

**AN INVESTIGATION INTO THE STATE OF
MUNICIPAL-SERVICE DELIVERY
A Case Study of Vhembe District**

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Master's of Management in Public Policy**

Declaration

I declare that this research is my own, unaided work. This research is submitted in partial fulfillment of the requirements for a Masters of Management in Public Policy degree in the Graduate School of Public and Development Management, University of the Witwatersrand. It has not been submitted before for any degree or examination to any other University.

Takalani Daniel Makananisa

13 June 2011

Dedication

This thesis is dedicated to my mother Phophi Makananisa, who devoted herself full-time to raising me during my childhood. I admire her for constant love and support. My two sons Andy and Takie junior are my inspiration. My wife Phumudzo was tremendously supportive during my studies. She is surely the best mother my sons could ever have.

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Acronyms

ANC	African National Congress
CBO	Community-based organization
COGTA	Cooperative Governance and Traditional Affairs
CONTRALESA	Congress of Traditional leaders of South Africa
CPA	Chair Persons Associations
CRSA	Constitution of the Republic of South Africa
FFC	Financial and Fiscal Commission
HSRC	Human Sciences Research Council
IDASA	Institute for Democracy in Southern Africa
IDP	Integrated Development Plan
IGR	Intergovernmental relations
KPI	Key Performance Indicator
LED	Local Economic Development
LG	Local Government
LGB	Local Government Bulletin
LGR	Local Government Barometer
MEC	Member of Executive Committee
MFMA	Municipal Finance Management Act
MIG	Municipal Infrastructure Grant
MSA	Municipal Systems Act
NGO	Non- Governmental Organization
PPP	Public Private Partnership
PR	Proportional Representative
RDP	Reconstruction and Development Programme
SA	South Africa
SALGA	South African Local Government Association
SANCO	South African National Civic Organization
SETA	Sector Education and Training Authority
STATS SA	Statistics South Africa
TR	Treasury Regulation
WC	Ward Councillor

WITS
WPLG

Witwatersrand
White Paper on Local Government

Abstract

This study is set out to investigate municipal service delivery in the Vhembe district with specific reference to the following areas:- The nature and level of community participation, councillors' understanding of their functions, roles and responsibilities and capacity required of local municipalities to deliver quality services based on their constitutional and legislative competencies.

For the past eight years, municipal service delivery protests have become prevalent in South Africa. Even after the 2008 National and Provincial elections, more cases of service delivery protests were reported. All indications are that service delivery is a phenomenon that needs to be explored to provide understanding of the deep rooted problem areas affecting municipalities.

A qualitative study was undertaken to enable the researcher to provide answers to questions related to whether communities are participating in the activities of the municipalities, whether or not councillors have the necessary understanding, of their roles and responsibilities for example, communicating information to their constituency regarding service delivery progress, and whether municipalities have the required capacity to deliver quality services.

The key findings of this study are that there is a need to come up with a model which ensures that municipal councils are no longer situated in towns but in the villages, that there is a need to rethink political deployment as it is believed to impact

negatively to the capacity of municipalities to deliver services, and that the lack of monitoring and evaluation of councilors' performance is increasingly causing challenges, and undermining the purposes and intentions of developmental local government.

1. INTRODUCTION

1.1 Introduction

The purpose of this research is to investigate the levels of municipal service delivery in the Vhembe district, with specific reference to community participation in the activities of municipalities, roles and responsibilities of councillors, and capacity required by municipalities to deliver quality services.

This research is important because, it has become apparent that municipalities are facing countless challenges in their bid to provide services to the communities. While this research may not provide a fit-all model solution to the service delivery challenges, it may help the district of Vhembe to align itself to the critical issues this research is raising.

Chapter one of this research deals with the introduction of the research, the purpose, the problem statement, the key questions, and the methodology the research is going to use to answer the questions. Chapter two focuses on the literature review, chapter three is the research methodology, chapter four provides the research findings and chapter five deals with conclusions and recommendations.

1.2 Background of the Study

In June 2004, approximately 3000 protestors marched on the streets of Diepsloot near Johannesburg. It was in the same month that violent demonstration erupted in Harrismith where one protestor was killed. In February 2005, residents in Phumulong near Hannenman in the Free State took to the streets protesting against lack of service delivery. In March 2005, close to 5000 residents of Embalenhle township, near Secunda in Mpumalanga embarked on a protest against poor service delivery. In the Cape Town neighborhoods of Langa, Gugulethu, Khayelitsha and Happy Valley, protestors marched through the streets to register their dissatisfaction about poor service delivery (HSRC, 2005).

Service delivery protests continue to take place each year across the provinces of the country. In Limpopo, Moutse residents demonstrated against poor services demanding that they be incorporated into Mpumalanga province. Six days before general elections, in Bolobedu, residents of Morapalala, Mookgo, Modumane and Mabjepilong villages threatened not to vote blaming municipalities for failing to deliver services. In the Vhembe district, sporadic service delivery protests were reported. The community from Nengwekhulu village outside Vuwani threatened not to participate in the coming national and provincial elections blaming Makhado municipality for failing to provide electricity (Soweton, 2009).

Service delivery in Vhembe is provided by the four local municipalities that make up Vhembe:-Mukhado, Musina category, Thulamela, Mutale and Vhembe district municipality. Makhado, Thulamela and Vhembe are category C while Musina and Mutale are category B. These categories are outlined in the Constitution of Republic of South Africa Act, 1996 (Act No. 108 of 1996) and Local Government Structures Act, 1998 (Act No. 117 of 1998).

A Category A municipality has exclusive municipal executive authority in its area. It has high population density with intense movement of people and goods. Category A has more development, multiple businesses and industrial areas. What stands out in this category of municipality is that it has strong interdependent social and economic linkages within its entire jurisdiction.

A Category B municipality has a collective executive system which is referred to as a mayoral executive system. It has a plenary executive system which also provides for a wide participation. A Category C municipality has a collective executive system or mayoral executive system and a plenary executive system.

According to the Municipal Structures Act, 1998 (Act No. 117 of 1998), only the minister in consultation with the MEC for local government in the province concerned, the Demarcation Board and the South African Local Government Association may declare categories of municipalities by putting notices in the Government Gazette.

The municipal councils comprise ward councillors who are voted for directly by voters to become representatives of wards in municipal councils, and proportional representative (PR) councillors who are appointed by their political parties to serve in a municipal council. The total number of municipal councillors, is determined by the Member of the Executive Committee (MEC) of local government.

This study is going to look at municipal service delivery in Vhembe district focusing specifically on the three areas namely community participation, the roles and responsibilities of municipal councillors and the capacity municipalities require to deliver services.

1.3 Problem Statement

This study argues that municipalities are facing challenges in the provision of services to communities. The protests by communities against poor services delivery, suggest that communities are unhappy not only with the level and quality of municipal services, but also with the degree of their participation in municipal affairs.

This study therefore argues that the level of protests is directly linked to levels of service delivery, and it intends to investigate the state of municipal service delivery in the Vhembe district by answering the following questions:

- (a) What is the nature of community participation?
- (b) How do councillors understand their functions, roles and responsibilities? and
- (c) What is the capacity of the municipality to deliver services based on its constitutional and legislative competencies?

1.4 Purpose Statement

The purpose of this study is to answer questions raised above, by exploring what is happening in the district of Vhembe regarding the levels of community participation in matters of municipal service delivery, misconceptions about the roles and responsibilities of councillors by councillors themselves and the capacity required by municipalities to deliver quality services.

1.5 Core concepts

Community participation

The involvement of communities in the programmes and projects of government can ensure that municipalities are governed in the most transparent way possible. Fox (2007:667), one of proponents of transparency, states that transparency refers to having both information access policies and programmes that reveal reliable information about institutional performance, personnel responsibilities, and where public funds are spent.

Isingoma and Reddy (2006:91) state that "Local government must be at the forefront of involving citizens in local governance and development by providing them with practical and effective opportunities for participation."

Public participation should also enable the public not only to hold municipalities to account regarding the delivery of municipal services, but also to view local government as a legitimate vehicle for democratic expression that belongs to them (Isingoma & Reddy 2006:92).

According to McLennan (2007:6) service delivery is a political issue which involves a complex relationship between stakeholder participation, power and authority, which legitimizes the distribution of resources for development on behalf of government.

To improve service delivery, it is critical to ensure that a highly contested space is created where political leaders, municipal officials, citizens, interest groups and institutions are engaged in the decision making processes related to development and growth (McLennan 2005a).

Roles and responsibilities of municipal councillors

Municipal councils play a critical role in providing leadership in all municipal service delivery programmes. The Local Government Municipal Structures Act, 1998 (Act No. 117 of 1998) provides for municipal councils to convene to ensure that service delivery plans and reports are presented and interrogated respectively at least once per quarter.

Municipal councils are responsible for meeting the service delivery needs of the community by setting priorities in the form of programmes and projects to meet those needs. This is only possible through the involvement of the community in determining the mechanisms for meeting their needs. The programmes and projects budgeted for provide a scope of work that becomes incorporated into the Integrated Development Plan (IDP). The IDP is referred to as the roadmap for service delivery. Craythorne (2003:149) states that the IDP is a plan aimed at the integrated development and management of an area of jurisdiction of the municipality concerned in terms of its powers and duties.

