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UNIVERSITY OF THE WITWATERSRAND, SCHOOL OF ARCHITECTURE AND PLANNING

A search for progressive street trading management model:

Understanding the principles of the Park Station Street Trading Management Model

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26/11/2014

Research report submitted to the School of Architecture and Planning, University of the Witwatersrand, in fulfilment of the requirements for the Bachelor of Science with Honours in Urban and Regional Planning. Supervised by Professor Claire Bénit-Gbaffou

Declaration

I declare that this research report is my own work. It is submitted for the Bachelor of Science with Honours in Urban and Regional Planning to the School of Architecture and Planning, University of the Witwatersrand, Johannesburg. It has not been submitted for any degree to any other university.

…….

Signature

……day of……..year……

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"Tough times don't last, tough people do" Floyd Mayweather jnr

Abstract

Both national and local governments in parts of the global South have started to realise the importance of the informal economy in poverty alleviation. In these countries there is a growing government desire to develop informal trading policy frameworks and strategies that will not hinder the potential of the informal economy for economic growth. This is, however, often let down by varying implementation challenges. This research has focused on one specific pilot model for managing street trading around Park Station Inner city Johannesburg, a model in the making in its principles and implementation process, to investigate the extent through which its principles can be said to be progressive. This pilot model, Park Station Street Trading Management Model (PSSTMM), is set up by an alliance between a business coalition, the Central Johannesburg Partnership (CJP), and a street trading organisation, South African National Traders Retail Alliance (SANTRA). This research has documented principles and a principle renegotiation process of the PSSTMM through interviews, action research and observation that involved different stakeholders of the PSSTMM. Furthermore, as part of action research investigation of what is currently happening in the area of study in relation to street trading which were done for this research were used in the principle renegotiation process. Through this investigation the PSSTMM has shifted from only accommodating SANTRA members, a principle that existed prior to the principle renegotiation process, to accommodating all existing traders, if it happens that a design plan allow this to happen. The PSSTMM also provide support in a form cleaning and security. This is good for traders as it means more potential customers will visit the area because of improved safety and cleanliness. The PSSTMM is progressive in allowing traders, amongst other stakeholders, to be part of the policy formulation process. In this process, involved stakeholders through compromises have developed a plan agreed to by all. These principles are recognised in this research as progressive because they respond to the concepts of “inclusive” and “developmental”, which in this research are acknowledged as determining a progressive management model. However, the fee asked from street traders undermines this and I have argued that the PSSTMM to be progressive in this principle, participants of the PSSTMM need to focus on improving this principle by looking at other innovative ways. This could be done through street trader’s participation, in cleaning amongst others, to compliment the efforts of the City or of the private sector and consequently reducing the expected fee.

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Acronyms

AFTraX - Alternative Formalities, Transnationalism and Xenophobia in the City of Johannesburg

CBD - Central Business District

CID - City Improvement District

CJP - Central Johannesburg Partnership

CoJ - City of Johannesburg

CUBES - Centre for Urbanism and Built Environment Studies

COSATU - Congress of South African Trade Unions

DDP - Department of Development Planning

DED - Department of Economic Development

GDS - Growth and Development Strategy

GJMC - Greater Johannesburg Metro Council

ICRC - Inner City Regeneration Charter

ICRS - Inner City Regeneration Strategy

JDA - Johannesburg Development Agency

JICDF - Johannesburg Inner City Development Forum

JMPD - Johannesburg Metropolitan Police Department

JPC - Johannesburg Property Company

KUM - Kagiso Urban Management

MTC - Metropolitan Trading Company

OCS - Operation Clean Sweep

OVOAHA - One Voice of All Hawkers Association

RID - Retail Improvement District

PRASA - Passenger Rail Agency of South Africa

PSA - Public Safety Ambassadors

PSSTMM - Park Station Street Trading Management Model

PUR - Partnerships for Urban Renewal

SAID - Specialised Area and Improvement Districts

SAITF - South African Informal Traders Forum

SLA - Service level agreements

SANTRA - South African National Traders Retail Alliance

UGM - Urban Genesis Management

WISER - Wits Institute for Social and Economic Research

WIEGO - Women in Informal Employment: Globalizing and Organizing

Chapter one: Introducing the research

1.1. Introduction and Background

This research focuses on one specific pilot model for managing street trading around Park Station Inner city Johannesburg, a model in the making in its principles and implementation process, to investigate the extent through its principles can be said to be progressive. This pilot model, Park Station Street Trading Management Model (PSSTMM), is set up by an alliance between a business coalition, the Central Johannesburg Partnership (CJP), and a street trading organisation, South African National Traders Retail Alliance (SANTRA). This topic - models of managing street trading- according to the Centre for Urbanism and Built Environment Studies (CUBES) website[1] was also identified as part of a broader research within CUBES on street trading. CUBES is a platform for urban research, learning, and civic engagement located in the School of Architecture and Planning, University of the Witwatersrand (*ibid*). To CUBES this topic is an attempt to respond to the lack of documentation of inclusive (or progressive) street management models. Furthermore, it was partly to feed in the Alternative Formalities, Transnationalism and Xenophobia in the City of Johannesburg (AFTraX), a project contracted between Wits University and the City of Johannesburg to find ways forward in the governance of informal economies in Johannesburg[2] and partly to respond to a request by SANTRA[3].

This research is taking place in the aftermath of Operation Clean Sweep (OCS), where the City of Johannesburg (CoJ) in October 2013 unilaterally (and unconstitutionally) decided to chase about 6000 street traders from the CBD, as a reaction to its incapacity to manage the sector (Constitutional court 2013). Skinner (2008a) note that existing research suggests there are two main responses by the state, to unmanaged street trading. This includes the sporadic, large scale evictions of street traders and lower-level ongoing harassment of traders (*ibid*). OCS carried out by the CoJ can be characterised as falling under the former. OCS is evidence that the City was acknowledging that it has failed to manage street trading in an effective way. In a statement made by the CoJ, it was said the initiative came as a result of numerous site visits where conclusions about 'lawlessness' were made (Moyo 2013). The CoJ's Department of Development Planning (DDP) led by Rosslyn Greeff, a

[1] http://www.wits.ac.za/academic/ebe/archplan/cubes/research%20projects/streettradingandurbangovernance/24129/street_trading_and_urban_governance.html. Accessed on 25 September 2014

[2] The AFTraX project is further discussed under methodology chapter where the position of this research and links with AFTraX project will be also discussed.

[3] CUBES was approached by SANTRA to assist in preparing a more informed position from which to negotiate with City authorities. Two key issues were considered: where should there be street trade in the inner city? and what management model(s) for street trading could be implemented? This discussed further in below sections.

member of the Mayoral Committee in the CoJ, identified illegal trading, illegal dumping, and illegal littering, land and building invasions as the main challenges which they claimed needed urgent attention (*ibid*). DDP according to the City of Johannesburg's website[4] is responsible for effective and efficient management of the urban environment with commitments to combat urban decay and the regeneration of stagnant areas with an aim to stimulate economic growth, and safe built environment. These site visits and subsequent meetings according to Moyo (2013) led to the OCS through which the Johannesburg Metropolitan Police Department (JMPD), an agency responsible for enforcing bylaws of the City, was tasked to remove all street traders from the Inner city.

Parks Tau, the mayor of the City who also paid a visit in the Inner city, noted in support to OCS, that a "well governed city is one whose environment is not only habitable and safe, but conducive for growth and development for all its inhabitants, investors and all relevant stakeholders" (Moyo 2013: 2). Here, the statement made by the mayor came out as a way to show that the illegalities practised by street traders were not respecting the rights given to other city users. However the City's response to this was also not respecting the rights held by traders to trade, and it was not in line to its own policies. The City confessed in the Constitutional court that it had not followed the procedures as prescribed in section 6A(2) of the Business Act of 1991, amended in 1993 to prohibit traders which it gave permission to trade in the Inner city (Constitutional Court 2014). Section 6A (2) of the Business Act of 1991 state that the City has authority to "declare any place in its area of jurisdiction to be an area in which the carrying out of street trading" may be restricted or prohibited. However, before such actions the "local authority shall have regard to the effect of the presence of a large number of street traders in that area and shall consider:

- Whether more effective supervision or control in that area, including negotiations with any person carrying on in that area the business of street trading or their representatives, will make a declaration unnecessary and,
- The intended restriction or prohibition will drive out of business a substantial number of street vendors, pedlars or hawkers" (Business Act 1991).

