

## ITEM NUMBER: C 15/04/21

**RECOMMENDATION FROM THE EXECUTIVE MAYOR: 20 APRIL 2021****MC 67/04/21 CLOSE-OUT REPORT ON PUBLIC PARTICIPATION PROCESS OF RECREATION AND PARKS' DRAFT CONCESSIONS POLICY**

The Mayco Member for Community Services & Health, Cllr Z Badroodien, proposed the following further amendments to clause 8.6 of the Draft Concessions Policy attached to the report on the agenda:

*8.6 All Councillors (Ward and PR), are subject to the following conditions which apply to the use of halls –*

Clause 8.6.1:

*8.6.1 100% concessionary rate for feedback meetings or community-based programmes or activities limited to **four (4) occasions** per month from Mondays to Fridays excluding Public holidays.*

***be amended to read:***

*8.6.1 100% concessionary rate for feedback meetings or community-based programmes or activities limited to **two (2) occasions** per month from Mondays to Fridays excluding Public holidays.*

Clause 8.6.2 and Clause 8.6.3:

*8.6.2 One Saturday morning (up until 12 noon) per month for a **feedback meeting** provided the facility is not already booked.*

*and*

*8.6.3 One Saturday morning (up until 12 noon) per month for a **community-based programme** or activity provided the facility is not already booked.*

***be amended to read as a single allowance***

*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.*

Clause 8.6.6:

8.6.6 *Additional bookings beyond **four (4)** per month, for a feedback session, will require authorisation from the Area Head Recreation and Parks.*

***be amended to read:***

8.6.6 *Additional bookings beyond **three (3)** ~~two (2)~~ per month, for a feedback session, will require authorisation from the Area Head Recreation and Parks.*

The above proposal was duly supported.

It is **RECOMMENDED** that:

(a) the amended Concessions Policy attached to the report on the agenda, be approved, subject to the following further amendments:

8.6 *All Councillors (Ward and PR), are subject to the following conditions which apply to the use of halls –*

*Clause 8.6.1:*

8.6.1 *100% concessionary rate for feedback meetings or community-based programmes or activities limited to **four (4) occasions** per month from Mondays to Fridays excluding Public holidays.*

***be amended to read:***

8.6.1 *100% concessionary rate for feedback meetings or community-based programmes or activities limited to **two (2) occasions** per month from Mondays to Fridays excluding Public holidays.*

*Clause 8.6.2 and Clause 8.6.3:*

8.6.2 *One Saturday morning (up until 12 noon) per month for a **feedback meeting** provided the facility is not already booked.*

*and*

8.6.3 *One Saturday morning (up until 12 noon) per month for a **community-based programme** or activity provided the facility is not already booked.*

***be amended to read as a single allowance***

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.

Clause 8.6.6:

8.6.6 Additional bookings beyond **four (4)** per month, for a feedback session, will require authorisation from the Area Head Recreation and Parks.

**be amended to read:**

8.6.6 Additional bookings beyond **three (3)** ~~two (2)~~ per month, for a feedback session, will require authorisation from the Area Head Recreation and Parks.

- (b) the Concessions Policy be reviewed three years after the implementation of the policy.



REPORT TO MAYCO

4 NOVEMBER 2020

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1     **ITEM NUMBER:     MC 67/04/21**

2     **SUBJECT**

**CLOSE-OUT REPORT ON PUBLIC PARTICIPATION PROCESS OF  
RECREATION AND PARKS' DRAFT CONCESSIONS POLICY**

AFSLUITINGSVERSLAG OOR OPENBAREDEELNAMEPROSES VIR  
REKREASIE EN PARKE SE KONSEPKONSESSIEBELEID

**INGXELO YOKUGQIBELA EMALUNGA NENKQUBO ENGENTATHO-  
NXAXHEBA YOLUNTU EJOLISWE KUMGAQO-NKQUBO OLUYILO  
ONGOLAWULO KWEZOLONWABO NEEPAKI**

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3     **RECOMMENDATION FROM THE COMMUNITY SERVICES AND HEALTH  
PORTFOLIO COMMITTEE: 4 NOVEMBER 2020 (ITEM CSH 24/11/20)**

Mr. J Fourie introduced the item and recommended that Page 3 of the report be amended to indicate that the Concessions Policy would be reviewed three years after the implementation of the policy.

It was noted that the Portfolio Committee duly supported the recommendation by Mr. J Fourie.

**RECOMMENDED** that:

- a) the public participation report for the public participation process conducted for the Concessions Policy, be noted.
  - b) the amended Concessions Policy be endorsed for submission to the Mayoral Committee for onward submission to Council for approval.
  - c) the Concessions Policy be reviewed three years after the implementation of the policy.
-

**AANBEVEEL** dat:

- a) daar kennis geneem word van die verslag oor die openbaredeelneproses wat vir die konsessiebeleid gevolg is.
- b) die gewysigde konsessiebeleid onderskryf word vir voorlegging aan die burgemeesterskomitee vir daaropvolgende voorlegging aan die Raad vir goedkeuring.
- c) die konsessiebeleid drie jaar na implementering van die beleid hersien word.