The roles and responsibilities of councillors are determined by whether a councillor occupies the position of mayor, speaker, ward councillor (WC) or proportional representative (PR). Section 56 of the Municipal Structures Act, 1998 (Act No. 117 of 1998), determines the powers and functions of the executive mayors as follows. The executive mayor receives reports from committees of the municipal council and forwards them together with the recommendations to the council when the matter cannot be dealt with by the executive mayor in terms of the delegated powers. The executive mayors identify and develop criteria in terms of which progress in the implementation of the strategies, programmes and services is evaluated, including key performance indicators which are specific to the municipality and common to local government.

Section 37 of the Municipal Structures Act, 1998 (Act No. 117 of 1998) provides for the functions of the speaker, which include presiding at the council meeting to ensure that council meets quarterly, maintaining order during meetings and ensuring that meetings are conducted in accordance with the rules and orders of council.

The roles and responsibilities of councillors are defined by Craythorne (2003:100) as entailing a wide range of activities, including: representing local communities on municipal councils, to ensure that municipalities have structured mechanisms of accountability to local communities, and meeting the priority needs of the community through providing services, equitably, and in a sustainable manner. While performing their roles, councillors must be accountable to local communities: they should report back to their constituency at least once quarterly on council matters. They should also report on the performance of the municipalities in terms of the established indicators.

Capacity to deliver quality municipal services

The central question often asked is what does public administration need to do to ensure quality governance and sustainable development? In answering the question McLennan and Ngoma (2004:11) indicate that through the decades various development strategies and programmes were implemented, with unsatisfactory results. McLennan and Ngoma (2004:11) further emphasize that the key constraint in the implementation of development programmes is lack of attention to the local institutional capacities required, and the key challenge is to

empower the organizations and people who drive them to make proper decisions about local development.

Section 68 of the Municipal Systems Act, 2000 (Act No. 32 of 2000) provides for the need to ensure that municipalities put capacity in place to perform their functions. In this section, municipalities must develop human resource capacity to a level that enables them to perform and exercise their powers in an economical, effective, efficient and accountable way.

To build capacity, municipalities should comply with the Skills Development Act, 1998 (Act No. 81 of 1998) and the Skills Development Levies Act, 1999 (Act No. 2 of 1999). Municipalities should make provision in their budgets for the development and implementation of training programmes.

Municipal services are electricity supply, and the transmission, distribution and generation thereof, the provision of water, sewage disposal systems, municipal health services, imposition and collection of taxes.

1.6 Methodology

The research is qualitative in nature. The method enabled the researcher to understand challenges regarding municipal service delivery in the Vhembe district, looking into community participation, the misconceptions on the roles and responsibilities of councilors, and the much needed capacity that ensure quality service delivery.

The legislative framework were assessed to provide an understanding of how municipalities should function and to establish whether there were deviations from policies set out by government to be complied with. More attention was paid to the White Paper on Local Government, Municipal Systems Act, The State of Local Governance in South Africa, and Ten Year Review of Local Government.

In order to gain rich material that this qualitative research demanded, primary data was obtained through the use of semi-structured interviews with top level decision makers both from community structures and municipalities. Participants were chairpersons of SANCO, CONTRALESA, Chairpersons Associations, and NAFCOC in the district of Vhembe. Municipal councilors who participated in the interviews were members of executive committee who chair Technical services portfolios and section 57 managers from Development Planning divisions of each local municipality. The reason for purposive sampling was to ensure that individuals who had substantive experience in this environment are targeted to provide rich information on community participation, roles and responsibility of councillors and the capacity required by municipalities to deliver quality services.

Secondary data for this research was gathered from books, journals, legislations, print media, conference papers and internet.

2. LITERATURE REVIEW

2.1 Introduction

This chapter deals with the literature that is going to help the researcher to answer the research questions which are:-What is the nature of community participation in municipal activities? How do councillors understand their functions, roles and responsibilities, and what is the capacity of the municipality to deliver services based on its constitutional and legislative competencies?

The literature answers the questions raised in this research by providing both supportive and contrary views to the key arguments of this study which is that; protests by communities against poor services delivery, suggest that communities are unhappy not only with the level and quality of municipal services, but also with the degree of their participation in municipal affairs and that the level of protests is directly linked to levels of service delivery.

To achieve the objective of this chapter, the review of literature will be done with specific focus to community participation in the affairs of municipalities, councillors roles and responsibilities and the capacity for required by municipalities to deliver se

2.2 Community Participation

The Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996) Section 152 (e) indicates that one of the objects of local government is to promote the involvement of communities and community organization in matters of local government to enhance service delivery.

The Municipal Systems Act, 2000 (Act No. 32 of 2000) emphasizes that municipalities must develop a culture of municipal governance by encouraging and creating conditions for the local community to participate in the affairs of the municipality for example the preparation, implementation and review of the Integrated Development Plan (IDP), monitoring of performance, evaluation of the performance impact, and preparation of budgets.

The White Paper on Local Government Act, 1998 (Act No. 119 of 1998) indicates that the local government's vision of development is centered on working with the local communities to find sustainable ways to meet their needs and improve the quality of their lives. This therefore suggests that community participation in local government is not a choice but a constitutional imperative.

The argument in this study is that, flowing from the Constitution of Republic of South Africa Act, 1996 (Act No. 117 of 1996) and the White Paper on Local Government, 1998 (Act No. 119 of 1998), community participation promotes the democratic processes of collective decision making, which ensures that

citizens have the power to decide on municipal service delivery and policy proposals that are led by politicians, while bureaucrats see to the implementation of policies.

Isingoma and Reddy (2006:19) stated that the local citizenry and civil society organizations view local government as an institution that belongs to them and a legitimate vehicle for democratic expression. Democracy only makes sense if it connects with the masses through the involvement of citizens in all aspects of local government.

A similar statement is made by Fjeldstat (2003:140) that the local government must be at the forefront of involving citizens in local governance and development through providing them with practical and effective opportunities for participation. He further indicates that a process of continuous dialogue between municipalities and their communities, as well as community participation in all aspects of council activities and the strengthening of ward committees, is critical for service delivery.

Similar views on public participation are expressed by Pateman (1970:8) and Baiochi (2005:8), who stress that community participation is an ingredient of participatory democracy that forms part of the cornerstone of municipal service delivery. Precautions must be exercised to ensure that public participation should not be done for compliance purposes, but that it draws on public representative ideas and opinions to enrich public policy making and implementation (Mckenzie, 2009:4)

Opposing views on public participation are expressed by Wampler (2007), who emphasizes that participatory democracy is not necessarily the panacea for the problems of municipal service delivery: it is, he argues, merely part of the entire set of factors needed to ensure that services are effectively delivered to the citizens.

The view of the researcher on public participation is that it is a tool which requires a fair amount of creativity from the side of the municipalities, just like a paint brush in the hands of an artist. If well crafted, public participation has the potential to contribute immensely to municipal service delivery by ensuring that role players with an interest in the affairs of the municipality get reports and updates regarding service delivery.

2.2.1 Mechanisms for community participation

The Municipal Systems Act, 2000 (Act No. 32 of 2000), stipulates the following mechanisms to foster community participation: municipalities must consider petitions and complaints lodged by members of the community, and when appropriate municipalities must notify or ask for public comments, and invite the community to public meetings and to hearings of council meetings. In fulfilling this role, municipalities must take into account the special needs of illiterate people, the disabled, women and other disadvantaged groups of society to ensure inclusivity.

Participation benefits politicians the same way as it benefits communities. This is emphasized by the views expressed by Sorensen and Torfing (2005:229), who say that active participation in governance networks enables elected politicians to counter-act, or even present, the predominance of particularistic sector interest. The politicians can use their power to help foster the formulation of a broad and inclusive agenda.

2.2.2 *Partnership and municipal service delivery*

The government of South Africa developed policies that ensure that services are delivered through various types of partnership. Partnerships are a means whereby a municipality can achieve a service goal by taking on board a partner that can provide capital, expertise and technology that the municipality does not itself possess and cannot attain (Craythorne 2005:175).

The White Paper on Local Government and the White Paper on Municipal Service Partnerships provide for options on partnerships. Public-public partnership is the kind of partnership between organs of state and community-based organizations or non-governmental organizations. Public-private partnership is a partnership between an organ of state and a company in the private sector.

The policy on service delivery partnership is aimed at ensuring that municipal service reaches communities through the involvement of the private sector, community and non-governmental organizations. Key to service delivery partnership

policy is dealing with infrastructure deficits and disparities while at the same time improving and expanding municipal services.

Partnerships with community-based organizations and non-governmental organizations help grow local government developmental democracy and strengthen the relations and trust between the community and the municipality.

The partnership policy of government indicates the significance of community participation in supporting the mandate of local municipalities, which is to deliver basic services while at the same time providing social development through Local Economic Development (LED) as enshrined in Treasury Regulation 16, (Public Private Partnership, and Government Gazette No 25605 of 2000).