The City did not follow this procedure before chasing both traders who they gave permission to trade and those which were not given.

The Constitutional court case came because of failed attempt in the High Court as the court thought the matter was not urgent (Constitutional court 2013). Here, traders were requesting for an urgent interim relief that was to see them going back to their trading sites while the city was still sorting a

[4] http://joburg.org.za/index.php?option=com_content&task=view&id=544&Itemid=9&limitstart=1. Accessed on 15 September 2014

'proper' way of managing (Constitutional court 2013). In parallel to this street traders told Business report (2013) that they admit the claims of illegalities identified by the CoJ and those which were made by the mayor of not respecting the rights provided to other users. While admitting their contribution to the problem, SANTRA approached CJP asking to form an alliance that is to work in a specific project, PSSTMM, as a way to demonstrate that traders want to be part of the solution, to prove they can be responsible (Steffny, CJP director interviewed on 22/04/2014). The alliance between CJP and SANTRA according to Elias, SANTRA spokesperson (interviewed on 24/03/2014) and Steffny (interviewed on 22/04/2014) was a result of a 'good' relationship that emerged between the two, through previous initiatives of managing street trading, in particular in the Retail Improvement District (RID) in Johannesburg (see also Malemagoba *et al* 2012 and Bénit-Gbaffou 2014b). "This solution was to see traders managing themselves but initially management will be incubated by CJP, handed over when institution, capacity, skills are sustainable" (Steffny interviewed on 22/04/2014).

Although, traders have demonstrated their willingness to work with the City in managing street trading, Anonymous (2014) noted that the CoJ, especially the Department of Economic Development (DED) which is responsible for setting policies, strategies and by-laws on the management of street trading has been reluctant in engaging people outside the department in executing its responsibility. This has been worsened by the court case for traders, as it has placed both the DED and traders in positions where they are 'enemies' of each other (*ibid*). On the other hand flawed management of street trading by DED which has resulted in the City being dragged to Court has attracted much attention within and outside (including media) the City. Here, Central Strategic Unit, located under the mayor's office, has asked Wits University to find way forward in the governance of informal economies in Johannesburg. This approach by CSU demonstrates that different groups within the CoJ exist, with one being sympathetic to street traders (contracting Wits that they know will support progressive and inclusive policies) and another being not sympathetic (that ran OCS).

1.2. Main stakeholders of the Park Station street trading management model

The PSSTMM has come to involve many different stakeholders including CUBES, as a facilitator and advocating for certain principles discussed in chapter five and six. However, at the core, the initiators/establishers of this street trader management model are SANTRA and CJP which the following section seeks to present them. The following section start by presenting CJP, the background with regards to when it was established and the purpose. Furthermore, the main concept that has come to capture the imagination of this stakeholder is also presented with a specific attention on the role of this stakeholder. Immediately after this, there will be a presentation

on SANTRA, explaining the role of this stakeholder, background and what it stands for. This part also attempts to present SANTRA in comparison to other street trader organisations and this will be based on the work of Tissington (2009), Matjmane (2013) and my own experience.

1.2.1. Central Johannesburg Partnership (CJP)

The Central Johannesburg Partnership (CJP) was established in 1992 after the private sector in Johannesburg mobilised and organised itself to find solutions to an Inner city that was declining and consequently having negative impact on their property values (Ngwabi 2009). Ngwabi (2009) state that this organisation led by Neil Fraser as its Chief Execute Officer (CEO) was also tasked with researching the causes of and possible solutions to urban decay. The CJP identified six major issues that needed urgent attention, namely safety and security, informal trading, cleaning and maintenance of public spaces, revitalisation of residential accommodation, transportation and taxis management and urban planning, and marketing (*ibid*). In an attempt to find solutions to the above issues the CJP used the experience of North America of combating urban decay (*ibid*). The CJP learned about this experience through a series of events including study tours to the United State of America (USA) (*ibid*). Tissington (2009: 40) state that this cumulated to the development of this organisation in 1998 as "a private, non-profit company dedicated to urban renewal and the revitalisation" of urban areas not only in the traditional CJP operating area of the Johannesburg Inner City rather in Johannesburg as whole and throughout the African continent.

The City Improvement Districts (CIDs) concept is what captured the renewal strategy of CJP and later became a tangible legacy of the organisation (Peyroux 2008). City Improvement Districts according to the CJP (2001) cited in Peyroux (2008: 139) is definition as a "geographic area within which property owners and/or tenants agree to pay for certain services supplementary to those supplied by the Local Authority and which will enhance the physical and social environment of the area". Miraftab (2007) argue that Cape Town and Johannesburg's renewal strategy of the private sector, particular of CJP in the case of Johannesburg, adopted the whole City Improvement Districts (CIDs) package used in the United States of America to combat urban degeneration which had a "zero-tolerance" approach to informal trading. Consequently, CJP through CIDs advocated for a "zero-tolerance" approach on informal trading and law-breakers (Tissington 2009). In 1997 CJP assisted the provincial government in drafting the Gauteng City Improvement District Act of 1997 which provided a formal legal framework for the establishment and management of CIDs (*ibid*). This Act, amongst other important things, provided that a CID can only be established once a petition for its establishment, approved by no less than fifty one percent (51%) of property owners, has been received and approved by the municipality concerned (Beall *et al* 2002).

Tissington (2009) note that in some parts of Johannesburg Inner city the responsibility of the City to manage street trading management is given to property owners or private sector companies with two processes taking place in this regard. The first is the leasing of sidewalks by the City to property owners who manages street trading in front of their buildings (*ibid*). The second is the CID process where property owners, by agreeing to provide additional funding for the provision of extra services of cleaning and security to those provided by the City, also manage street trading (*ibid*). According to CJP (2014a) this came as it became very difficult for these additional services to be provided in an efficient manner without getting involved in informal trading management. The CJP entered into a Joint Venture with the City in 2000 to manage informal trading in all Inner city CIDs and this joint venture was later renewed in 2005 (*ibid*). This process of managing street trading was a responsibility of CJP prior to giving it to Urban Genesis Management (UGM) which used to be known as Kagiso Urban Management (KUM). The CJP and UGM "serve corporate business – their primary client – with exceptional quality as well as forging a close working relationship with the City". UGM was formed to take the administrative role of CIDs from CJP and to be a for profit company, as a service provider, while CJP remained to be a no for profit lobby group to the City for CIDs and as a platform from which CID's which are made of different board members could share information, follow and build on international trends and better work together with all levels of government to the benefit of all involved in urban management partnerships (CJP 2014).

