10 April 2023	Line department signs off the advert for publication and sends back to PPU	Paul and Andre
10 April 2023	Line Department informs the relevant Enterprise and Investment Mayco Member, Executive Director, Subcouncil/s of the public participation plan.	Paul and Andre
17 April 2023	<b>Publications of the process via the Have Your Say Portal webpage: the following documents will be forwarded to digital communications</b>  <ul style="list-style-type: none"> <li>• Advert</li> <li>• Online Comment form</li> <li>• Draft Policy</li> </ul>	Jessica Timlin
17 April 2023	<b>Adverts to appear in the following community newspaper:</b> Corporate newspapers e.g. Cape Argus, Die Burger etc. All Local Newspapers: e.g. City Vision and Vukani	Karen Thompson
17 April 2023	<b>Public Participation Process closes after 30 days</b>	Jessica Timlin
17 April 2023	The Directorate's <a href="mailto:mobile.businesspolicy@capetown.gov.za">mobile.businesspolicy@capetown.gov.za</a> address will be used to receive comments and/or objections from affected parties via email.	Paul and Andre
24 April 2023	Line Department to provide contact details for technical enquiries. 021 444 5494.	Paul and Andre
24 April 2023	Distribution of all relevant documents to Subcouncil and Library for comments	Mbuthokazi Kubashe
17 May 2023	All comments received to submitted to the line department for consideration	Paul and Andre
<b>17 May 2023</b>		

#### SHARED ROLES AND RESPONSIBILITIES

- **Public participation unit** is to make sure that all the relevant stakeholders are communicated to and are informed where to obtain comment forms.
- **Enterprise and Investment** is to provide the project's information.
- **Subcouncils and ward Councillors** is to send the policy to all bodies/ organisation in Subcouncil database.

#### This public participation plan is supported.

Name & Surname: Mbuthokazi P. Kubashe

Date: 1<sup>st</sup> March 2023

Title: Professional Officer

Directorate: Future Planning and Resilience

Signature:



Name **Lance Greyling**  
Title: Director Enterprise and Investment  
Department Enterprise and Investment  
Signature:

\_\_\_\_\_

Date

**Lance Greyling** Digitally signed by Lance Greyling  
Date: 2023.03.17 16:13:42 +02'00'

Name  
Title: Executive Director: Economic Growth  
Directorate: Economic Growth

\_\_\_\_\_

Date

Signature

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**CITY OF CAPE TOWN**  
**ISIXEKO SASEKAPA**  
**STAD KAAPSTAD**

# Pre-Public Participation Plan

<b>NAME OF PROCESS</b>	Mobile Business Trading Areas in respect of Mobile Businesses
<b>LINE DEPARTMENT</b>	Enterprise and Investment
<b>RESPONSIBLE OFFICIAL</b>	Paul Williamson and Andre Roux
<b>PPU PRACTITIONER</b>	Mbuthokazi Patience Kubashe

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The public participation process is to provide an opportunity for interested and affected parties to comment, input and interrogate the Mobile Business Trading Areas that enable Mobile Business activity in terms of the draft Mobile Business Policy.

Importantly, this policy and its resultant regulations represent an innovation by the City. The City wishes to respond to the increased market demand for mobile business operations, to support local economic development and the positive utilisation of public places by supporting an emergent form of formal business activity. By receiving important input into the Mobile Business Trading Areas, the City is able to develop a comprehensive and public-supported regime for the management of Mobile Business Operators on City land.

### PROJECT OUTCOME

The public participation process is to provide an opportunity for interested and affected parties to comment, input and interrogate the specific Mobile Business Trading Areas (MBTAs) in order to enable Mobile Business activity in terms of the draft Mobile Business Policy.

### INTERNAL STAKEHOLDERS

Line Department	Representative	Role
Public Participation Unit	Mbuthokazi Kubashe	Public Participation Process Coordinator

Enterprise and Investment	Paul Williamson	Project Manager
Executive Director: Economic Growth	Ruby Gelderbloem	Oversight
MAYCO: <u>Economic Growth</u>	Ald James De Vos	Oversight
Economic Growth: Portfolio Chairperson	Ald Clive Justice	Approval and Endorsement of the Plan
Director: Enterprise and Investment	Lance Greyling	Oversight
Communication Department	Karen Thompson Jean Marie De Waal	Publish Advert Media Coordinator
Digital Communication	Jessica Trim	Digital Media Coordinator
Subcouncils	Paul Williamson	Public Participation
Ward Councillor	All Ward Councillors	Oversight