According to Abrahams (2003) communities expect LED to create investment in human capital, public-private partnerships, retention and expansion of existing local firms. In the same vein, Rogerson (2003) states that LED contributes immensely to local economic development and directly improves the living conditions of local communities.

To support the claim, Boyne (1998:3) stated that contracting municipal services out, encourages competition among service providers, which contributes to better performance than when it is direct service provision and production.

2.2.3 *Participatory local government*

Pateman's (2007) view participatory local government is that meaningful opportunities must be created for the people to participate in the political process, which generally includes the involvement of the community in various political institutions, and referenda for opinions regarding local government service delivery processes.

Buchanan and Tullock (1990) provide a holistic explanation for participation by indicating that the interaction of the voting public, the politicians, the bureaucracy and political action committees builds a relationship, which brings about solutions to problems of government regarding service delivery. This view is also supported by Pateman (1970), who remarks that maximum community participation by all role players is necessary to provide support for municipal service delivery programmes.

Participatory governance therefore allows for larger numbers of actors to have a voice on service delivery issues and encourages them to seek help on issues that are beyond the scope of the participatory processes. Caution must however be exercised to guard against new forms of participatory governance that might bring about new sets of challenges that could prove too difficult to manage (Baiocchi 2005:8).

2.2.4 Participation Challenges

The case study conducted by Netswera (2008: 511-521), cited in Van Donk, Swilling, Pieterse and Parnell (2009), about service delivery in the City of Johannesburg found that the municipality is not responsive to community needs, and that the concerns of worse-off households are around the issue of municipal service pricing, while well-off households are concerned about the quality of services. In addition, Neswera (2008) emphasizes the issue of governance: worse-off communities attend ward committee meetings while well-off communities do not attend.

Powel (2009) and Netswera (2008) claim that the majority of people participating in municipal decision- making processes are black people. The well-to-do majority of white people do not take part in the affairs of the municipalities.

Warren (1996:242) stresses that the decline in popularity of participatory democracy can be attributed to misconceptions about grassroots practice, burdensome decision-making processes and the fact that there is a lack of empirical evidence that participatory democracy has led to the successful provision of services, and that it is therefore hopeless and impractical.

IDASA (2008) states that local government has been created with the genuine intention of positively affecting democracy and bringing about social and economic delivery at local government, but regrettably these institutions have not been able to live up to

the expectations, as what precisely the participatory culture constitutes is still not clear to most citizens.

2.3 Roles and responsibilities of councillors

The Municipal Systems Act, 2000 (Act No. 32 of 2000), indicates that municipalities must clearly define the specific roles and areas of responsibility of each political structure and political office bearer of the municipality. This means that appropriate lines of accountability and reporting of the political structures and political office bearers like ward councillors and of the proportional representative subcommittee of council must be in place.

The roles and responsibilities of municipal councillors would be to represent communities on issues of service delivery in the municipal council. Critical to that role would be to ensure that resolutions and by-laws are passed, and that policies are put in place to guide implementation processes.

While there is a need to develop a comprehensive list of roles and responsibilities for councillors, it is equally important that the public is engaged in the process of electing a representative. Presently only the political party members decide on who occupies political office (Stein 1990:499).

2.3.1 *Misconception of roles and responsibilities*

The African National Congress (ANC) is the ruling party which has majority of councillors serving in municipal councils around the country. It is for this reason that the ANC gets preoccupied by the question of whether councillors are taking their roles and responsibilities seriously.

The National General Secretary of the ANC, Gwede Mantashe, raised a concern about councillors by indicating that councillors are not elected to become kings and queens of the communities, but to be told what to do by the very same communities. In the same vein, Booysen (2007:24) states that other challenges are, councillors abandon their communities, councillors neither residing with their communities, nor were they available for consultation with their constituents and worse part is that little or no report is given to communities by councillors.

The research findings by IDASA (2008: 11-13) states that

“Most municipal councils have failed to communicate their development vision, as reflected in the integrated development plans, effectively to their citizens. Communication between councillors and citizens is minimal, and if it exists it is usually too technical for ordinary citizens, even councillors, to understand.”

Booyesen (2007) further emphasizes that service recipients struggle to make their voices heard in the corridors of power. This indicates that councillors are merely representing themselves in municipal councils; they are not carrying the mandate as intended. This challenge has a far reaching consequence, that of defeating the government's participatory democracy policy.

2. 4 Inherent challenges for municipalities

The amalgamation of former white municipalities with their surrounding black townships brought with it the challenge of creating a unified administration. The unification of administrative structures has frequently led to the over-staffing of municipalities, placing a severe burden on the finances of the council. Most municipalities have, to a greater or lesser extent, experienced a range of problems associated with their administrative staff. Many municipalities have reported skills shortages as some of the more skilled and experienced municipal managers have left council employment.

Pycroft (2009:146) states that administrative arrangements have been further complicated by the fact that within one municipal administration some of the staff from former homelands or provincial government employees may have been operating under different terms and conditions to municipal employees. In the same vein, Jackson and Hlahla (1999) states that experienced members of staff have taken early retirement, staff and systems from separate administrations have not always combined successfully, and the lack of trust between new councillors and old officials has sometimes caused near paralysis.

Jackson and Hlahla (1999) further indicate that many new councillors did not understand their roles and have inadvertently deviated officials through interference in their professional duties and their responsibilities. All this has led to reduced productivity from councillors and personnel. According to Pycroft (2009:146)

the training of municipal staff throughout the country has all but halted as training is restructured to meet the demands of the new municipalities, with the introduction of a new Sector Education and Training Authority (SETA) for local government following the promulgation of the Skills Development Act, 1998.

The area of municipal finance is confronted by serious financial management constraints. Part of the problem is related to non-payment, but there is also a failure on the part of municipalities to implement appropriate cost-recovery techniques. Financially weak municipalities with inexperienced staff frequently fail to render monthly accounts, and then fail to pursue defaulters even though adequate legal machinery for cost recovery (including the legal termination of traded services such as water and electricity) is available. The result of the resistance to pay campaign coupled with the inability of some municipalities to recover costs is that numerous municipalities throughout the country are struggling to maintain existing service provision levels, let alone extend provision to previously disadvantaged communities (Pycroft 2009:147).

2.5 Capacity required to deliver quality services

According to de Villiers and Michael (2006:2) capacity deals more with the quantitative aspect of an organization's capability to deliver certain services, and although the competencies may be present, they may quantitatively not match the needs of the users. Competence and capacity together form the essential service delivery ingredients for any organization, such as a local

municipality or business entity, to deliver its main product or service.

The researcher perceived capacity as the ability for a municipality to perform its functions at a minimum required level. This entails proper financial management, credible IDP, dispute resolution, sound collection mechanisms and up to date systems and resources required to provide services to the communities living within its jurisdiction.

The Constitution of the Republic of South Africa, Act 1996 (Act No. 108 of 1996), states that municipal councils should employ personnel necessary for the effective performance of their functions, such as the provision of water, sanitation, electricity, roads, storm water drainage and solid waste. Provision of these services in an efficient manner is believed to positively affect the quality of the lives of the people in that community.

Nkoana (2007:16) refers to the capacity for delivering municipal services as the ability to interpret policies, legislation by politicians and administration, the mechanisms for revenue collection from rural settlement setting and proper skills required for managing the finances of the municipality. Furthermore, Nkoana (2007) reveals that lack of capacity has a detrimental effect on the lives of the community.

Research done on municipal service delivery in Thulamela by Tshirado (2007:23) reveals that, the Thulamela local municipality needs to improve on the delivery of basic services both in quantity and quality. The research further indicates that the municipality needs to improve on planning and the communicating with the community. The municipality also has a

shortage of both financial and technical skilled personnel, and this is adversely impacting on service delivery.

Opperman (2007:30) stressed that for local government to deliver services in a most competent manner, the right staff with right skills should be in the right place at the right time. He added that financial constraints and inefficiencies within the operational budget, and lack of norms and standards to guide the appointment of staff complicate the service delivery problem. The most unfortunate part is that there is a mismatch between incumbents' posts, job descriptions and the required qualifications.

Josie (2008) and Opperman (2007) indicate that poor capacity impacts negatively on municipal service delivery. They do not however assess the strength of government programmes or interventions put in place to address those capacity challenges in terms of whether they are adding any value or not.

As the literature review reveals, capacity is indeed an issue of service delivery. The literature has shown that personnel capacity plays a critical role in municipal service delivery. Personnel capacity is portrayed in the literature as being a direct contributing factor to the bigger picture of municipal service delivery challenges. How capacity or the lack of it can influence municipal service delivery in the district of Vhembe will be addressed below.

Pressly (2009:17) expressed a contrary view by stating that due to the significance increase in the MIG allocations municipal service delivery has improved tremendously. Pressly(2009) claims that there is a correlation between the MIG increase and

improvement of services. Ideally that is what should be, but if one takes a close look at the issue of lack of skilled personnel to manage the finances and technical services, linking an increase in MIG allocation to an improvement in service delivery in a direct and linear way may fall far short of reality.

2.6 Financial management in local municipality

Josie (2008:23) indicates that municipalities are failing to execute budgets and comply with financial management and reporting practices. There are inadequacies reflected in poor revenue projections, poor collection and credit control systems. The unavailability of data results in unreliable socio-economic statistics and inaccurate financial and service delivery information, leading to the inability of municipalities to undertake effective expenditure planning, budgeting and financial management.