1.2.2. South African National Traders Retail Alliance (SANTRA)

The South African National Traders Retail Alliance (SANTRA) was established in 2006 and its executive committee was then selected (Elias 2012 cited in Matjomane 2013). In its website[5] the role of the organisation is to "fight for the rights of informal traders" and its main "objective is to integrate micro trading with urban renewal initiatives in an orderly and structured manner". This organisation according Tissington (2009) is one of the active and most vocal organisations in the informal trading sector. Elias (2012) cited in Matjomane (2013) state that when the organisation started, it had about 5000 members but since then this number has declined to about 1700 members. Moreover, in a conversation with the current SANTRA chairperson, Livingston Mantanga, he said now the organisation has over 3600 members in the Inner city. This shows the instability in the number of members they have and according Elias in Tissington (2009) the decline experienced by the organisation was a result of restrictions imposed to street trading which pushed other members out of the sector. Furthermore he notes that another reason was that the organisation was failing to recruit new members and some of its members left the organisation because of

[5] http://santra.wozaonline.co.za/. Accessed on the 10th August 2014

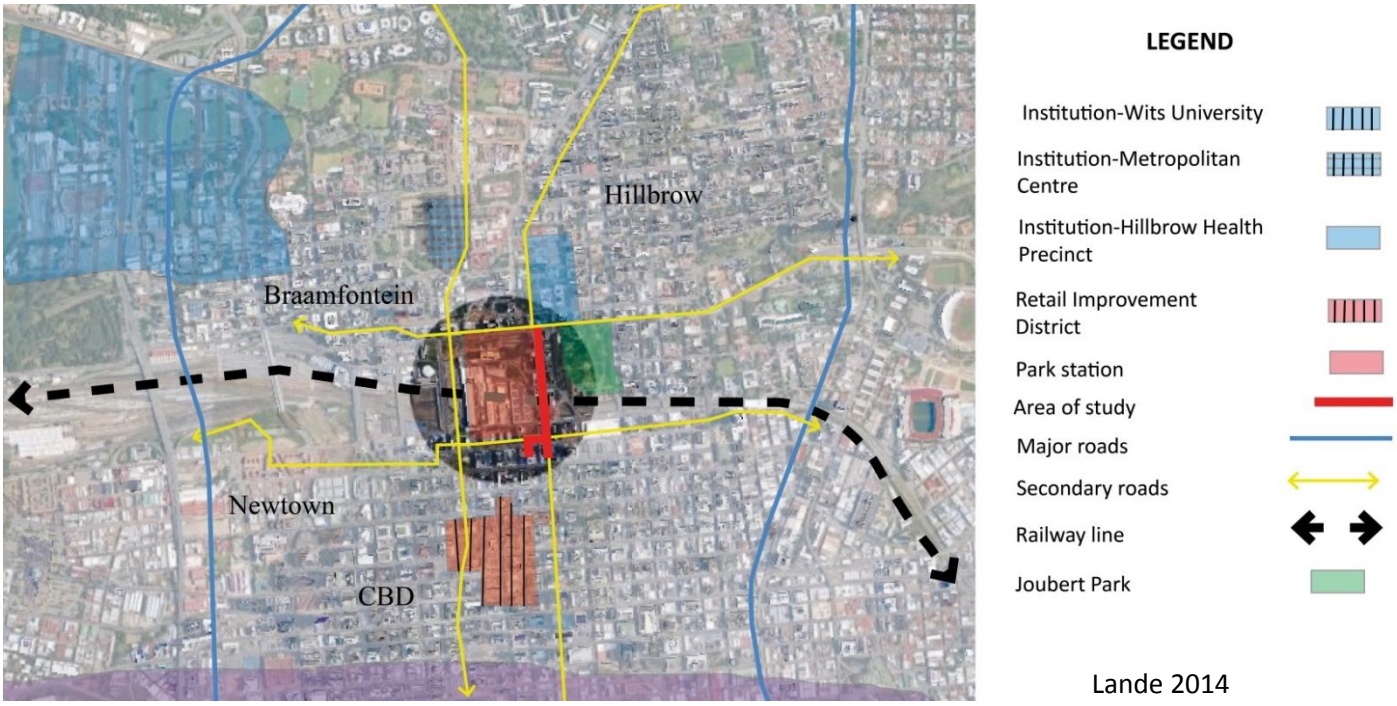
disappointment with their President who was involved in an unclear mismanagement of the membership fees and disappeared to Eastern Cape some years ago (Matjomane 2013).

While street traders' organisations in six countries (Kenya, Cote D'ivoire, Ghana, Zimbabwe, Uganda and South Africa) studied by Mitullah (2003: 13) shows that most street trader organisations "are issue driven, they appear, disappear and reappear depending on a felt need". Elias (2012) cited in Matjomane (2013) state that SANTRA is a stable organisation, going nowhere, which is not necessary based on membership but is focusing on advocating for existing traders. SANTRA, different from other street trader organisation in Johannesburg such as One Voice of All hawkers Association (OVOAHA), does not only focus on influencing implementation of informal trading policy, they push to influence informal trading policies so as they can be "developmental and inclusive" (Matjomane 2013). SANTRA believes that a genuine engagement on policy direction and implementation of policies, between street traders and policy makers can resolve some of the problems of urban management (*ibid*). SANTRA hold a view that some of the strategies used by the CoJ and that of the private sector, particular CIDs, are not favourable to the development of street trading (Tissington 2009). This organisation feels that the CoJ does not convene a genuine engagement, rather, a divide and rule tactic (Matjomane 2013). However, SANTRA use this level of government so as to prevent leaders of other organisations who have personal and clientelist relations with the municipal agents from taking over the platform (*ibid*).

Similar to South African Informal Traders Forum (SAITF), a street trader organisation, SANTRA also aims at influencing provincial and national levels of government. This according to Matjomane (2013: 121) could be seen as a "strategy to play at the heterogeneity of the state where this particular organisation of street traders goes to the higher level of government to complain about the ill treatment of street traders by the local level of government and appealing to the premier to do something about this". For example, Livingston Mantanga in a workshop held on the 25 September 2014 mentioned that SANTRA went to the provincial government to complain about the actions of the CoJ, which evicted their members in the Inner City Johannesburg. This workshop forms a series of workshops organised by CUBES as way of providing research support to street traders' organisations as asked by SANTRA, but with all other street traders being invited to discuss various issues affecting the sector. In addition, SANTRA has adopted a number of strategies to get the attention of government and influence decision making to their advantage. These strategies include "applications to the public protector; court applications; forging relations with the media and using social networking to publicise issues street traders are faced with; garnering support from the general public and in the process shaming government" (Matjomane 2013: 121).

1.3. The Park Station Street Trading Management Model

The model remains to be something that the two organisations (SANTRA and CJP) talk about which has never been presented, nor, arguably, conceptualised in full. It is one of the objectives of this research to investigate the details of this management model. The proposal[6] submitted to the CoJ by CJP on the 03 January 2014 highlights the affected areas, stakeholders, what is to be regulated and costs to management. This document is not explicit about the working relationship or partnership between SANTRA and CJP but what is visible and talked about is the fact that SANTRA is only mentioned as a member of CJP, and the name - logo used in the proposal only represent CJP. Furthermore, Interviews with Edmund (interviewed on 24/03/2014), Anne (interviewed on 22/04/2014) revealed that both CJP and SANTRA are involved in the PSSTMM, CJP as a manager, SANTRA as the main organisation on the ground, and relatively happy of CJP management as opposed to the City's management approach. This management model adopts most principles from a street trading management model experienced in the Retail Improvement District (RID) and the location of the RID is depicted in Map 1.1 (see Malemagoba *et al* 2012 and Bénit-Gbaffou 2014b).



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Map 1.1 (above): done by the author depict the location of the RID and of where the model is set to be implemented. The map also depicts some of the major public places that contribute in drawing people into the area.

[6] Central Johannesburg Partnership (CJP), 2014a, Informal Traders Amended Sustainable Management Proposal relating to some trading areas within the Johannesburg Inner City. Proposal sent to the City of Johannesburg, 03 January, communicated by CJP.

These principles include the establishment of a precinct management board or committee, raising of monthly levies to fund cleaning and security, appointing a service provider that is to report to the precinct management board and regulating the number of traders (CUBES 2014a). Table 1.1 below, however, demonstrates the main difference that exists between the Retail Improvement District model and the Park Station Street Trading Management Model (PSSTMM).