**KUNDULULWE** ukuba:

- a) Makuqwalaselwe ingxelo engentatho-nxaxheba yoluntu emalunga nenkqubo engentatho-nxaxheba yoluntu ethe yaqhutywa ngokujoliswe kuMgaqo-nkqubo ongezoRhwebo.
  - b) Makuqinisekiswa uMgaqo-nkqubo ongezoRhwebo ukuze ungeniswe kwiKomiti yeSigqeba sikaSodolophu emva koko ungeniswe kwiBhunga ukuze uphunyezwe.
  - c) UMgaqo-nkqubo ongezoRhwebo mawuphengululwe kwiminyaka emithathu emva kokuba uye wamiselwa.
-



DATE: 17 SEPTEMBER 2020

REPORT TO: COMMUNITY SERVICES AND HEALTH PORTFOLIO COMMITTEE

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**1. ITEM NUMBER : CSH 24/11/20**

**2. SUBJECT**

**CLOSE-OUT REPORT ON PUBLIC PARTICIPATION PROCESS OF RECREATION AND PARKS' DRAFT CONCESSIONS POLICY**

**ONDERWERP**

**AFSLUITINGSVERSLAG OOR OPENBAREDEELNAMEPROSES VIR REKREASIE EN PARKE SE KONSEPKONSESSIEBELEID**

**ISIHLOKO**

**INGXELO YOKUGQIBELA EMALUNGA NENKQUBO ENGENTATHO-NXAXHEBA YOLUNTU EJOLISWE KUMGAQO-NKQUBO OLUYILO ONGOLAWULO KWEZOLONWABO NEEPAKI**

**M1102**

**3. DELEGATED AUTHORITY**

In terms the System of Delegations:

Part 7 delegation (1)(3) which reads to: To develop and review policy, and recommend the same to Council.

Part 1, delegation 11(1) which reads: To determine appropriate policies that should be developed, to take steps for the development thereof and to recommend such policies to Council.

Final decision is with Council.

This report is FOR DECISION BY

**Committee name** : Community Services and Health

The Executive Mayor together with the Mayoral Committee (MAYCO)

Council

#### 4. DISCUSSION

The Department of Recreation and Parks manages a number of facilities throughout the City. In order 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, the Concessions Policy (*Annexure A*) aims to provide guidance so that concessions may be more evenly and appropriately applied.

The concept note was first tabled at PCC on the 16<sup>th</sup> of April 2019. Thereafter, a Public Participation Process was implemented in consultation with the Portfolio Chairperson of Community Services and Health, Cllr Ronel Viljoen.

Members of the public and interested parties were invited to comment on the Draft Concessions Policy between 01- 30 October 2019. The methods used to engage the public were newspaper publications, digital communications and library advertisements. The Policy was also tabled at all Subcouncil meetings, who in turn distributed it to the various registered community organizations on their database.

The Post Public Participation Report, drafted by the Public Participation Unit (*Annexure B*) details the list of communication tools which were used to communicate to and inform the public of the proposal. These communication tools include the mandatory tools as per subsection 21A and 21B of Chapter 4 of the Local Government: Municipal Systems Act, No. 32 of 2000.

The comments received from Subcouncils and those received from members of the public during the Public Participation Process have been collated in *Annexure C* and *Annexure D* respectively. Subsequent to the previous submission of the close-out report to the Community Services and Health Portfolio Committee (February 2020), further inputs were received from Legislative Development, which are detailed in *Annexure E*. These amendments have been included in the latest version of the Concessions Policy (*Annexure A*).

Subsequent amendments that have been made to the policy after consideration of the comments received are as follows:

1. The title of the policy changed from *“Concessions Policy”* to *“Recreation and Parks’ Concessions Policy”* so as to avoid being interpreted as a City-wide policy on the application of concessionary use of City-owned facilities.
2. Definition of “Facility” was changed so as to stipulate that it is a City-owned facility or premises
3. Definition of “Programme” was amended so as to refer to City Programmes
4. It was agreed that a Standard Operating Procedure or Guideline will be developed in order to support categorisation as a “worthy cause” under “Definitions and Abbreviations”.
5. An amendment to subsection 7, where 7.10 *Disabled and differently-abled associations* are to be *registered on the City’s database*.
6. Within subsection 8 (Policy Directives) the following changes were made in terms of
  - a. *8.1 Organs of State* to include *Disabled and differently abled associations*
  - b. The waiving of a deposit in *“exceptional circumstances”* be read as *“exceptional circumstances, as deemed fit by Line Management upon receiving written request”*.
  - c. 8.6.4 was edited to read *“Time may be extended beyond 12 noon in consultation with the relevant Recreation and Parks’ appointed official, provided the facility is not already booked”*.
7. 8.8.2 was edited so as to read that *“An assessment of the facility must be done prior **and after** use to ensure that the facility is maintained and returned in good order.”*
8. It was agreed that a set guideline be developed in order to clarify criteria that qualify circumstances to be deemed ‘urgent’ (Section 8.9.10).
9. In the event that a comment related to an operational matter, the relevant line manager was indicated as the responsible person to resolve queries relating thereto.