Jackson and Hlahla (1999:1) stated that South Africa's needs' R100 billion for investment in infrastructure over the ten years from the date that they were writing. They further indicated that "Municipalities lack the institutional and financial capacity to address this alone and have to raise private sector finance to supplement their own resources and government grants".

The statement by Jackson and Hlahla (1991:1) indicates that, while there is a need to put money into municipal development programmes, there is unfortunately no capacity to match the skills required to manage the funds. This position is supported by

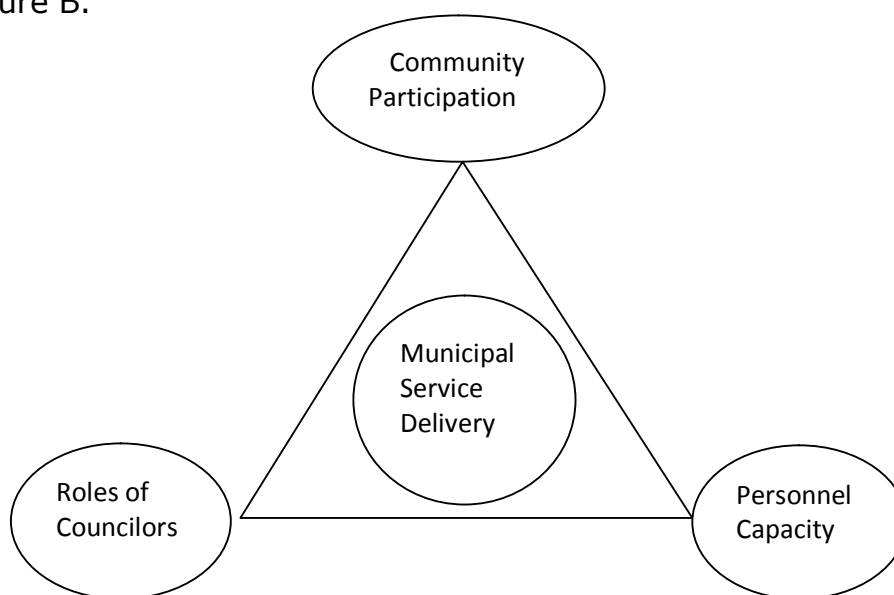
Liebig, Fuesers and Schoenhofen (2007: 39), who stated that lack of capacity is mainly due to a severe scarcity of well-educated financial managers and engineers.

The National Treasurer and the Financial and Fiscal Commission (FFC) have observed that under- spending can be attributed to a lack of proper project planning, ineffective project management, a lack of capacity for managing MIG funds and the late approval of projects and budgets by council officials. All of this is negatively affecting municipal service delivery (Josie 2008:23).

2.7 The theoretical framework of the study

In order to understand service delivery across the four local municipalities in the district of Vhembe, community participation, the roles of councillors and the capacity required of the municipalities to deliver services, the study adopted the theoretical framework illustrated hereunder.

Figure B.



The diagram in Figure B. represents the theoretical framework for the study. It shows that the study will investigate the three critical elements positioned at the angles of the triangle to provide a balanced perspective on what lies at the centre of the triangle. This framework indicates that in this study, municipal service delivery can be best explained and understood by critically analyzing each of the three study areas situated in the angles of the triangle and that the three overarching areas of investigation are the major themes for the set of questions the semi-structured interviews is going to answer.

2.8 Conclusion

This chapter dealt with the literature review in terms of the three key areas of the study: community participation, the roles and responsibilities of municipal councillors and the capacity to deliver quality services. The literature has revealed that local government in South Africa over the past ten years has improved service delivery substantially at an unprecedented pace, despite the fact that most of the local municipal councils face a widening gap between the demand and the supply of services.

The citizens of South Africa are more removed and perhaps alienated from taking part in their local municipalities. They contribute less to local development, but at the same time demanding more and better services. Citizens are dissatisfied by the slow pace and lacks of quality services delivered and therefore increasingly show consumerist behaviour and less

willingness to participate actively in the affairs of local government.

Partnerships should be improved, as they enable citizens to take part in their local economic development (LED). LED in itself may not be important, but it can contribute to the ability of communities to pay for the services municipalities are rendering, and in return municipalities may then be able to provide quality services. Municipalities are likely to provide quality services if they are able to collect taxes from every household including those in the villages.

Municipal councils through councillors form an integral part of service delivery machinery; however, they feel overburdened and even strangled by the excessive regulations and demands, to some extent this is weighing heavily on municipal councillors in their attempt to perform their roles and responsibilities. Councillors need to be consistent in the involvement of communities in the business of the municipalities.

Municipal capacity to deliver services is compromised by the inadequacies of both disciplinary procedures and performance management systems. Although disciplinary procedures are prescribed by labour relations law and governed by local government ordinances, there has been a general reluctance among municipalities to implement disciplinary measures. Performance management systems are absent from the majority of municipalities, which makes it difficult to assess the capacity against the level of demand.

Department of Provincial and Local Government and other sectors departments are shifting more and more of their tasks onto local government, and this strains local municipalities' capacity to provide their services effectively. This practice is pushing local municipalities to the brink of total failure to deliver services, as they cannot focus on their own delivery plan with their limited resources.

It is critical that local municipalities manage their finances effectively given that auditors demand clean accounts and efficient and effective use of public money. This has become the number one priority area of performance, and is aimed at ensuring that service delivery improves.

3. RESEARCH METHODOLOGY

3.1 Introduction

This chapter provides methodology through which the researcher collected data answering questions of the study which are based on the three key study areas reflected in the theoretical framework spelt out in the previous chapter which are nature and levels of community participation in municipal activities, roles and responsibilities of councillors and capacity of the municipalities required to deliver quality services.

3.2 Research Approach

This study has adopted a case study approach. Case study is defined as a method of enquiry designed to bring out the details of information from the viewpoint of the participant through the use of multiple sources of data to increase reliability (Tellis 1997:44). According to Bogdan and Biklen (1998), this inquiry is defined in terms of participant observational case study wherein interviews and documents become the major source of focus.

This research is a multi-case study, as more than one leader in the district was studied, and a situational analysis on community participation, the capacity of local municipalities to deliver services and the role of councillors was undertaken with the aim of understanding service delivery in the Vhembe district. The case study approach provides a researcher with the opportunity

to gather intimate knowledge about the conditions, thoughts, feelings, action and intentions of actors in a particular context (Polit and Hungler 1995:210).

3.3 Research method

Research may take either a qualitative or quantitative approach. According to Robson (1993:307) quantitative research deals with data that is expressed in numbers, while qualitative research is an approach in the human sciences which relies on a deductive model of explanation and deals with data that is in words and non-numerical form (Ary, Jacobs and Razavieh 1990:445).

Schurink (2005) emphasizes that qualitative research regards reality as subjective and that observations are determined by information richness, setting, and types of observation. Data is presented in the form of words, quotations from transcripts and documents, while quantitative research regards reality as objective, and observations are systematically undertaken in a standardized manner. Quantitative data is presented by means of exact figures gained from exact measurements.

The researcher chose the qualitative method for this study, because the study seeks to interpret human actions, institutions, events, and customs in order to construct or portray what is being studied in sufficient depth and detail. This approach is appropriate to an investigation into municipal service delivery issues, including community participation, councillor's roles and responsibilities and municipal capacity to deliver services.

A case study provides for in-depth analysis of a situation while taking into account factors or influences in the given situation. It does not however define or test the relationships between a particular set of independent and dependent variables and therefore does not generalize its findings (Robson 1993:308).

3.4 Research Subjects

The research was conducted in the Vhembe district area located in the Limpopo Province (the former Northern Province). The twelve (12) participants were selected following a non-probability sampling research method. This is a principle of selection wherein the researcher's judgments on the typicality or suitability of a participant are applied (Robson 1993:141).

The researcher argued that by interviewing individuals who had experience in municipal environment, and leadership responsibilities in the community and accessing government documents to explore and describe community participation, roles and responsibilities of municipal councillors and capacity required by municipalities to deliver services would enable the researcher to answer service delivery challenges that are facing Vhembe district local municipalities.

3.4.1 *Purposive sampling*

Purposive sampling is a process of selection of research subjects based on the researcher's judgment. The identified individuals should have common characteristics that make them suitable subjects for the study.

According to Tellies (1997:44), purposive sampling is one of the major forms of non-probability sampling. Robson (1993:140) stated that non-probability sampling is commonly employed in small-scale surveys, because it is less complicated to set up and is acceptable when there is no intention to make a generalization beyond a population surveyed.

In this study, purposive sampling or judgment sampling was used to select twelve (12) respondents, most of whom are leaders of their community structures across the four local municipalities of Vhembe. The structures represented are the South African National Civic Organization (SANCO), the Chairpersons Association (CA), the National Federation Chamber of Commerce (NAFCOC), and the Congresses of National Traditional leaders of South Africa (CONTRALESA). Participants from the four local municipalities are development planning directors and municipal councillors preferably those serving in the executive committees of their municipal council.