Table 1.1 (below) adopted from CUBES (2014a) and (Bénit-Gbaffou 2014b) shows the main differences that exists between the RID and PSSTMM

Retail Improvement District model	Park Station Management Model
Centred around property owners	Centred around street traders
Property owners pay levy for security and cleaning services	Street traders are to pay for cleaning and security services and other costs

This model need to be considered as work in progress as a result it has opened negotiations which are being facilitated by CUBES and the role played CUBES here is further discussed below. These negotiations have resulted into a quite strange alliance between business (CJP), traders (SANTRA) and academia (CUBES). This is an uneasy alliance to a great extent, where some interests are common such as admitting by coming together that they need each other for the different interest they have, but there are also many divergences. For example, CUBES, not very sympathetic to private management of street trading or to supporting CIDs and CJP as central broker between traders and the state. CUBES have compromised its position by giving legitimacy to what is described elsewhere as a form of neoliberal governance (Peyroux 2007).

CJP have in the past adopted a “zero tolerance” position towards street trading, they have not only prevented street traders from participating in management of CIDs but they have also lobbied the City Council to extend street trading prohibition to the City Improvement Districts. Moreover, they have supported the City’s intentions of locating all street traders in markets (or later linear market) and prohibiting the use of pavements for trading (Bénit-Gbaffou 2014a). In these negotiations, CJP is compromising on their position and Bénit-Gbaffou (2014a) note that its members might have possibly been divided on this issue. SANTRA, similar to CUBES have (in the past) been very critical to the work of CJP that advocated for the prohibition of street trading in many part of Inner city Johannesburg (Tissington 2009). Here both SANTRA and CUBES, and possible CJP, have placed themselves in an uncomfortable positions here. The fact that we believe there is no alternative in

sight, we support this engagement and we believe it is worth experimenting as an alternative to repressive City solutions.

1.4. The role played by CUBES in the negotiations

According to the CUBES' website[7], this platform for urban research, learning, and civic engagement considers street trading through research and advocacy and this derives from its Yeoville Studio project in 2010-2011 where different activities focused on street trading in the neighbourhood of Yeoville were conducted. This according to the CUBES's website, above, includes attempts by CUBES together with local stakeholders to develop a pilot project for integrated trading on its main street, Rockey Raleigh'. Through this attempt, although it never took off, expertise and relationships were established between CUBES, street traders and street trader organisations, particularly with South African National Traders and Retailers Alliance (SANTRA) (*ibid*). Since this studio, CUBES remained committed to supporting street traders, their families and communities whose livelihoods rely on street trading (*ibid*). Support has come in a form of advocating for fair and participatory governmental processes through which street trading can be managed in Johannesburg (*ibid*). CUBES does this through research on models for effective management of street trading and proposals on spatial organisation of street trading (*ibid*). Furthermore, it is noted in the CUBES's website that a research group that has been going on for several years on informal trading involving staff and student's research projects in the School of Architecture and Planning, Wits University exists.

A turn to CUBES's approach of supporting street traders came in October 2013, when the CoJ through OCS removed about 6000 (licenced and unlicensed) traders in Johannesburg Inner city. The first reaction to this by CUBES was through a letter protesting OCS, and in February 2014, CUBES was approached by SANTRA and Congress of South African Trade Unions (COSATU), a trade union federation that was also trying to unite street traders. The request was for CUBES to assist in preparing a more informed position from which to negotiate with City authorities. Two key issues were considered:

- Where should traders trade in the Inner city (and where should they not)?
- What are models of street trading management that work?

Since then more and more street trader organisations have joined the engagement. This includes the South African Informal Traders Forum (SAITF), Nigerian Union Traders (NUT), Ethiopian Street trader

[7] http://www.wits.ac.za/academic/ebe/archplan/cubes/research%20projects/streettradingandurbangovernance/24129/street_trading_and_urban_governance.html. Accessed on 30 September 2014

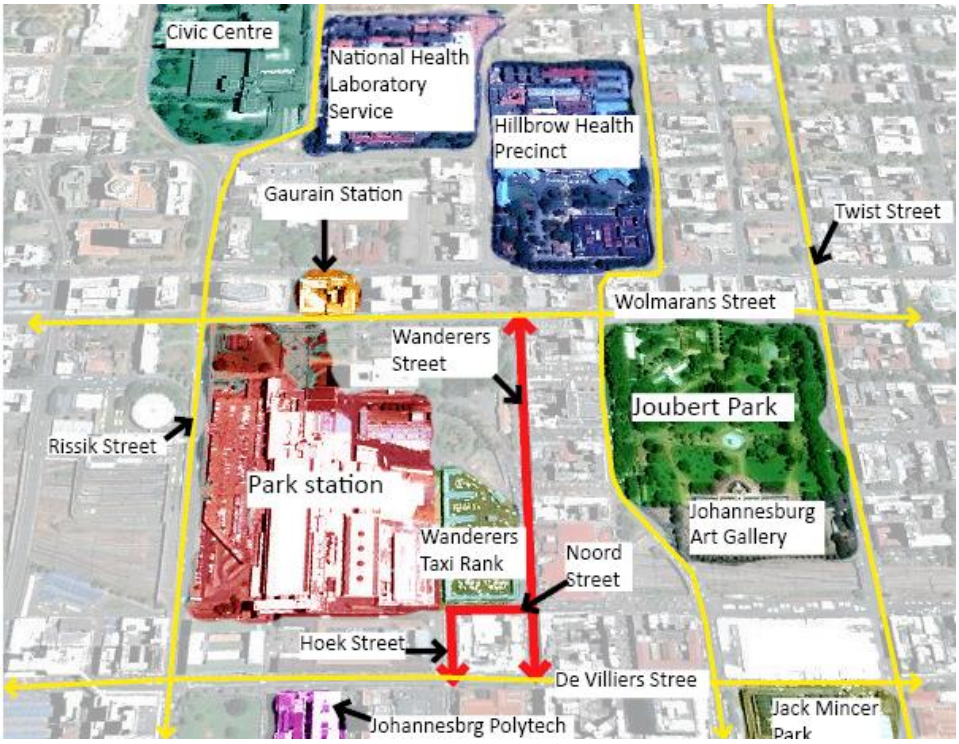
Organisation (ESTO), One Voice of All Hawkers Association (OVOAHA), African Cooperative for Hawkers & Informal Businesses (ACHIB). This engagement between these different organisations facilitated by CUBES are held through a series of workshops which I had a privilege to be part of the group that organised them.

More particularly, separate from the workshops held between the above discussed organisations, SANTRA has asked CUBES to help refine the pilot management model for Park Station. The role that is being played by CUBES with regards to the PSSTMM is to provide its research expertise to propose ideas for discussion aiming at improving the model to be more progressive and sustainable. Furthermore, CUBES have played the role of facilitating the renegotiations of the PSSTMM and as a facilitator, CUBES also draft minutes of these negotiations, consolidates documents as outcomes of discussions and agreements, and circulate them to stakeholders for comments and as archives. These negotiations have resulted in other groupings being involved in the development of this model. This include the eThekwini expects who were asked to share their experience on precinct based street trading management and their comment on the PSSTMM. Urban Genesis Management (UGM) has also been involved as a possible service provider. UGM, according to their website[8] "is a multi-disciplinary advisory and management service company specialising in consulting, urban management and place management services".

1.5. Where is the Park Station Street Trading Management Model going to be implemented?

The PSSTMM is set to be implemented adjacent to Park Station in the Inner city, Johannesburg. This area is one of the busiest and most 'chaotic' areas in Johannesburg as it serves as a primary public transport interchange in the CoJ and a host to various other economic activities (CJP 2013). Specifically, as demonstrated in map 1.2 below, areas that are to be affected include: Hoek Street between Park Station and De Villiers Street, Noord Street between Park Station and Wanderers Street., Wanderers Street between De Villiers Street and Wolmarans Street. In proximity to Park station, metropolitan functions such as the Joubert Park, the Hillbrow health precinct, Wanderers Taxi Rank, Jack Mincer Park, Johannesburg Art Gallery, Johannesburg Polytech Institute and the Metropolitan centre are found. Furthermore, the national health laboratory service, Gautrain station also form part of major land uses/activities that contribute in attracting people in the site.