Upon adoption, this policy will be rolled out over a period of six months and will be supported by standard operating procedures and standardised templates. This policy will be reviewed once the online booking system is in place.





**IZINDULULO**Kucetyiswa ukuba ikomiti yeephothifoliyo:

5.1 Yamkela ingxelo yokuthatha inxaxheba koluntu ngenkqubo yokuthatha inxaxheba koluntu eqhutyelwe uMgaqo-nkqubo weMvume.

5.2 Xhasa uMgaqo-nkqubo wemiVuzo ohlaziyiweyo ukuze ungeniswe ngaphambili kuMayco ukuze wamkelwe liBhunga.

**ANNEXURES****ANNEXURE A – RECREATION AND PARKS’ CONCESSIONS POLICY**

Annexure A – Recreation and Parks’ Concessions Policy

Annexure B – Post Public Participation Report


Annexure C – Comments received from Subcouncils during Public Participation Period

Annexure D - Comments received from Members of the Public during Public Participation Period

Annexure E – Comments received from Legislative Vetting

NAME	Vincent Botto	CONTACT NUMBER	021 400 4304
E-MAIL ADDRESS	Vincent.botto@capetown.gov.za		
DIRECTORATE	Community Services and Health	FILE REF NO	
SIGNATURE : DIRECTOR		Digitally signed by Vincent Botto Date: 2020.11.03 12:04:24 +02'00'	

**EXECUTIVE DIRECTOR**

NAME	Ernest Sass	COMMENT:
DATE		
SIGNATURE		Digitally signed by Ernest Sass Date: 2020.11.03 12:11:19 +02'00'

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**DIRECTOR: POLICY AND STRATEGY**

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

NAME      HUGH COLE      COMMENT:

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DATE

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SIGNATURE      **L. Janssens**      Digitally signed by L. Janssens  
Date: 2020.11.03 14:05:35  
+02'00'

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**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:

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DATE

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SIGNATURE      **Timothy Zeeman**      Digitally signed by Timothy  
Zeeman  
Date: 2020.11.03 13:36:06 +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      \_\_\_\_\_      COMMENT:

DATE      **Joan-**      Digitally signed  
by Joan-Mari  
Holt

SIGNATURE      **Mari Holt**      Date: 2020.11.03  
15:10:18 +02'00'

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



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STAD KAAPSTAD

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## Recreation and Parks' Concessions Policy

[Reference Codes] (The reference code will be allocated by Executive Support on submission of the policy)

Document Control:

Director/Manager Responsible	Jan Fourie
Version Number	
Status	
Next Review Date	
Previous Review Date	
Contact Details	021 400 2069

## 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 portfolio<sup>1</sup>

**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

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<sup>1</sup> 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 4 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 provided the facility is not already booked.
  - 8.6.3 One Saturday morning (up until 12 noon) per month for a community-based programme or activity provided the facility is not already booked.
  - 8.6.4 Time may be extended beyond 12 noon in consultation with the relevant Recreation and Parks' appointed official, provided the facility is not already booked.
  - 8.6.5 Bookings for a weekend will be processed provided that the facility is not already booked.
  - 8.6.6 Additional bookings beyond 4 per month, for a feedback session, will require authorisation from the Area Head Recreation and Parks.
  - 8.6.7 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.
  - 8.6.8 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.
  - 8.6.9 Councillors may not make bookings on anyone else's behalf in order for them to be granted a concessionary rate for personal use.
  - 8.6.10 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.
  - 8.6.11 Councillors will be required to provide all relevant documentation to comply with auditing requirements.
  - 8.6.12 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.
  - 8.6.13 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 five years, following adoption by Concil.



CITY OF CAPE TOWN  
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# Post Public Participation Report

NAME OF PROCESS	Draft Concession Policy, 2019
LINE DEPARTMENT	Community Services and Health Committee
RESPONSIBLE OFFICIAL	Jan Fourie
PPU PRACTITIONER	Anthea Bendie

## Public Participation Process

Process Period 01 October 2019 to 30 October 2019

### Methodology

A City Wide process was implemented in consultation with the Portfolio Chairperson of Community Services and Health, Cllr Ronel Viljoen.