The participants' representation is as follows:

Four (4) councillors, one from each of the four local municipalities of Vhembe (Makhado, Musina, Mutale and Thulamela) ,Four (4) sectors 57 managers, development planning directors, one from each municipality, one SANCO representative, one NAFCOC representative, one Chairpersons Association representative, one traditional leader.

Table A: List of participants

Respondents	Number	Rationale
Development Planning Directors	Total of 4, One per Municipality	To establish the strategic challenges and issues pertaining to community participation, roles and responsibilities of councillors and the capacity required by municipalities to deliver services.
Councillors	Total of 4, one per municipality	
SANCO	A representative of SANCO in the whole district	
NAFCOC	A district representative in the business community	
Chairpersons Association	A representative in the whole district of Vhembe	
Traditional Leader	Chairperson of CONTRALESA in the district	
Total Number	12 Participants	

3.5 Data collection

Data collection is the use of methods of investigation to collect information in a systematic and professional fashion (Robson 1993:304). According to Ary et al. (1990:417) data collection can take various forms, including through interviews and questionnaires.

Qualitative researchers generally rely on four basic types of data sources: interviews, observations, documents and audio-visual materials (Creswell 1998). In this case study, face-to-face interviews were conducted with the twelve participants from all four local municipalities, Makhado, Musina, Mutale and Thulamela, in the district of Vhembe.

3.5.1 *Face-to-face interviews*

Bogdan and Biklein (1998:35) state "Qualitative researchers are interested in how people act and think in their own setting." Participants were interviewed individually in their working environment or where it was convenient. The interviews were conducted in Englishs, however, those comfortable with any of the official languages spoken in the district of Vhembe, particularly TshiVenda, XiTsonga, Sepedi and Afrikaans, were allowed to express themselves in these languages. It is important to create a relaxed atmosphere through giving respect and being sensitive about culture, knowledge, experience and background of the participants (Robson 1993:236)

Bogdan and Biklen (1998:35) state that "Qualitative researchers try to interact with their subject in a natural, unconstructive and non threatening manner." This remark suggests that participant observation creates an opportunity for the researcher to become part of the experience and discussions and that the researcher plays an integral role in the interview discussions and the analysis. The data acquired through observation was triangulated with other data collected through face-to-face interviews.

The researcher introduced himself as a student from the University of the Witwatersrand. He explained the reasons for the interviews, which was to investigate municipal service delivery in relation to the three components, namely community participation, the roles of councillors and the capacity required of the municipal personnel to perform service delivery tasks. He also explained to the respondents why they were chosen.

The interviews were recorded on condition that participants gave permission to do so. Where permission was not granted, notes were taken to ensure that the views of the participants were represented accurately. Recording can be useful in the event that the researcher wants to check the accuracy in the wording of statement from notes, particularly when there is a need to quote respondents.

3. 5.2 Documents

One of the important uses of documents is that of corroboration of evidence on or against what is in question (Tellis 1997:51). Media reports on service delivery and press statements were scrutinized to provide an understanding of the various viewpoints of participants. Policy documents, the constitution, pieces of legislation and other related government documents were used to broaden the conceptualization of issues on service delivery challenges. The documents utilized in this study are-, the White Paper on Local Government, the Structures Act, the Systems Act, Intergovernmental Relations, and the Ten-Year Review of the State of Local Government in South Africa.

3.6 Data analysis

Qualitative researchers view the analysis of data as more of an art than a science because there is no clear and acceptable set of conventions for analysis. The analysis must treat evidence fairly and without bias in order to come up with trustworthy answers, and the conclusion must be compelling in, ruling out alternative interpretations. Robson also argues he further argues that in the analysis of data, categories can be identified if the researcher listens by listening to the recorded information several times (Robson 1993:237).

Widely accepted analysis covers a set of basic rules and procedural steps stating how a case study should be carried out from start to finish. However, it is necessary to point out that analysis does not need to produce tight prescriptions: it is concerned with evidence and arguments (Robson 1993:375).

3.7 Conclusion

This chapter put together a research methodology the researcher used to gather data. Cooper and Emory (2006:21) define research methodology as a systematic inquiry aimed at providing information to solve problems. In support of this view, Robson (1993:38) stated that research methodology is an instrument of inquiry designed to extract information from the appropriate source. Page and Mayer (2006:34) states that there are many different sources of research ideas regarding research methodology, and depending on whether the research is conducted within the academic or commercial context, research is more likely to be a theory building exercise. The research methodology should assist the researcher to acquire data that meet the required standard of the study without being overly technical and theoretical.

4. RESEARCH FINDINGS

4.1 Background of Vhembe district

History of Vhembe district

Vhembe is one of the five districts of Limpopo Province. It is situated in the far North of the province sharing the border with Zimbabwe. It is comprised of four local municipalities and one district municipality amounting to five municipalities in the district.

The district is formerly known as Venda homeland since occupied by the VhaVenda people during the Iron Age. VhaVenda were referred to as the Karanga Lozwi clan who migrated South crossing the Limpopo River in the 18th century to settle at what is now the Dzata Ruins, a declared National Monument which became the very first settlement of the VhaVenda people. Vhembe is home to cultural heritage sites like Mapungubwe National Park, Kruger National Park and the Limpopo Trans Frontier Park.

Socio economic development

The economy of the district is highly supported by tourism attraction sites like The Big Tree, which is the largest baobab tree in the country dating back more than 3 500 years, as well as Noria Mabaso's sculpture studio where tourists can buy sculptures made by the local artists who has now won a place in the world of art in the international arena.

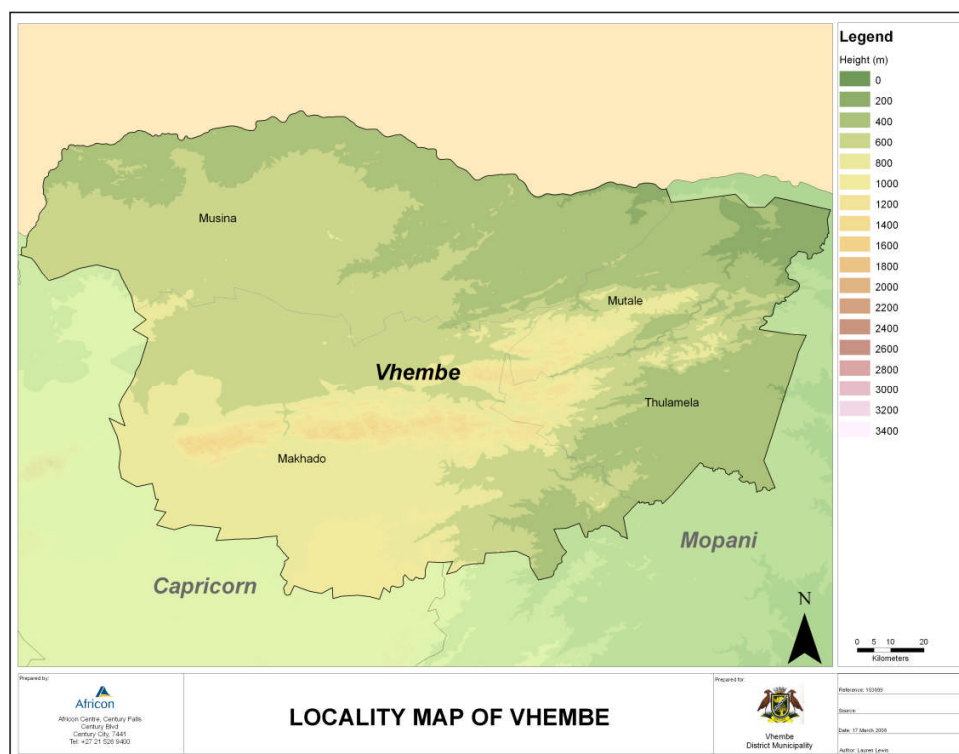
VhaVhenda people participate in the economy through owning and managing small businesses. VhaVenda also sell fruits and vegetables as street vendors at the strategically placed markets along busy highways of Punda Maria road. The district also boasts an ever increasing number of farmers who contribute to the economy by producing banana, macadamia nuts, mango, leaches and avocado. The district has huge tea plantations which have become a trade mark for the district nationally and internationally. The commercial farming communities of Vhembe contributing immensely to the economy of the district are mostly found in Levubu and Thohoyandou areas.

Demographics of the Vhembe

The entire population of Vhembe resides within the four local municipalities found in the district. Makhado has a population of 497 093, Musina municipality has 39 308, Mutale municipality has 78 917 and Thulamela municipality with 584 568. More than 60 % of the district is rural and more than 30 % is semi urban and urban, with great mining potential. Vhembe has a population of approximately 1, 2 million people, with women in majority by

55 %. The district covers 21 407km² and more than 70% of which is Agricultural land (STATS SA, 2006).

The map of Vhembe District



The politics of the Vhembe district

Makhado municipality has 37 wards all of them belonging to the African National Congress (ANC) ward councillors, Musina municipality has 6 wards, five are ANC and one is under the Democratic Alliance won during bi-election in 2009. Thulamela municipality has 38 wards which are under ANC ward councillors and Mutale municipality has 11 wards under the ANC ward councillors. The Regional General Committee (RGC) of the ANC is the highest decision making body in the district.