[8] http://www.urbangenesis.co.za/. Accessed on 05 June 2014



Map 1.2 (above): done by the author depict a zoomed version of the area of study as shown in map 1.1 above.

According to the JDA website[9], Transit-oriented development strategies are at the heart of the Johannesburg's 2011 Growth Development Strategy (GDS), the long term plan of the CoJ. This according to the website above is prompting the City to prioritise public transport. This site is an intervention focus of the GDS as the primary transit interchange in the City and a number of interventions are proposed and some are currently being implemented. This includes the Inner City Commuter Links project, and the 2010 public transportation plan by Johannesburg Development Agency (JDA). JDA is an agency of the CoJ which functions as project designer and facilitation unit, structuring a range of urban environment upgrade and social and economic development projects (Nkokoto 2005). Inner City Commuter Links project is referred to by the 2012 JDA annual report as a project that is to create a pedestrian friendly and walkable urban environment through setting up a network of public spaces, easy circulation around formal taxi, bus and rail facilities. Bénit-Gbaffou (2014a) note that the 2010 Inner City Transport and Traffic Study is explicitly calling for a CID around Park Station to better manage heavy pedestrian and transportation flows as well as street trading. Furthermore, CJP has also been calling for this site to be regulated because of its proximity to RID territory (see map 1.1) and affecting it (Bénit-Gbaffou 2014d).

[9] http://www.jda.org.za/index.php?option=com_content&view=article&id=1414&Itemid=219. Accessed on 13 August 2014

1.6. Problem statement

A street should be understood as a terrain where the state always sort to assert and display its dominance and power by managing various rights given to numerous actors (Brown 2005). Here, power is understood as the action upon the actions of other people as opposed to simply defining power as an ability to act. This is to say power is the 'government of conduct' and it dictates or structures how other people exercise their power or actions. It is significant to understand power from this perspective especially in a street where government always exercise it by creating by-laws, policies that define what is right or wrong through which other actors are forced to conform to and exercise their power based on. This is true to a place such as Johannesburg and the OCS discussed above is one example through which the local state has proven who has power over who on a street. This form of power (OCS) according to Kamete (2012) is exercised in contexts where government lacks resources to monitor its by-laws in an effective way regularly. Furthermore, Kamete (2012) state that this form of power becomes violent especially to the urban poor so as to compensate for the period through which it was absent. In addition, ongoing harassment by city officials to traders and small scale eviction in Johannesburg is also part of enforcing bylaws as suggested by SANTRA and SAITF speaking in a meeting convened by the Gauteng MEC for Economic development Lebogang Maile reported by Times Lives (2014).

David *et al* (2012) studying practices and approaches of local government towards the informal economy in five different African countries (Kenya, Mali, Rwanda, South Africa and Tanzania) argue that in the last decade, both national and some local governments in these countries have started realising the importance of the informal economy in poverty alleviation. In these countries, there is a growing government desire to develop informal trading policy frameworks and strategies that will not hinder the potential of the informal economy for economic growth (*ibid*). The support for street trading is increasingly being recognised in many policies of the CoJ, however, these policies fail to adequately respond the City's dual and often contradictory mandate to alleviate poverty and manage dense and congested streets (Bénit-Gbaffou 2014a). Bénit and Gervais-Lambony (2005) argue that the CoJ is caught between the imperatives of poverty alleviation which also include encouraging informal trading as a sector that offers significant jobs and income generation opportunities to those who have not been absorbed by the formal economy, and the desire to attain a 'world class city' status. The imperatives of poverty alleviation are also a national/provincial priority (Matjomane 2013); and one could see the CoJ, according to internal CUBES discussion on our understanding of City politics, as divided into departments that encourage more progressive ways of

managing street trading as a way of alleviating poverty and departments which are restrictive on street trading as their priority is to have clean and ordered streets.

1.7. Rationale

Whilst the eThekwini Metropolitan Municipality (Durban) is widely recognised for its pioneering work in South Africa through which a progressive approach to the management of street was adopted for some time (Skinner 2008b), it remains a research problem that very limited literature exists which documents such kinds of street trading management model (Bénit-Gbaffou 2014a). Bénit-Gbaffou (2014a), however, further notes that the presentation and analysis of the 'management model' of the eThekwini Municipality and its principles, at least from a municipal management perspective is difficult to find. She suggests that this might be the case because of "complex institutional and political history, with roots in the municipal transitional period" (*ibid*: 37). A Management Model according to Bénit-Gbaffou (2014: 5a) refers to "management principles, rules, arrangements, practices as a more or less consistent system". This system of possibly formal and informal rules can be imitated and adopted elsewhere, although it might yield different results in different political settings and contexts (*ibid*). Bénit-Gbaffou (2014a) further suggest that it is important never to detach this system of rules to their "local political meanings, their adaptation and side-lining, the process of their definition and formalization, their contestation or lack thereof" because what works in one context does not mean it will work to another (*ibid*: 5). A street trading management model can therefore be examined along the following specific lines:

- Structure and lines of accountability
    - The partnership model (amongst the 'implementers')
    - Stakeholders (including 'implementers' and the people it is being implemented for, who might also be part of the implementers): their roles, meeting regularities)
- The things that it regulates, for example:
    - Cleanliness
    - Security
    - Traders issues (conflicts)
- The financial model (monthly costs, number of traders, cleaner, security ambassadors; how the funds are raised and how they are managed and accounted for)
- The implementation processes, which also includes the processes of asking traders to pay a fee, negotiating prices with service providers, convincing the City to tolerate the model.

Malemagoba *et al* (2012) and Bénit-Gbaffou (2014b) have documented the RID management model, however the RID model raises questions, in terms of being progressive, as it give more power to property owners and less to traders to decide on issues that affect them. This research is necessary since it attempts to document something that appears to have hardly been documented before which is a street trader centred model of street trading management.

1.8. Aim of this research

This research is about understanding principles of the Park Station street trading management model. The model is currently being negotiated and in a project such as this I have learned that principles and the implementation process cannot be explored separately. This is the case because they in fact constantly influence each other. For example, initially one of the principles was that the CoJ was to become part of the stakeholders that are to implement the model, with hopes that it can also contribute financially by subcontracting and paying CJP to manage the model. However along the course of developing the PSSTMM the City has been reluctant in participating and this has changed the principles to include an attempt that would ask traders and possible property owners to join as they are also affected (Edmund interviewed on 24/03/2014). Moreover, chapter five of this research will reveal that the fee required from traders to finance the PSSTMM has resulted in contestations in the renegotiations of the PSSTMM and this might not only change this principle but also the principle of the number of traders to be accommodated. Chapter five reveals that there were suggestions discussed in the PSSTMM renegotiations which suggested that by increasing the number of traders to be accommodated will decrease the amount required from each trader that was initially accommodated in the first proposal of PSSTMM. This change can happen either way, in that the principles can also influence the implementation process and the process vice versa.

1. 9. Research question

To what extent does the Park Station Street Trading Management model bring about a progressive approach to the management of street trading in the Inner city, Johannesburg?

1.9.1. Research Sub-questions

1. What are the principles of the Park Station Street trading Management model?
2. How are the principles of the Park Station Street Trading Management Model being defined, negotiated, and justified?
3. What are the conditions of the area of study , Park station, in relation street trading

4. To what extent and in which dimensions can the model and its implementation be said to be progressive?

1.10. How is progressive understood in this research?

According to Bénit-Gbaffou (2014a), in paper titled *In quest for sustainable models of street trading management,* a progressive management model is both "developmental" and "inclusive". She understands developmental as attempts to support street traders in their endeavors to make a living. She state that this support to street traders can fall anywhere from the range between non-restrictive environment to a supportive one. One side of this range relate to the extent in which a management model is open to new entrants with limited capital, this include removing repressive regulation. The second side is more concerned about support structures and services to traders so as they can sustain their trade (*ibid*). Bénit-Gbaffou (2014a) extends her explanation to consider if this support attends to specific needs of different traders by asking two questions. The first being "is different/ specific support measures given to survivalist as well as to entrepreneurial street traders? The second being is there a diversity of trading sites options, in order to accommodate different types of street traders?