Members of the public and interested parties were invited to comment on the Draft Concessions Policy between 01- 30 October 2019. Methods used to engage the public were newspaper publications, digital communications and library advertisements. The Policy was also tabled at all Subcouncil meetings who in turn distributed it registered community organizations on their database.

The table below under "Communication Tools" provides a list of push and pull communication tools which were used to communicate and inform the public of the proposal. These communication tools include the mandatory tools as per subsection 21A and 21B of Chapter 4 of the Local Government: Municipal Systems Act, No. 32 of 2000.

### Definitions

- Push communication tools refers to how the City communicated the process to the public
- Pull communication tools refers to how the public could submit input/comments
- Access refers to when the public could access the Draft Concessions Policy.

### Communication Tools

Communication Tools	Description / Use	Push	Pull	Access
<b>Print Media - Community Newspaper</b>	<ul style="list-style-type: none"> <li>• Weekend Argus- (28/29 September 2019 – English)</li> <li>• Die Burger- (28 September 2019 – Afrikaans)</li> </ul> <p>Total costs: R14 181.00 (Ex VAT)</p>	X		
City Website/ Online comment form: Draft Concessions Policy	<p><a href="http://www.capetown.gov.za/haveyoursay">www.capetown.gov.za/haveyoursay</a></p> <p>The process was published via Council's Have Your Say webpage and provided access to a downloadable MAP outlining the proposed closure, and made provision for online comments via the online comment form. (Published: 01/10/2019)</p>	X	X	X
Subcouncil Office	<p>The Draft Concessions Policy was made available at the Subcouncil office. The Subcouncil Office acted as a drop off point where comments could be submitted. (Delivered: 01/10/2019)</p>		X	X
<b>Database: Community Organisations</b>	<p>The advert and Draft Concession Policy was communicated to registered organisations on the SC Database. (Circulated: 01/10/2019)</p>	X		X
Libraries	<p>Adverts and the Draft Concessions Policy was distributed to libraries across the City for viewing and comments by interested and affected parties who do not have access to online platforms. (Delivered: 01/10/2019)</p>			X

Email	Line Department provided an email address for comments to be submitted to and for technical enquires. The Public Participation Unit provided an email for enquiries on the actual process and to assist people with disability, and who can't read or write with submitting their comments.		X	X
Telephone	Telephone numbers were provided by both Line Department and Public Participation for the same reasons as stipulated above, as per email.			X

**Comments Received by:**

Sub council	Line Department	Digital Communications	Public Participation	Total
22	5	1	1	28

**Annexures**

- Annexure "A" – Record of Comments
- Annexure "B" – Advert
- Annexure "C" – Additional Supporting Document

**Authored by**

Name	Department	Date
Anthea Bendie	Public Participation Unit	03/12/2019

## Annexure C

## Summary of Comments Received from Subcouncils

The purpose of the report was to notify the Subcouncil of the issuing of the draft Concession Policy for public comment and input. The due date for comments is the 30<sup>th</sup> of October 2019.

Subcouncil	Item no	Comments	Subcouncil Resolutions	Feedback from Line Department
1	01SUB	Council noted the Draft Concessions Policy		Noted; no further comments received.
2	02SUB 04/11/2019	It was requested that the comments and input be forwarded to the Subcouncil 2 Manager who will collate and sent to the relevant department for further action.	(i) That content of the report on the Public Participation on the Draft Concession Policy of the City of Cape Town; (ii) That the comments be submitted no later than 30 October 2019.	Noted; no further comments received.
3	03SUB 23/110/2019	The purpose of the report was to notify the Subcouncil of the issuing of the draft Concession Policy for public comment and input. The due date for comments is the 30 <sup>th</sup> of October 2019	That the contents of the report be noted.	Noted; no further comments received.
4	04SUB 21/10/2019	The meeting unanimously agreed to note the content of the report.	a) That the report: Public Participation on the Draft Concession Policy of the City of cape Town BE NOTED. b) That it BE NOTED that no comments were received at the meeting:	Noted; no further comments received.
5	05SUB		NOT TABLED	