Thulamela, and Mutale municipality have a record of their municipal managers, and mayors occupying offices since the inception of local municipal councils (LMC) in 2000. An interesting scenario is that of Musina municipality where the municipal manager was first elected as a mayor and later crosses the floor to become appointed as a municipal manager. Makhado has presented an unstable political landscape as compared to the other four. Since 2000 to date Makhado municipality has had three municipal managers and four mayors. Makhado municipality has experienced power struggle related problems which led to the expulsion of the first municipal manager and the mayor.

Majority of the white Afrikana communities reside in Makhado and Musina municipality. The tension created by the name change Louis Trichardt to Makhado saw growing division between the white and the black residents of Makhado municipality. The Thulamela tension was that the Shangaan community of Malamulele and Mhinga demanding to have their own local municipality

4.2 Community Participation

In terms of Chapter 4 of The Municipal Systems Act, 2000 (Act No32 of 2000), municipalities are expected to develop a culture of community participation by creating conditions, or appropriate mechanisms, processes and procedures to enable local community to participate in the affairs of the municipality.

The current levels of community participation in Vhembe district is arguably in the decrease. This challenge is mainly facing Makhado, Musina and Thulamela in the district. The Chairpersons Association representing the minority community in Makhado area was interviewed to understand their views regarding community participation in municipal affairs. Mr André Naudé, Chair of the Chairpersons Association's remarks about community participation.

"Well, we tried and sent two or three people, but we are not interested because whatever our input, there is no influence"
Naudé (13th Sept, 2010).

In Musina, the members of the community are interested on issues of service delivery, particularly the provision of housing. However, their participation in the IDP forum is poor as majority of the poor people do not have a clue how the IDP works and the manner in which it affects their lives.

The purpose of interviewing Congress of Traditional Leaders of South Africa (CONTRALESA) was to understand from their viewpoint the levels of community involvement in municipal affairs, and to further know how CONTRALESA perceive the importance of attendance by community to the Integrated Development Plan (IDP) representative forums.

In line with section 21 (1) of the Constitution that recognizes the role and status of the traditional leadership of the Republic of South Africa Act, 1998 (Act No.117 of 1998) and in accordance to the Traditional Leadership and Governance Framework Amendment Act, 2003 (Act No.41 of 2003) partnership between traditional authorities and municipalities must be encouraged. The opinions of Traditional leadership on community participation in municipal affairs including IDP processes indicate that communities have poor knowledge of the IDP stages, and as results they do not participate in the IDP meetings. Mr Sumbana, chairperson of CONTRALESA went on to say:

“Given the fact that most municipalities in Vhembe are largely rural, with high number of citizens not able to read and write, it is possible that communities could find it difficult to understand IDP”
Sumbana (25th Nov, 2010).

Section 17(4) of the Systems Act, 2000 (Act No.32 of 2000) provides that as another way of promoting community participation, municipal council may establish one or more advisory committees consisting of persons who are not councillors to advice the council on any matter within the council's competence.

All four local municipalities of Vhembe district have established IDP forum, the Transport Forum and the Disaster Management Advisory Forum to mention but a few. These forums are always convened per council approved schedules to perform their respective role of advising council from community perspectives.

However senior managers for Development Planning in the municipalities hold a view that there is a challenge regarding structures' representatives who attend these important forums. The challenge is that there is no consistency in attendance of such forums as different representatives are sent in such critical decision making forums, and what is very disturbing is when representation is delegated to junior officials who neither have information nor in position to take binding decisions for their respective structures.

Following the stipulations on Section 20(4) of the Systems Act, municipality must provide space for the public in the chambers where the council and committees meet to ensure participation of the public as they are required to invite the public in these meeting through public notices in the language preference of the resident community.

The purpose of interviewing SANCO was to understand better the role it plays in municipal service delivery through dialogue with community structures and the municipality to ensure that services are improved. Furthermore to understand SANCO's

action plan in ensuring that there is community involvement in the affairs of the municipality.

SANCO holds a view that in all local municipalities of Vhembe, members of the community are not participating in council meetings because they do not know the scheduled dates of council meetings. According to Peter Kutama, the chairperson of SANCO, communities are not invited to take part in council meetings, and the worst part is that council meetings are held during the late afternoons till very late in the evening. Kutama went on to say:

"The practice is believed to be a deliberate exclusion and deprivation of communities particularly the poor who stay in villages that are far away from towns" Kutama (15th Nov, 2010).

The view of traditional leadership COTRALESA regarding community participation in council meeting was that more effort needs to be exerted to ensure that community members get invited to attend council meetings. Strong emphasis was made that council meetings should be held in community areas instead of the civic centers. The chairperson of CONTRALESA, Mr Sumbana, stated that

"It would be practically easy for communities to access information from these meeting where progress regarding service delivery of their areas is discussed at their own areas" Sumbana (25th Nov, 2010).

Section 19 of the Municipal Systems Act, 2000 (Act No.32 of 2000) provides that municipal managers should write notices to the public as determined by municipal council to inform residents of the municipality about the time, date and venue of every council meeting and special or urgent meeting.

SANCO maintains that this information is not reaching the community particularly those living in poor rural areas. The position of SANCO is that municipalities are not exploring all the available options to inform the public about this important council meeting. Chairperson of SANCO, Mr Peter Kutama stated that

“Municipalities should find a way to inform those who cannot read and write about council meeting and perhaps help them somehow to attend these meetings on arrangements that could be made through ward councilors whose wards are directly affected by council agenda items under discussion” Kutama (15th Nov, 2010).

According to the State of Local Governance in South Africa municipalities must be accountable to their local communities. It means that actors should act responsibly and responsively to their constituency and make information available to enable the constituency to hold political actors directly accountable.

The view of Chairperson Association is that it has been very difficult to access information on issues of service delivery. The municipality is not always willing to provide a favorable environment for communities to hold municipalities into account. Mr André Naudé, Chair of the Chairpersons Association’s remarks:

“Many letters are written to demand information without any reply, it then becomes difficult if not impossible for anyone to try to make municipalities account on any of their wrong doings” Naudé (13th Sept, 2010).

4.3 Roles and responsibilities of municipal councillors

The Systems Act provides that councillors should approve policies, development plans strategies and programmes and targets for service delivery. The sub committees of council must meet to consider reports on the monitoring of the impact and effectiveness of any services, policies, programmes or plans. Municipal council should pass bi-laws and take resolutions on issues pertaining imposing of rates and taxes, budget implementation and adjustments.

It is argued that councillors are not attending council meetings regularly, and in all four local municipalities in the district of Vhembe, municipal ward councillors are failing to hold regular meetings with their communities. Chair of the Chairpersons Association, Mr André Naudé stated that

“Councillors lack understanding of their roles and responsibilities because they are dismally failing to bring reports to their communities” Naudé (13th Sept, 2010).

Councillors were themselves interviewed to understand better how they view this challenge. All indications are that councillors are experiencing challenges in performance of their roles and functions mostly due to lack of resources. However councillors feel that proportional representative (PR) councillors, are not assisting in wards activities, they leave everything to the ward councillors.

Regarding what the municipalities are doing in ensuring that councillors get a better understanding of their roles and responsibility the research found that local government department used to train newly elected councillors on their roles and responsibilities during the first years of their term after 2000 elections. In subsequent years, local government and SALGA had a partnership with RAU University to ensure that capacity-building courses are offered to newly elected councillors. The then Randse Afrikaans University (RAU) provided councillors training to municipalities as far afield as Limpopo Province. This programme has since halted.

Chairperson of SANCO, Mr Peter Kutama stated that

“Government or municipalities are trying their level best to make sure that they send councillors to training and workshops so that they can understand what is expected of them in order to serve the community” Kutama (15th Nov, 2010).

All indications are that some councillors do not attend these capacity-building programmes. They are committed to their careers elsewhere. According to Mr Kutama, government resources are being wasted by councillors who are not taking their responsibilities seriously.

Arguably, it is common practice that ward councillors in vhembe undergo training more than PR councillors. This creates a perception that PR councillors are not as important. However, more often it is the issue lack of resources.

The indications are that the role and responsibility of municipal councillors are also influenced by whether or not the person is a suitable candidate to become a councilor this is revealed by What Mr Naudé who had to say,

“Candidates should write a national test, a commission must be appointed to draw up a national paper which ensures that minimum national qualifications are met. Whoever fails the test does not qualify to work as a councillor. Candidates who pass the test should further be subjected to public scrutiny to assess their sense of responsibility” Naudé (13th Sept, 2010).

The view that councillors must not be employees somewhere else, but provide council work on full-time basis is arguably a common shared vision. Prospective councillors must also be influential and respected in the community. They should display meaningful understanding of how local government works.

The chairperson of CONTRALESA, Mr Sumbana, stated:

“Imagine what is happening at schools: a teacher who is responsible for teaching English in grade 12 is a councillor, he leaves the class alone to attend a council meeting, the following week he leaves for Pretoria to do council work there. The council work does not move, the school work does not move. If this does not end, we are not doing justice to our communities, I am telling you” Sumbana (25th Nov, 2010).