The concept of inclusive is understood by Bénit-Gbaffou (2014a) to mean two things. The first relates to the idea of allowing new entrants to trade by giving permission to all street traders in a management model to trade and not only a minority of traders. She advises that we should look at the proportion of existing traders that a management model has given permission to trade and, at principles that prevents traders an opportunity to trade, for example the amount of the fee (if any) requested for trading, to tell if a management is inclusive or not. Inclusive is also understood by Bénit-Gbaffou (2014a) to mean the inclusion of street traders in the policy and decisions making process that affect them through relevant institutions in charge of making those decisions. She writes that it is important to understand the role of these institutions in actual policy and implementation decisions, and the specific support given to them.

In this research the concept progressive has been chosen to capture the very aspects of developmental alluded to by Bénit-Gbaffou (2014a) which is about supporting traders. The reason why developmental alone was not chosen over progressive is the fact that this concepts covers a wide range of sub-concepts such as life expectancy, education, and income indices (which need to be considered when studying this concept), and in this research I am not interested in them. I am more interested to the concept as attempts to support traders by accommodating all of them and the provision of services and infrastructure that suits their trading. The way in which inclusive is

understood by Bénit-Gbaffou (2014a), does also explain how inclusive is captured by how progressive is understood in this research. The involvement of street traders, amongst other stakeholders brings a significant contribution to the management of street trading. As a result, I am more interested to this concept, as part of progressive along the lines of attempting to accommodate all existing street traders and allowing traders to be part of the decision making process.

1.11. Literature review

The literature review which is chapter two of this research has taken two directions; one is about street trading management in the cities of the South, followed by a section which talks about Johannesburg and street trading policy and regulation in post-apartheid. Here, attempts are made to debate the various concepts and positions taken by different entities and writers with regards to how they think street trading should be managed. The first section has covered debates around informality, dual economy, understanding arguments for and against street trading and street trader organisations in spaces of participation in Johannesburg. Here, it has been suggested that it is necessary to diagnose or to completely understand a phenomena if you are to develop solutions that will fix the problems because if you are not then it becomes possible for one to develop a very good solutions but for a wrong problem. The second section has touched on policies, Acts, by-laws and various strategies or initiatives that have been undertaken in the Inner city which have had an impact on street trading. Here, it is evident that, although some progressive policies exist, initiatives which most were supported as a tool to regenerate the Inner city have happened at the expense of street trading.

1.12. Research methodology

The methodology adopted in this research which is further discussed in chapter three is based on a qualitative approach that includes interviews, documentation and observation. In this research a quantitative survey is also used in understand the character of the area of study in relation to street trading management. Furthermore, as I wish to explore a model in the making in its principles, its politics and implementation, direct observations only are not sufficient in understanding principles which are changing with implementation/negotiations. Consequently, this research will also adopt action research which according to Creswell (2009) is the study that places the subject of research as an integral part of the design with an aim to empower participants. Given that the model is being conceptualised and implemented right now, this present an opportunity for me to participate. However, as a student I have decided to take the role of being an observer which allows me to learn,

with regards to the negotiations between SANTRA, CJP and CUBES, with Claire Bénit-Gbaffou, representing CUBES being directly involved in facilitating negotiations, with me participating by supporting the process with research. This has made this research challenging as it provides less distance to critically examine everything. Moreover another challenge experienced in this research has been the changes that have occurred which made it hard to predict or plan the trajectory of this research.

1.13. Ethical considerations

This research is to proceed in a context where people (street traders) were and are still emotionally abused and vulnerable as a result of the City of Johannesburg's clean sweep campaign that took place in October 2013 through which their livelihood were threatened. In a statement made in the constitutional court on the 04th April 2014 it was said the action of the City through OCS have caused "irreparable harm that undermined their fundamental rights to trade and dignity". This statement revealed that traders are in a state where they feel humiliated and degraded to their families and to society as a whole, with those who have dependents feeling that they have let them down. The Operation Clean Sweep did not only take traders' dignity, it also left traders in a state where they fear for eviction; it also destroyed many of their trading stalls, one key asset for their business. This I have come to observe from a site visit on the 02 May 2014, where I sensed that some of the traders were frightened by my presence as I was recording my observations and some we keeping on asking me whether I was there to chase them or what? So what do you conclude in terms of ethics, and how do you attempt to respond to that?

Notwithstanding the cooperative relationship between government officials and street trader organisations which in some cases is based on corruption (see Matjomane 2013), the relationship between traders and government is one which place each group as an enemy of the other. I have come to observe this from the research group meeting held on the 13th March 2014 at Wits which included street trader's organisations and academics. Here, traders verbally express that the City does not want to accommodate all of them in the inner city and to engage with them on management issues as a result traders cannot be friends with the City. In this context I think it will be very difficult to talk with both government and some of the traders as they all do not trust people who they do not know as they fear that they might attempt to fragment or destroy agendas which they want to advance. A solution would be to use the relationships that I have already established with the implementers as discussed above to try and establish more relationships with other stakeholders. For example, I can ask Edmund to introduce me to other street traders with this

approach it becomes easy for traders to trust me because I have been introduced by someone who they trust.

This research is to use interviews and emails that were exchanged between different stakeholders. The use of this information has ethical implication as it can bring prejudice to certain people. In this research some of the quotes which are to be used are to be made anonymous as to prevent this. Furthermore, this information is to be carefully selected as to avoid compromising or damaging any particular individual.

1.14. Chapter outline

This research is made up of six chapters the first being an introduction to the research, the second chapter is the literature review, Chapter 3 provides the approach taken to conduct this research. Chapter four has focused on the study area, investigating the history in relation to street trading, literature on the status quo about the area and proposed initiatives by City. Chapter five discusses the findings, it start by presenting the management model, the processes of implementing the model, how these two are affecting each other and how are they negotiated. Moreover, this Chapter will conclude by presenting whether this management model is progressive. The extent to which the management model can be extended elsewhere will also be argued in the conclusion. The final Chapter six conclude by looking at the role of a planner (CUBES) in intervening to better make the model progressive, indicate the extent through which it has been made progressive and investigating how this role is defined in planning.

Chapter two: Contextualising the research question

2.1 Introduction

In South Africa urban spaces, particularly Metropolitan cities are faced with rapid urbanisation coupled by higher rate of unemployment in the formal sector. Despite this, Metropolitan cities/urban areas continue to be a destination, not only of South Africans coming from rural areas but also of people from all around the world who come to such urban centres with hopes of finding better economic opportunities. Street trading serves as a significant sector that accommodates those who have not been absorbed by the formal economy and those who have been retrenched from the formal economy. This activity also serves as a vital bottom rung in the ladder of upward economic mobility and some street traders have gone from street trading to building successful off-street businesses (Sello 2012). In his global review of street vending and public policy, Bromley (2000) notes, amongst other justifications of street trading discussed further in this chapter, that the existence of street trading offers the government a respite from expanding the welfare, police, court or prison systems as it provides employment and a safety net to the traders and their dependents.

The presence of this craft in public spaces, however, has long been an emotive issue due to the debates around its legitimacy and the universal challenge of managing urban spaces from which they work (Dewar 2005). In the past the craft has been viewed as a sign of developmental backwardness. Consequently, informal workers were largely excluded from mainstream processes such as government planning; allocation of budgets for infrastructure; economic development and social support (Quazi 2011). Nonetheless, the work of David *et al* (2012) demonstrates that there has been a change in attitude towards the management of street trading, with both national and local governments recognising the significance of this craft with regard to poverty alleviation. A fair amount of national and local policies in South Africa have begun reflecting on this position. This recognition in national and local policy is, however, often let down by varying implementation challenges (Bénit-Gbaffou 2014a). This includes the challenge to find precedents on progressive management approaches, as most documented approaches which are criticised in literature on street trading are those of municipal repression (Bénit-Gbaffou 2014a).