Subcouncil	Item no	Comments	Subcouncil Resolutions	Feedback from Line Department
6	06SUB 44/10/2019	The meeting agreed to note the Public Participation Report	That the Public Participation on the Draft Concession Policy of the City of Cape Town be noted	Noted; no further comments received.
7	07SUB 8/10/2019		That the Public Participation on the Draft Concession Policy of the City of Cape Town be noted	Noted; no further comments received.
8	08SUB 16/10/2019		That the Public Participation on the Draft Concession Policy of the City of Cape Town be noted	Noted; no further comments received.
9	09SUB 9/10/2019		That the Public Participation on the Draft Concession Policy of the City of Cape Town be noted  That Subcouncil 09 REQUEST AN EXTENSION of fifteen (15 days) as the report was not received on time.	Noted. All comments submitted, including the late ones were considered.
10	10SUB 11/10/2019	<b>Cllr Mngxunyeni</b> said Cllrs are restricted not to make use of the halls on weekends, they are allowed to book or reserve the halls during the week of which they do not cover large amount of audience as the community is tired to attend ward councillors meetings during to work commitments.  <b>Cllr Cassim</b> said the numbers that are displayed on the City's website for hall bookings are not answered and said the community wants to make use of the halls on weekends rather than weekdays and proposed if the booking offices cannot be opened on weekends.	that the following comment on the Report regarding the Public Participation on the draft Concession Policy of the City be <b>RECOMMENDED</b> to Council:  That no block bookings of community halls, especially by churches, be made for any community hall owned by the City as this practice restricts and blocks access to City Facilities by other organizations	Noted. This is not a concessions matter, but a facility usage matter. The Department will engage the Subcouncil/ Cllr Mngxunyeni to discuss this matter further.



Subcouncil	Item no	Comments	Subcouncil Resolutions	Feedback from Line Department
		<p><b>Cllr Simbeku</b> said Churches book the halls for a year and, that makes it so difficult for Councilors to make use of the facility.</p>		
11	11SUB	<p><b>PUBLIC PARTICIPATION ON THE DRAFT CONCESSION POLICY OF THE CITY OF CAPE TOWN</b></p> <p>Ms Salie informed the Subcouncil members that the purpose of the report is to notify Subcouncil of issuing Draft Concession Policy of the City of Cape Town.</p> <p>Cllr A Moses as Portfolio member raised concern with the Draft of the policy and requested that the report be send back to the Community Services Portfolio Committee as certain clauses of the policy has;</p> <ol style="list-style-type: none"> <li>1. Notion of attack to Councillors and policy which bind all Councilors</li> <li>2. Incorrect message being send out to the members of the public</li> <li>3. Section 8.6.9 Councillors may not make bookings on anyone else behalf in order for them to be granted concessionary rate for personal use.</li> </ol>	Consensus	

Subcouncil	Item no	Comments	Subcouncil Resolutions	Feedback from Line Department
		<p>4. Section 8.12 Any misrepresentation or misuse by a Councillor will be referred to the Speakers Office for investigation and possible disciplinary action. The City has a process in place dealing with transgressions by Councillors therefore unnecessary to mention this clause and there is no other policy in the City explicitly making reference to disciplinary measures to be taken against Councillors.</p> <p>Ald. Antonio van der Rheede said he rejects the policy; it is an indictment to report Councillors to Speakers Office. We have code of conduct as Councillors and this is the worse written policy.</p> <p>Cllr L Gungxe</p> <ul style="list-style-type: none"> <li>• This Policy must favor Councillors and the following points to be challenged</li> <li>• Section 8.6.4 Time may be extended beyond 12 noon upon request to area</li> </ul> <p>Head Recreation and Parks provided the facility is not already booked.</p>		

Subcouncil	Item no	Comments	Subcouncil Resolutions	Feedback from Line Department
		<ul style="list-style-type: none"> <li>• Section 8.6.5 Bookings over weekends will only be processed provided that the facility is not already booked.</li> <li>• Section 8.6.6 Additional bookings beyond 4 per month for a feedback session, will require authorization from Area Head Recreation and Parks.</li> <li>• As Councillors we need to submit counter proposals that are progressive, reasonable and non-emotional that favors the Councillors. He suggested that both DA and ANC caucuses discuss the policy and make inputs.</li> </ul> <p>Cllr B Ngcombolo concurred with the Chief Whip of ANC: Cllr L Gungxe, and said this is an evil policy against Councillors and should be rejected.</p> <p>Cllr Y Plaatjie referred to Section 8.9.10 Councillors may make bookings on behalf of organisations or community groups in urgent circumstances and if in the public interest, and where the</p>		