The main challenge is that political parties have more say in deciding who stands as a councillor than the community. Communities must be involved at some level to assess and recommend those they want to be their councillor instead of this being left to the political parties.

This view is emphasized by the chairperson of CONTRALESA, Mr Sumbana, who stated that

“Councillors must rise from their own ward, meaning that communities should decide who becomes their ward councillor. We should allow processes to unfold so that the ward determines three or four people to compete in writing and debate against one another to become councillor” Sumbana (25th Nov, 2010).

4.4 Capacity required by municipalities to deliver Services

According to the Batho Pele White Paper, 1997 Section (1.1.1) municipalities form part of the public service and will be judged by one criterion: its effectiveness in delivering services.

According to SANCO, municipalities are delivering service that is not satisfactory to the service recipients. In Makhado municipality water is of poor quality, In Musina municipality roads have huge potholes everywhere. Chairperson of SANCO, Mr Peter Kutama further stated:

“This is the root of the whole problem of service delivery. Residents want can only pay for quality service and the companies that are able to do the job should get tenders to provide services on behalf of government not” Kutama (15th Nov, 2010).

Municipal Systems Act 2000 (Act No.32 of 2000) provides that the municipal services must be provided in a manner that is conducive, prudent, economical, and that available resources be used efficiently and effectively to ensure that municipal service is of quality and is improving over time.

NAFCOC chair Mr Mudau had this to say:

“In order to provide quality service municipalities need to have qualified people into positions. Municipalities must have adequate budgets and good financial managers to run these budgets. Municipalities must procure services with service providers that have a track record that reflects their competency” Mudau (28th Oct, 2010).

Section 78(1) (ii) of the Municipal Systems Act 2000 (Act No.32 of 2000) provides that municipality must put in place a criteria and process to deciding on the municipality’s capacity and potential future capacity to furnish the skills, expertise and resources necessary for the provision of the service through an internal mechanism.

CONTRALESA chair Mr Sumbana said:

“Much as we are worried about deployment, we are concerned about the influence it has in the recruitment in general. The capacity of the municipality should mean recruiting qualified people to do the job and to use the expert services only when it is necessary. The critical aspect of capacity would be to ensure that municipalities manage their resources in a sustainable way” Sumbana (25th Nov, 2010).

To ensure provision of quality service, municipal services can be provided by a department or other administrative unit within its administration, or by entering into a service level agreement with another municipality, organ of state, NGO, any institution or a person that is legally competent to operate a business activity.

The municipal development planning senior managers pointed out that the service delivery is also hampered by litigations. Municipalities are sitting with a rising number of court cases with service providers who were given the job but fail to complete due to poor or lack of project management knowledge. Companies who are contracted by municipalities are themselves lacking the capacity required to deliver their assigned projects.

The Municipal Finance Management Act 2003 (Act 56 of 2003) serves as an instrument to monitor whether municipalities are complying with the norms and standards of sound financial management to ensure total quality management.

On the issue of cadre deployment, it is generally believed that senior managers in municipalities are affiliated to the ruling party, and this practice is referred to as political deployment. While it appears that nothing is wrong in deploying cadres to senior management positions. The problem, however, is when less attention is paid to whether or not the deployed cadre has the necessary qualifications and experience for the position.

Mr Sumbana stated that:

“Deployment is affecting service delivery due to the fact that deployees account more to the organization than the community they are supposed to serve. This practice compromises service delivery and it must come to an end” Sumbana (25th Nov, 2010).

The purpose of interviewing NAFCOC was to understand better the strategic role they play in municipal service delivery partnership, at the same time wanting to understand their view regarding the necessary qualifications required for anyone to be appointed as a senior manager in the municipality. The view of NAFCO is that senior manager is a position of great responsibility and accountability, and therefore requires an academic qualification and a sound knowledge of financial management and a minimum of five years working as a manager in the municipal environment. NAFCOC chairperson Nathaniel Mudau stated:

“Like in big businesses, senior managers must have the best qualifications, a master’s degree and preferably an MBA would be ideal. Municipalities are serious government institutions tasked with the delivery of service on behalf of government. It is my considered view that senior managers must have post-degree qualification and at least five years working experience in the municipality” Mudau (28th Oct, 2010).

4.5 CONCLUSION

Maximum participation in municipal affairs can be achieved by changing some the traditions practiced during the previous regime when municipalities served only town residents. The need to hold council meeting in village areas is in the rise. Council meetings should be conducted in public school halls and community halls instead of council chambers in the central business district. If majority of poor communities cannot access council meeting due to distance and time, then council meetings should be held right where communities are, in their village environment.

If communities in rural areas do not understand IDP and are not participating in municipal activities, it is difficult to see how well do they understand and judge municipalities for not delivering services, it is equally difficult to determine whether service delivery protest are genuine.

If municipalities are not reaching out to the communities to explain their business so as to draw the attention and interest from their community, and further more if councillors are not convening ward committee meetings, then there is no commitment, capacity and accountability.

What can be noted regarding community participation is that Makhado, Musina and Thulamela are the once hugely affected by poor community participation in municipal affairs. These three municipalities are urban, semi-urban and rural while Mutale, a largely rural municipality is less affected by the problem.

The other issue that emerges strongly is cadre deployment. It came out that in all four municipalities in Vhembe appointments are influenced politically even in lower positions. The indications are that capacity to deliver quality services is compromised by deployment. Substandard performance is also blamed on cadre deployment and lack of resources or poor management. Cadre deployment is an unwritten policy which has shaped local government since 2000 to date. It is believed to be in the rise or out of control hence the minister of Cooperate Governance and Traditional Affairs came up with amendments addressing this problem.

Misconceptions on the roles and responsibilities of councillors are affecting municipalities in different ways. In Makhado and Thulamela, there is more political interference in the administration as compared to Musina and Mutale municipalities. Musina and Mutale have very low number of councillors while Makhado and Thulamela have very high and almost equal number of councillors. It is arguable that political deployment goes a long way into creating an environment that enables politicians to manipulate the systems.

What came out from the issue of capacity is the fact that Makhado and Musina municipalities have had to deal with extension of infrastructure on the aging one. This problem is worse in Makhado municipality as development is virtually impossible. With the shortage of technical skills, the situation is dire. The capacity for Makhado municipality to deliver quality services is hugely undermined by the size of aging infrastructure and shortage of highly skilled technical personnel.

5. CONCLUSIONS AND RECOMMENDATIONS

5.1 Conclusion

This research was set out to investigate the levels of service delivery in the Vhembe district focusing on the three main issues: community participation in the activities of the municipality, roles and responsibilities of councilors and the capacity required by the local municipalities to deliver services.

In this research wanted to answer following questions: What is the nature of community participation in municipal activities?, how do councillors understand their functions, roles and responsibilities?, and what levels of capacity are required by municipalities to deliver services based on the constitutional and legislative competencies?

The researcher answered the above questions by going through the literature on municipal service delivery, by analyzing government documents and conducting interviews. Qualitative data was acquired and analyzed to arrive at the findings the research presented in chapter 4.

5.2 Summary of the findings

The literature in Chapter 2 of this research indicated that after 2009 national and provincial elections, incidences of municipal service delivery protests have been reported to be in the increase. The protests continued to take place across all the nine provinces, including various parts of Vhembe district.

This research investigated municipal service delivery in Vhembe with special reference to community participation in municipal affairs, the roles and responsibilities of councillors and the capacity municipalities require to deliver services, and arrived at the following conclusions.

The literature shows that there is a shortage of skilled personnel mostly in technical areas which is impacting negatively to the delivery of quality municipal services. Central to the theoretical framework of the study is the issue of councillors roles and responsibility for which there is a need to provide councillors support in the form of learning programs to ensure that they clearly understand their roles and responsibilities. Literature also shows that councillors abandon their wards till the next elections, adding to the tension between municipalities and the communities resulting in communities not participating in the activities of the municipalities.

While 2007 large scale community survey by Statistics South Africa on socio-economic development has shown that the population increased from 44,8% to 48,5% between 2001 and 2007. It was found that, notwithstanding the population increase, access to basic services improved as 80% of South Africa population use electricity for lighting, 88% of population

has access to piped water, and 60% of households have access to flush toilet.

This research argue that in the district of Vhembe, community participation in municipal activities has declined, councillors do not clearly understand their roles and responsibilities and the municipalities struggle to appoint qualified personnel in critical areas like technical services. This research therefore argues that while access to basic services improved as per Statistics South Africa research report of 2007, there is a need to improve in the quality of services, by improving community participation, ensuring that councillors understand their roles and responsibilities, and putting in place capacity in the form of qualified personnel and supportive resources required to deliver quality services.

5.2.1 Community participation

Vhembe is 70 percent rural and 30 percent suburban and urban. It consists of four local municipalities: Makhado, Musina, Mutale and Thulamela. Three of these -Makhado, Musina and Thulamela experienced a rapid decline in community participation on municipal affairs. The town residents of the three municipalities, who are in the minority of the total population of the district, attend municipal activities only when there are burning issues.