**Period****6 April 2023****Method of engagements**

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**Communication Tools**

Communication Tools	Description / Use	Push	Pull	Access
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City Website	The process will be published via Council's Have Your Say web page ( <a href="http://www.capetown.gov.za/haveyoursay">www.capetown.gov.za/haveyoursay</a> ) and provide access to a downloadable version of the draft strategy and summary. An online comment form will also be made available for online input.	X	X	X
Comment forms	To be circulated in the community so that members of the public can comment through the advert	X	X	X
Subcouncil Office	Advert, comment forms, and posters will be submitted to the Subcouncil Offices to make available for viewing only by interested and affected parties who do not have access to online platforms.			X
Community Organisations	Advert, comment forms, layout of the proposed policy changes to be made available to registered	X		X

	organisations and the Mobile Business representative bodies			
Libraries	Advert, comment forms, and posters will be submitted			X
Posters	Request for copies will be made to be distributed to the community	x		
Social media	Facebook and WhatsApp via ward Cllr	x	x	x

### Public Participation Process

Mark with an "X"

Localised Process	<input type="checkbox"/>	City Wide Process	<input checked="" type="checkbox"/>
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**Sub council:** If a Localised Process, please indicate which Sub councils are affected. Mark with an "X"

01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	
x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x

### Action plan

Deadlines	Task/Function	Responsibility
09 February 2023	<b>Meeting with internal stakeholders to discuss the project</b>	Paul and Andre
17 February 2023	Draft pre plan forwarded to line department	Mbuthokazi Kubashe and
27 February 2023	Lines department to send back the 1st draft for checking or approval.	Paul and Andre
01 March 2023	PPU and Line department signs off the public participation final pre plan and to be submitted to the Portfolio committee.	Mbuthokazi and Paul
24 March 2023	Line department to coordinate the pre plan to be submitted to the portfolio Committee secretariat.	Paul and Andre
5 April 2023	The Draft pre plan to be approved and endorse by Economic Growth Portfolio Committee. Draft pre-plan to be discussed and way forward to be taken, then the advert to drafted and forwarded to PPU	Paul and Andre
7 April 2023	Draft advert to be Submitted to PPU and be forwarded to communications	Paul and Andre
10 April 2023	Public participation unit to submit the draft advert to communications	Mbuthokazi Kubashe
10 April 2023	Communications to send back the 1 <sup>st</sup> draft for checking or approval	Karen Thompson
10 April 2023	Line department signs off the advert for publication and sends back to PPU	Paul and Andre
17 April 2023	Line Department informs the relevant Enterprise and Investment Mayco Member, Executive Director, Subcouncil/s of the public participation plan. <del>Note: The report must be submitted to the relevant Subcouncil before commencing with the public participation process. Line Department must adhere to this and adjust the timeline if needed.</del>	Paul and Andre



17 April 2023	<b>Publications of the process via the Have Your Say Portal webpage: the following documents will be forwarded to digital communications</b>  <ul style="list-style-type: none"> <li>• Advert</li> <li>• Online Comment form</li> <li>• Draft Policy</li> </ul>	Jessica Timlin
17 April 2023	<b>Adverts to appear in the following community newspaper:</b> Corporate newspapers e.g. Cape Argus, Die Burger etc. All Local Newspapers: e.g. City Vision and Vukani	Karen Thompson
17 April 2023	<b>Public Participation Process closes after 30 days</b>	Jessica Timlin
24 April 2023	The Directorate's <a href="mailto:mobile.businesspolicy@capetown.gov.za">mobile.businesspolicy@capetown.gov.za</a> address will be used to receive comments and/or objections from affected parties via email.	Paul and Andre
24 April 2023	Line Department to provide contact details for technical enquiries. 021 444 5494.	Paul and Andre
17 May 2023	Distribution of all relevant documents to Subcouncil and Library for comments	Mbuthokazi Kubashe
17 May 2023	All comments received to submitted to the line department for consideration	Paul and Andre

#### SHARED ROLES AND RESPONSIBILITIES

- **Public participation unit** is to make sure that all the relevant stakeholders are communicated to and are informed where to obtain comment forms.
- **Enterprise and Investment** is to provide the project's information.
- **Subcouncils and ward Councillors** is to send the policy to all bodies/ organisation in Subcouncil database.

#### This public participation plan is supported.

Name & Surname: Mbuthokazi P Kubashe

Date: 1<sup>st</sup> March 2023

Title: Professional Officer

Directorate: Future Planning and Resilience

Signature:



Name Lance Greyling

Title: Director Enterprise and Investment  
Department Enterprise and Investment

Signature:

**Lance Greyling** Digitally signed by Lance Greyling  
Date: 2023.03.17 16:16:11 +0200

Name

Title: Executive Director: Economic Growth

Directorate: Economic Growth

Signature

Date

Date