Subcouncil	Item no	Comments	Subcouncil Resolutions	Feedback from Line Department
		<p>urgency can have supported by relevant documentation. Rejection of concession application programmes.</p> <p><b>RESOLVED</b></p> <p>The Subcouncil members rejected the policy and proposed that the policy be referred back to political caucuses and the relevant portfolio committee</p> <p><b>Action: J Fourie , F Salie</b></p>		
12	12SUB		NOT REPORT	
13	13SUB 9/10/2019		That the report should also be NOTED and also the report should be forwarded to the <b>Ward Committee Members</b> for comments	Noted.
14	14SUB 17110/2019	<p>Subcouncil Manager introduced the report indicating the official is not present*</p> <p><b>Cllr Dambuza</b> sought clarity on why no apology was submitted. The Subcouncil Manager indicated that this is unclear</p> <p><b>Cllr Ngxumza</b> noted that the due date for submission is 30 October 2019. He would want to comment within the timeframe. We can note and agree.</p> <p>Chairperson indicated that venues forms the basic core of the work with the community. Challenges are being experienced of councillor and</p>	<p>It was resolved that the report on Public Participation on The Draft Concession Policy of the City of cape Town BE NOTED..</p> <p>It was resolved that reports that require Subcouncil Council 14 input should be tabled in the ward committees -to assist ward councillors-with community input.</p> <p>It was resolved that agenda items – without a departmental representative will be deferred to the next meeting.</p> <p>It was resolved that officials absent without apology must be reported to the appropriate authority.</p>	The respective Area Heads (Recreation and Parks) were formally requested to attend the Subcouncil meetings in order to answer any questions relating to the Concessions Policy.

Subcouncil	Item no	Comments	Subcouncil Resolutions	Feedback from Line Department
		<p>community organisations accessing venues. We talk to the community face to face- a problem of officials who are not very supportive, He requested this item be discussed at the Strategic Workshop.</p> <p>Subcouncil Chairperson indicated that the Subcouncil will not entertain reports where the author or a representative is not present. Subcouncil 14 also do not want officials who says the report is in front of Subcouncil and I am only here to take comments back to the office. Officiates should be present and play their part. Every such instance. must be reported to the Speaker's office.</p>		
15	15SUB 8/10/2019	<p>The Subcouncil Members was informed that the draft policy will be discussed with the Ward Committees and interest groups for comment and input as follows:</p> <ul style="list-style-type: none"> <li>•Ward 53, Ward 55 and Ward 56 – Monday, 21 October 2019 in the Plover Room, Ground Floor, Pinelands Training Centre, Pinelands; and</li> <li>•Ward 51 &amp; Ward 52 – Wednesday, 23 October 2019 in the Guga S'Thebe Dome, Ground Floor, Guga S'Thebe Cultural Centre, King Langalibalele Drive, Langa.</li> </ul>	<p>(a) Councillors submit their individual comments, if any, by the due date;</p> <p>(b) The public participation on the draft concession policy of the City of Cape Town BE NOTED</p>	Noted; no further comments received.

Subcouncil	Item no	Comments	Subcouncil Resolutions	Feedback from Line Department
16	16SUB 16/10/2019		That the Draft Concession Policy of the City of Cape Town be Noted	Noted; no further comments received.
17	17SUB 18/10/2019		The Subcouncil submit its comments on the draft Concession Policy — should it have any — within the timeframes as advertised.	Noted; no further comments received.
18	18SUB 16/110/2019		That Subcouncil 18 SUPPORTS the draft Concession Policy, should it have any input, within the timeframes 1-30 October 2019 as advertised.	Noted; no further comments received.
19	19SUB 10/10/2019	The Subcouncil Manager, Ms Desiree Mentor, informed that the purpose of the report was to notify Subcouncils of the public participation period of the draft Concession Policy. The comment period commenced on the 01 October 2019 and would end on the 30 October 2019.	The Subcouncil submit its comments on the draft Concession Policy within the timeframes as advertised.	Noted; no further comments received.
20	20SUB 50/10/2019	<p>There was no official present for this item.</p> <p>Clr Southgate commented as follows:</p> <p>That NPOs be included on page 794 under definitions and abbreviations, specifically with the abbreviations at the foot of the page.</p> <p>On page 796, under number 6 and 6.1, did this include halls managed by CBOs. At a Ward Committee meeting, a cultural organisation requested to use Square Hill Community Hall and was informed that they had to pay a fee.</p>	<p>a) Subcouncil 20 notes the contents of the report on the Public Participation of the Draft Concession Policy.</p> <p>b) Subcouncil 20 requests that cognisance be taken of the comments raised in the preamble of the item.</p> <p>FURTHER RESOLVED TO RECOMMEND</p> <p>c) Subcouncil 20 requests that a written report be submitted on the status of the following facilities managed by CBOs</p> <p>Elfindale Hall Gordon Road Hall Square Hill</p>	Noted. These are not policy related matters and will be addressed by line