The majority of the citizens of Vhembe district resides in rural areas, and is unable to attend council activities, as these activities are mostly held in towns that are situated very far from their residential areas. Access to these towns costs them dearly, which automatically limits access to the privileged few. The white

communities of Makhado and Musina choose not to take part, as they are frustrated by the fact that their views are not taken into consideration. Mutale local municipality is 90 percent rural and 10 percent semi-urban. It is the only one of the four that experiences good community participation in municipal activities. In all four of the local municipalities, Makhado, Musina, Mutale and Thulamela, people do not understand the link between the IDP and the budget. Knowledge of the IDP is limited to those working in the municipalities and the few who are operating partnerships with the municipalities.

The fact communities are not informed of the council meetings schedules is contributing to their not participating. However the traditional practice of holding councils' meetings in council chambers denies the underprivileged communities the access that is the constitutional requirement. What is even more discriminatory is that in all four of the local municipalities most if not all council meetings are held in the afternoon till late in the evenings.

5.2.2 Roles and responsibilities of councillors

In all four municipalities, councillors are not taking their roles and responsibilities very seriously. Councillors are not convening meetings in their wards to give service delivery reports to their wards committees. It is believed that councillors are more visible during election time and very conspicuously absent from their second to the fourth term.

Municipalities do organize workshops and training to capacitate councillors. Councillors are unfortunately not able to attend as they are expected to be reporting at their respective workstations. This practice should be discontinued and be replaced by a system where municipal councillors serve their terms on a fulltime basis to enhance commitment and accountability.

Communities should be given more say on who becomes their councillors. Those who are considered suitable to be councillors should be trained and pass the necessary examination and get certificates for eligibility to councillorship. However, in Musina it is emphasized that parties should still decide who becomes a councilor, because if it is left to the communities, there will be a great deal of infighting-among community members for councillorships.

5.2.3 Capacity required by municipalities to deliver services

In all four municipalities the senior managers appointments are approved by party political deployment committee. The process of deployment is exclusive to selected party decision makers only. The deployment process is believed to have reduced proper processes of recruitment and selection and become simply deployment of party loyalists, who might not have the necessary experience and qualifications.

Capacity challenges continue to undermine service delivery in Vhembe. This is evidenced by the Ten-Year-Review of Local Government, which states that in Vhembe, council resolutions are not implemented, IGR forums are still not effective, budget

and IDP are not aligned, and there is a lack of technically skilled personnel. The auditor general has expressed disclaimer in all the three municipalities Makhado, Mutale and Thulamela except Musina municipality which has held a good financial management record for the past years.

5.3 Recommendations

Background

It is important to point out that there is no doubt that local municipalities in Vhembe district are experiencing their fair share of service delivery challenges. It is on this background that intervention in the three areas of this research study be critically considered for urgent attention. The communities of Vhembe do not know or understand what municipal councils are doing as their councillors neither report back to them on the progress made by municipalities regarding their service delivery challenges nor attend to their issues raised during public participation.

The stand by the rate payers association to withhold their rate payments to the municipalities has had a crippling effect on the already stretched recovery programmes of service delivery in Vhembe. There is a need for the district to try to resolve this impasse as a matter of urgency. Makhado local municipality will not sustain its service delivery programme as more residents are choosing to pay their taxes at the rate payers association. There

is a need to make a determined effort to avert the gradual deterioration of standards of services in the district of Vhembe.

My recommendations are as follows

- Council meetings must be held in villages as opposed to council chambers in order to promote access to council affairs by the majority of the people living in the rural areas of the Vhembe district. Council meetings should be held on weekends to maximize the participation of residents. It is also important to ensure that communities are informed in time by media of their language on the meeting schedules. Ward committee meetings in the particular ward where the council meeting is scheduled to take place should convene to thrash out pending issues communities want council's attention on, and these should feature in the council agenda.
- The Integrated Development Plan (IDP) should be simplified in order for communities to understand what it means to them and how it brings about development and service delivery in their respective wards. Ward committees must receive training on annual basis on how the IDP works, to ensure maximum understanding and participation of communities in the IDP processes. It is also recommended that the possible change of the term IDP, to simply Service Delivery Plan (SDP) would make it more understandable.

- Institutions of high learning should offer courses to train prospective councillors. Any member of the community who might aspire to become a councillor should pass the examination first and be certified fit to be elected as a councillor. Given the level of responsibilities and the need to appoint councillors in fulltime positions, it can save the government time in delivering services, by ensuring that only those who have successfully completed courses tailor-made for councillorship stand to be elected.

- Political deployment should be revisited. While this research finds nothing wrong in leading political organizations deploying their candidates of choice in senior key positions, such candidates eligible for deployment should have the necessary qualifications and the experience to do the job. Communities affected by that deployment must be allowed to raise their objections. Unqualified personnel deployed in such high positions should subsequently be replaced with the ones having the necessary qualifications.

- Rural areas are not readily able to attract highly qualified personnel. This perception may be true or not, but it becomes easy to understand that quality of life comes with the environment that presents it. More and more people seek employment opportunities in big cities where there is development. This explains why rural areas cannot attract technically skilled personnel and the best financial accountants. Local government must enter into agreements with local institutions of teaching and

education, to ensure that more local communities receive basic training in financial management and technical services.

- The final conclusion is that government should put effective mechanisms in place to ensure meaningful community participation in municipal activities. Councillors play a critical role in service delivery; there is therefore a need to subject processes of councilor's selection to strict selection criterion. It is equally important for government to make sure that councilors receive training aimed at ensuring that councillors master their roles and responsibilities. Finally, adequate resources should be allocated to local government. What is key is that these resources should be managed in a more transparent way with high degree of accountability.

5.4 Further research

It has been ten years since the inception of local government. There is a need therefore for this study to suggest further research towards the improvement of municipal service delivery. More research is needed to bring more perspectives on each of the three themes of this research. There is a need to establish more insights on how to improve community participation in municipal affairs. Further research is also required to structure what would be the acceptable requirements for any member of the community to stand as a prospective councillor.

While capacity to deliver services is a broad concept, this research chose to define it in terms of experienced and qualified personnel, adequate budget and supportive resources. More research should be carried to give meaning to what defines the minimum capacity required of a local municipality to deliver services. It should be clear whether capacity can be measured in terms of quantity or quality.

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ANNEXURE A – INTERVIEW SCHEDULE

UNIVERSITY OF THE WITWATERSRAND

GRADUATE SCHOOL PUBLIC AND DEVELOPMENT MANAGEMENT

Semi-structured interview guide

Due to tight schedules for selected political office bearers (policy makers) and senior managers (implementers). it was decided that semi- structured interviews would be conducted in all four local municipalities falling under Vhembe district. The following series of semi-structured questions were developed.

Introduction

- How long have you been working with the organization/ municipalities
- In what capacity have you served/ worked?
- In these positions, were you involved in municipal service delivery issues?

Lack of community participation in municipal forums

- Can you describe community involvement in your municipal forums?
- Can you describe the level of community understanding of IDP?
- Are community members invited to attend municipal council meetings?
- What would be the impact on community participation should council meetings be held in public spaces and community halls?
- Has your council established one or more advisory committee consisting of non-councillors to advise council?

Councillors understanding of their roles and responsibilities

- Can you describe councillor's level of understanding of their roles and responsibilities?
- Are councillors holding regular meetings with members of ward committees to give reports on service delivery?
- Are there continuous learning programmes for councillors that ensure raising the levels of the roles and responsibility?
- What would you recommend as requirements for a person to stand for councillorship?
- What would be the best possible way of ensuring that communities participate in the selection processes of ward candidates?

Capacity required to deliver quality municipal services

- Can you describe how recruitment and selection for senior management posts in your municipality occurs?
- What should be minimum qualifications and experience required for middle managers?
- What explains the given to lack of skills in the technical and finance departments?
- Are highly qualified employees retained, or mostly leaving the municipality for better opportunities
- Should the public know the qualifications of senior managers of the municipality?

ANNEXURE B

37 Tamboti Street
LOUIS TRICHARDT
0920

Dear Respondent

My name is Takalani Daniel Makananisa, and I am a Wits University Master's student in the Graduate School of Public Development and Management. I am currently undertaking research project to complete my degree. The topic I am researching is: **The state of municipal service delivery in Vhembe district.** I am requesting that you take part in the interview I am going to be conducting on dates that your schedule allows for. You are assured that your name and information will be kept confidential. Permission will however be for sought your views to be quoted.

Your participation in this research is highly valued

Sincerely

Takalani Makananisa

079 434 5017

ANNEXURE C

37 Tamboti Street
LOUIS TRICHARDT
0920

The Municipal Manager

Sir/Madam

My name is Takalani Daniel Makananisa, and I am a Wits University Masters student in the Graduate School of Public Development and Management. I am currently undertaking a research project to complete my degree. The topic I am researching is: **The state of municipal service delivery in Vhembe district.**

I request to be granted permission to conduct research in your institution. This will involve having interviews with senior managers, councillors and other members of the community in the jurisdiction of your municipality. Kindly note that this study may assist your institution in providing alternative perspectives and mechanisms that can be useful to the betterment of service delivery.

Your consideration of this request is highly appreciated

Sincerely

Takalani Makananisa

079 434 5017