This chapter expands on this debate where various positions and arguments that attempt to discuss how and what should be managed in relation to street trading are to be critically examined. This is an endeavour to understand various thoughts and practices which have been presented as way to position the research question in literature and consolidating arguments that will help in analysing

findings of this research. Particularly, this chapter is divided into two sections. The first is street trading management in the cities of the South and the second is street trading policy and regulations in the post-apartheid Johannesburg. The first section argues that management approaches to street trading have been shaped to a certain extent by how the informal economy is understood. For example, on the one hand, many African countries such as Kenya, Zimbabwe and Uganda governments have viewed the sector as a site of 'marginalisation'. Consequently, governments have imposed restrictive measures as a way of discouraging traders with the aim of taking them out this 'marginalisation'. On the other hand, there have been local governments such as the eThekwini (Durban) Municipality, that have realised that the informal economy has become a crucial factor in economic development, and that it offers significant job and income generation opportunities. Therefore, they have attempted to develop policy frameworks and strategies aimed at growing the informal sector.

The second component attempts to discuss street trading policy and regulations in the post-apartheid Johannesburg. It is imperative to specifically dwell on these regulations and policy as they forms what Kamete (2012) identify as 'government of conduct', meaning they become a reference point through which other actions are forced to comply with. This was briefly discussed in the previous chapter where it was noted that in cases where city actors do not comply with the 'government of conduct' and in cases where government lack resources to monitor its compliance, governments sporadically apply sovereign form of power (*ibid*). This form of power becomes violent and is similar to Operation Clean Sweep. Because of the significant implications that it has I believe it is important to understand the debate that goes with it.

2.2. Street trading management in the cities of the South

This section of the chapter begins by providing definitions to some of the important concepts used in this research such as the informal economy, management, management model and progressive management model. The definition for street trading management is extended to search why there is a need for street trading to be managed. This is followed by a discussion around the debates on the legitimacy of street trading and the challenge of managing urban spaces from which traders conduct their businesses. In this section, arguments for and against street trading are presented with an argument that suggests that instead of focussing on who is to blame there should be a focus on developing innovative ways of managing street trading. This chapter will also go on to highlight some of the key findings on regressive management of street trading, literature that Bénit-Gbaffou (2014a) argues is well documented. Lastly, although very limited literature on progressive

management of street trading exists, this section talks about one of the cases where a progressive approach was adopted at some point, the case of eThekwini (Durban) Municipality.

2.2.1. Defining the informal economy

The term informal economy was first introduced by Keith Hart through his pioneering work on economic activities of the urban poor in Accra, Ghana in 1973. Hart identified the informal sector as a zone between formal employment and unemployment, a site where the labour force works and creates a livelihood outside the formal labour market. The concept has developed to be elusive to define as various scholars and organisation began to adopt and apply it to explain the heterogeneous phenomena. However, in 1993 it was decided at the 15th International Conference of Labour Statisticians (CLS) that the standards of defining the informal economy were to be based on the nature of the enterprise (International Labour Organization 1993). The definition which emerged from this conference broadly characterised the informal sector "as consisting of units engaged in the production of goods or services with the primary objective of generating employment and incomes to the persons concerned" (David et al 2012). Moreover, the definition recognised that these units typically operate at a low level of organisation on a small scale, with little or no division between labour and capital (*ibid*). Labour relations, in cases where they exist, are based mostly on casual employment, kinship or personal and social relations rather than contractual arrangements with formal guarantees (International Labour Organization, 1993).

This has begun to change since the 2002 International Labour Conference where it was decided that there should be a move towards an employment based definition due to the increasing informalisation and casualisation of formal work, and distorting of the formal-informal economy divide (David et al 2012). Here, there was also a shift on the conceptualisation of the informal economy from a "traditional economy that will wither away and die with modern, industrial growth", to: "an integrated part of the economy, which is expanding with modern, industrial growth" (*ibid*: 11). This was an acknowledgement that the informal economy is here to stay and policy developers should start to rethink how they develop policy towards this economy. In 2003 the International Conference of Labour Statisticians (ICLS) released a definition for informal trading which can be broadly understood as "involving activities and labour force that operates outside the regulatory framework" (Chen 2012). This expanded definition of the informal economy captures the size of employees not only employed in the informal enterprises but also those working within formal enterprises on an informal basis (*ibid*). This definition extends the focus from enterprises that are not legally regulated to include employment relationships that are not legally regulated or socially protected. Because of this it was decided that the informal sector should be referred to as

the informal economy as to also capture those who are self-employed in the informal economy and those who are employed informally in the formal economy (ibid).

2.2.2. Understanding the reason, and what street trading management, management model means

Various case studies that attempt to talk about management of street trading provide a very useful overall argument, which suggests that management cannot be understood sufficiently by assuming that it is the act that only involves authorities and traders. Meneses-Reyes and Caballero-Juárez (2013) also agree with this statement by arguing that the management of street trading arises when the activities of street trading negatively affect the rights of third parties who use the street. This argument portrays the street as a site where a number of rights are provided to numerous actors and street trading is the manifestation of a set of rights that are being provided in a street. Harvey (2008) refers to this right as a right far more than the liberty to be physical present in the city but rather as a right to change ourselves by changing the city. For street trading this right means traders have the right to be physically present in the city and use their presence to sustain their livelihood. Traders change the city spatially and economically as they provide something which is not provided.

The right to work from the side of street traders is documented in several international documents and constitutional texts. In South Africa section 22 of the constitution recognises this right, in India article 19(1), of the constitution and in Mexico article 5 of the constitution also recognises this right to work (Meneses-Reyes and Caballero-Juárez 2013). From international documents article 6 to 7 of the International Covenant on Economic, Social and Cultural Rights acknowledges this right, with article 6 guaranteeing everyone the right to work so as they can sustain their lives (*ibid*). Article 7 advocate for street traders to be given benefits that are similar to those found in the formal sector (*ibid*). Nonetheless, Simone (2005) reminds us that street trading is not the only right provided on streets but other rights as well are provided such as walking. The spatiality of street trading is often recognised as the source of conflict to right of other actors, for example some traders tend to locate on road corners, decreasing visibility for cars to see cars coming from different directions (Meneses-Reyes and Caballero-Juárez 2013). In other cases pedestrians complain about the difficulties to navigate around urban environments because of crowded street trading activities.

Consequently one aspect of understanding street trading management is the act of managing street trading as to ensure that it does not violate the rights of other actors to use the street. This does not mean other rights should be priorities over the rights of traders, but it is an explanation suggesting that the rights of all actors in the street should be managed as to ensure that they do not violate the

rights of other actors. For example, a shop owner might want to extend his/her restaurant by placing tables and chairs on the street and he/she might feel that he/she is entitled to such a right. However, though such initiatives might be allowed there is a need for them to be managed so as to protect the rights of other street users. It is of great significance to understand a street as a terrain of contestation between various rights and a place where the state always seeks to assert and display its dominance and power through management. Bénit-Gbaffou (2014a) further notes that management can also be understood to refer to principles, arrangements, rules, processes, practices, roles and functions that define how street trading (in this case) is to be conducted in a particular terrain.

Whereas a management model is an understanding of these components as a consistent system that can therefore be possibly exported and replicated in a different context, although with possibility that it can yield different results (Malemagoba *et al* 2012). Malemagoba *et al* (2012) further suggests that when a management model is exported or replicated elsewhere it is important that attempts are made to link it to the context of that area as to enhance chances for the model yielding positive results. This understanding about management and management model has motivated the examination of the Park Station Street Trading Management Model (PSSTMM) along the lines such as: what the model attempts to manage and regulate primarily, who are the role players/ organisations or institutions involved and their specific roles? What are the costs of management of street trading and how/ by whom are these costs funded? What are the rules and agreements (formal and informal) shaping the form and location of trading sites, the nature of goods sold?