Subcouncil	Item no	Comments	Subcouncil Resolutions	Feedback from Line Department
		<p>The status of the following halls/facilities operated by CBOs was requested on the following:</p> <p>Elfindale Hall o Gordon Road Hall o Square Hill Community Hall</p> <p>It was requested that a written report be submitted for the November Subcouncil Meeting, including a copy of the financial reports of these organisations operating the facilities. He mentioned that he saw a balance sheet where one organisation had R250 000 generated from hiring fees. He was adamant that his issue needed to be addressed.</p>	<p>Community Hall</p> <p>d) Subcouncil 20 requests that the Conditions of Leases and financial statements be made available in the report to the November Subcouncil Meeting of the facilities set out in Recommendation C.</p>	
21	21SUB 18/10/2019		That Subcouncil SUBMIT comments on the draft Concession Policy, should it have any, between 1 October and 30 October 2019.	Noted; no further comments received.
22	22SUB 14/10/2019		That the Public Participation on the Draft Concession Policy of the City of cape Town, BE AGREED AND SUPPORTED.	Noted; no further comments received.
23	23 SUB		Can't read blank	
24	24SUB 22/10/2019	<p>Comments from Cllrs</p> <p><b>Cllr Raymond</b> commented whether this application will be a universal application form or for all the Departments or is it only for Recreation &amp; Parks only as it is not only the Recreation &amp; Parks that have halls there are other Departments in the City who are also own halls.</p>	That the Subcouncil submits it comments on the draft Concession Policy – should it have any – within the timeframes as advertised.	This is only a Recreation and Parks facility application form.

Subcouncil	Item no	Comments	Subcouncil Resolutions	Feedback from Line Department
		<p>Will there be a central office to book the hall with or there must be an online booking in order to know who is doing where.</p> <p>Is there a deposit being paid in the event of any damages and who will pay for it?</p> <p>The policy is not clear on who has the authority to give the concession and on what grounds is there for concession. That the organizer signs an indemnity form and that person would be liable for any breakages or damages.</p> <p>Concerned about blocking that can be done for a whole year.</p> <p>Referring to No. 10 of the policy that an annual report serves before the section 79 committee instead that it comes to the Subcouncil as Subcouncil monitors.</p>		<p>Currently the various areas have various booking offices. The Department is however developing an online booking system.</p> <p>A deposit is normally payable, but the concessions policy makes provision for that to be waved in exceptional circumstances.</p> <p>Noted. Will be make clear.</p> <p>Noted. This is a facility usage matter and will be addressed with the councillor.</p>



## Annexure D

## Summary of Comments Received from Members of the Public During Public Participation Process

Name and Contact Details	Comment	Line Department Feedback/Response
Kurt Ackermann 083 508 1066 kackermann@yahoo.com	How can residents or organisations find out what facilities are available for use under the policy?	The Department will action.
	How can residents or organisations find out who might have been granted a particular concession, at what rate and for what period?	Reports will be submitted to PC and Subcouncils.
	In an instance of suspected inappropriate use by the concession holder, how does one lodge a complaint or report a problem? If there is a complaint, how does the concession holder appeal and who is the final arbiter?	Line management must deal with these matters.
	In the case of multiple applications for the same concession, what is the process and what are the criteria for adjudicating?	First come first served basis as per booking conditions.
	How do concessions for use of facilities differ from leases and what is the basis for one or the other being offered?	Concessions are granted to ensure access to public facilities that would otherwise not be possible.

Name and Contact Details	Comment	Line Department Feedback/Response
<p>Mr Hillton S. Dennis Global Community Foundation "YOUTH-BUILD EMPOWERMENT" 0659717187</p>	<p>As a Community organization I hereby want to make recommendation that the facilities must be properly used by Non-Profit Organizations with a sustainable program that can keep youth busy at all times.</p>	<p>Concessionary rates are only offered to registered CBO's, NPO's and NGO's provided the organisation furnishes the Department with the relevant supporting documentation and evidence. Programmes that are offered during 'concessionary use' should be monitored (by SFO? PO? Play leader? Rec Officer?)</p>
<p>Mariam Davids Secretary NHNW</p>	<p>The New Horizon Neighbourhood Watch feels the need for facilities to be made available for training and Social Crime Prevention programmes. It should also give preference to Accredited Neighbourhood Watches in order to be fair to other registered organisations who wish to use the facility. No cost as it's a volunteering service.</p>	<p>Noted – organisation to follow process</p>
<p>Mr Anwar Samodien gpawatches@gmail.com 0217050327/0836499163 GRASSY PARK PRECINCT NEIGHBOURHOOD WATCH ASSOCIATION (GPAW)</p>	<p>An opportunity to book venues within the Grassy Park Precinct for our meetings/functions/etc throughout the year.</p>	<p>Noted</p>

Name and Contact Details	Comment	Line Department Feedback/Response
<p>Caroline Marx Ward 55 Ward committee</p>	<p>Please consider making name more self-explanatory, e.g. Concessions policy for parks and recreation facility.</p>	<p>Noted – agreed</p>
	<p>Please consider charging an additional deposit if music is to be played to be forfeited if noise regulations are contravened</p>	<p>Will be considered</p>
	<p>Please consider charging an additional deposit to be charged if alcohol is to be served, to be forfeited if hours are exceeded and/or to cover extra risk of damages or if public nuisance is caused.</p>	<p>Noted – to be considered</p>
<p>L. Ashton Ward 103 lesley.nicash@gmail.com</p>	<p>The Policy is limited to one Department (Recreation and Parks) which parameters are limited to halls, swimming pools, parks, sport and rec facilities, stadia, resorts and POS.</p>	<p>Noted, agreed. This is for Recreation and Parks facilities only</p>
	<p>The Policy should be comprehensive and not “silo” defined (especially if in the future the online application is to be successful.)</p>	<p>As per above</p>

Name and Contact Details	Comment	Line Department Feedback/Response
	<p>The fact that the CCT has enormous POS surrounding libraries, municipal buildings and other areas outside of the responsibility of Department of Recreation and Parks – Green Point Park etc. – THESE SHOULD BE INCLUDED IN THIS POLICY or be specifically excluded similarly to Cemeteries.</p>	<p>Noted – will be considered</p>
	<p>The management of CCT Immovable Property such as portion Erf 474 37 Queen Street Durbanville and all other similar properties should also be included in this Policy.</p>	<p>Noted – will be considered</p>
	<p>The Municipal Sport’s Facilities Policy (Draft) should also include the final Concession Policy, however should a Club Facility be fully funded by members this Concession Policy should not apply to them. Eg.: Durbanville /Rondebosch Golf club</p>	<p>All concession applications will be considered and criteria applied to determine whether a concession is warranted.</p>
	<p>Roleplayers and Stakeholders 7.5 Residents of the City – Is this to include Clubs registered to Winelands Sports District but currently making use of CCT sports facilities on a permanent basis? This should be clearly defined I believe.</p>	<p>Any organisation/ person wanting to make use of a Recreation and Parks facility may apply for a concession</p>
		<p>Not clear – Department to follow up</p>

Name and Contact Details	Comment	Line Department Feedback/Response
	7.8 Neighbourhood watch groups – is this defined as Accredited NHW groups?	

## Annexure E

## Summary of Comments Received from Legislative Vetting

Name and Contact Details	Comment	Line Department Feedback/Response
Legislative Vetting	<p>Recommended amendments to the following definitions:</p> <ul style="list-style-type: none"> <li>- Definition of "facility" to refer to City-owned facility</li> <li>- Definition of "programme" amended so as to refer to City programme</li> </ul>	Amended accordingly.
	<p>Reference to "7. Roleplayers and Stakeholders"</p> <ul style="list-style-type: none"> <li>- 7.10 Disabled and differently abled associations"</li> </ul> <p>Does this refer to all associations or only those registered on the City's database?</p>	It should read "Disabled and differently abled associations registered on the City's database", as is the case with NGO's and CBO's.
	<p>Disabled and differently abled associations have been omitted from "8. Policy Directives, subsection 8.1"</p>	Corrected so as to include these organisations.
	<p>Recommended inclusion of "and after" in relation to the assessment of facility before <i>and after</i> a booking has occurred.</p>	8.8.2 was edited so as to read that "An assessment of the facility must be done prior and after use to ensure that the facility is maintained and returned in good order."

Name and Contact Details	Comment	Line Department Feedback/Response
Legislative Vetting	<p>1.1 CBOs registered on the City's database (7.3)</p> <p>Are religious groups allowed concessionary rates? Do religious groups fall under the definition or interpretation of CBO's?</p>	<p>We do not consider any concessions for churches or religious organisations. The City's annual tariff schedule specifically refers to religious organisations. These organisations book and pay fees according to the annual tariff schedule.</p> <p>Organisations can apply for membership status at any of the Department's booking offices. There is a formalised process/SOP for membership applications, and forms can be obtained at booking offices.</p>
<p>1.2 Organisations offering activities which complement the core business of the department may – (8.4)</p> <p>a. apply for membership status and will then receive the discounted membership rate as set out in the tariff schedule; or</p> <p>Where and how is this to be done? Details must be provided so that the applications can be dealt with in a consistent manner by the correct official/s.</p>		

Name and Contact Details	Comment	Line Department Feedback/Response
	<p>1.3 Facilities that are block booked may have their booking adjusted to accommodate official Council feedback sessions, provided ten working days notice is provided to the Department Recreation and Parks. (8.6.12)</p> <p>This is somewhat ambiguous. Will the Councillor's feedback session booking be adjusted to accommodate Council feedback sessions? Is it not the Councillor who conducts the Council feedback session?</p>	<ul style="list-style-type: none"> <li>- <i>The request emanated from Councillors, who on occasion, would require the use of a facility that has already been block booked by an organisation/stakeholder (non-Council). In such an event, Councillors requested that their requests should be considered provided ten days' notice is provided to the Department.</i></li> <li>- <i>This addition should be listed under 8.6 as it relates to use of facilities by Councillors.</i></li> </ul>