Chapter one has talked about how a progressive management of street treading can be understood. In this section it was noted that a progressive management model is both 'inclusive' and 'developmental'. However, inclusive as understood in this research does not extend to an extent of ensuring that street traders are included in the policies and decisions that affect them as suggested by Bénit-Gbaffou (2014a). It has been argued in that a street trading management model does require the involvement of street traders for it to be progressive. Furthermore, by including street traders in the process the model gains from contextual intelligence that only street traders possess. Bénit-Gbaffou (2014a) talks about the other dimension of inclusiveness as that which attempts to accommodate the majority (if not all) existing street traders in the management model and not only a minority. With regards to developmental goals she states that a management model has to support street traders in their endeavors to make a living and this support could range from a non-restrictive environment to a supportive one, where services and other supporting structures are provided to traders so as they can sustain their craft (*ibid*).

2.2.2. The source of the 'problem' on management issues

Dewar (2005) argues that the presence of informal traders in public spaces has long been an emotive issue due to the debates around their legitimacy and the universal challenge of managing the urban spaces from which they work. He further notes that some view the informal economy as a positive phenomenon which allows an opportunity to those who have been rejected by the formal economy to sustain their livelihood. Moreover, others according to Dewar (2005) identify the informal economy as backwardness, a 'problem' which needs to be eliminated by taking people out of it. Consequently, informal workers in most parts of the Global South remain largely excluded from mainstream processes such as government planning; allocation of budgets for infrastructure; economic development and social support (Quazi 2011). In her "global review of street trading and public policy", Bromley (2000) elaborates on arguments that have considered the sector problematic. This includes arguments in relation to public health (the sale of unhygienic foodstuffs); public safety (fire and traffic hazards); conflict (pedestrian and traffic circulation); unreasonable nuisance (noise, smell, litter); negative impacts of the public spatial environment (unsightly structures); unfair competition (blocking entrances to formal trading areas), and the lack of balance between formal and informal operators that leads to declining confidence in specific areas. van Schilfgaarde (2013) notes that because of these issues street trading is viewed as the main source of the 'problem' in 'modern' cities.

Quazi (2011) acknowledges that compounding the above urban management issues, local governments are experiencing capacity constraints on providing services and adequate management in most cities in the South. Quazi (2011) further notes that the urban space that informal traders occupy was not designed to accommodate their needs and this contributes to the urban management issues talked about above such as congestion. In these urban spaces the number of people which the spaces were designed to accommodate has increased enormously due to the fall away of colonial and apartheid regulation to some parts of the South. The presence of traders amongst other activities and people which were not accommodated, coupled with inadequate and less innovative management can be recognised as playing a factor, according to Quazi (2011). She argues that it is not sufficient or correct to assume that street traders are the source of the problem but rather urban spaces and government's inadequacy in managing street trading is what pushes traders to be associated with some of the urban management issues. In the South, many governments have misdiagnosed/taken shortcuts to urban management issues by assuming that by reducing the number of traders in their Cities it will fix problems created by their own inadequate

management (van Schilfgaarde 2013). Despite this action, the consistent growth and widespread across the world has demanded more attention.

van Schilfgaarde (2013) advises that instead of continuing to focus on how street trading may devalue a city's modern status, inclusive urban management would be ideal. van Schilfgaarde (2013) further blames management against street trading and argues that it is this management which prevents cities from benefiting from the positives brought by street trading and if street trading is 'properly' managed it would not contribute to urban management issues. Bromley (2000) notes that these benefits include a relief to government from expanding on welfare, police, court or prison systems as street trading provides employment and a safety net to the traders and their dependents. She goes on to view street trading as a laboratory where people can learn entrepreneurial skills that are not only applicable to street trading but to other businesses as well. She suggests that street trading can also serve as a vital bottom rung in the ladder of upward economic mobility and some street traders can go on to build successful off-street business. Bromley (2000) argues that street traders bring vitality, life and public surveillance to the street as a result traders hold a potential to witness and report crime. Their help to pedestrians extends to helping those who seek for directions and those who seek for someone to look after their belongings whilst doing other things.

2.2.3. Regressive approach to street trading management

In literature, Bénit-Gbaffou (2014a) says regressive municipal policies and practices of street trading management are well documented with very limited literature on examples of progressive practices of street trading management. Bénit-Gbaffou (2014a) notes that one of the convincing reasons for the absence of progressive and sustainable examples of street trading management in literature is perhaps that such street trading management approaches are difficult to find across the world, for reasons such as the lack of political imagination. This literature which is well documented "illuminates the regressive effect the have on criminalising the poor, generating corruption, violence and mismanagement within the state, and informal arrangements amongst the poor" (Bénit-Gbaffou 2014a: 3). Regressive street trading management approaches according to Bénit-Gbaffou (2014a) have forced/pushed street traders to collectively and individually resist the status quo using different methods. The Park Station Management Model (PSSTMM) can be seen as one of the methods by traders to defend their existence in the City. Some of the key findings of regressive management of street trading include attempts to reduce the number of trading licenses given to traders. Moreover, another is that which completely replace street trading with markets or markets, a place where research has shown that it led to a loss of income for relocated traders in the short

term (Rice 2006). This section will expand to discuss some of the key findings on regressive street trading management.

During his 2003 State of the Nation address, former president Thabo Mbeki subscribed to the former understanding of informal economy, by arguing that South Africa is a dual economy. He believed our economy is made of first and second economies that are structurally disconnected from one another. Reynolds and van Zyl (2006) have attempted to provide an interesting depiction of what the former president understood the South African economy to be. They present the first and the second economies as a double storey house. In this double storey house they say the top floor is occupied by the rich, living well, formal employees and employers. Moreover, they note that stuck in the bottom floor, with no ladders to access the top floor, are the poorest of the poor. Tissington (2009: 23) notes that this group "is characterised by marginalisation, poverty, under-development, little contribution to GDP and unemployment". The former president believed a solution to this double storey 'problem' was to develop a 'ladder' by investing more on delivery, education and skills, in economic infrastructure and other means that are capable of taking people out of 'marginalisation'. This ladder was aimed at shrinking the second economy to an extent where they will be no one on the bottom floor by seeking for ways that will enable the poor to join the rich on the top floor.

The so called second economy or the informal sector was not only diagnosed to be a 'problem' by the former president but also by state presidents and governments before, who have deemed this economy as something that should be eliminated. Mitullah (2003) in a paper titled *Street vending in African cities: a synthesis of empirical findings from Kenya, Cote D'ivoire, Ghana, Zimbabwe, Uganda and South Africa* argues that some local governments in Africa have (and still) tend to manage the informal economy in a way that destroys it intentionally. She notes that this approach is based on an inherently restrictive view of the 'problem' of the informal sector. She argues most authorities have failed to come up with developmental solutions to solve the 'problem' and what they did was to go back and use out-dated restrictive policies, by-laws and regulations of the colonial government. These by-laws and regulations were originally intended to control and regulate the growth of indigenous enterprises (*ibid*). Moreover, these regulations made street trading "principally illegal, and saw traders as responsible for making cities dirty, obstructing traffic and therefore a public nuisance" (Mitullah 2003: 10). Mitullah (2003) uses the case of Uganda to emphasise this point where an act, local government Act of 1997 was passed giving local authorities powers to enforce laws and by-laws. This act does not call for any review of these bylaws which were developed during

the colonial era rather it asks the local authority to apply them in consistent with the national framework (*ibid*).

Street traders have found it hard to comply with restrictive bylaws, consequently this is why unmanaged street trading characterise most cities in the South according to Pezzano (2011) cited in Matjomane (2013). Skinner (2008a) reviewing street trading in Africa argue that existing research suggests that there are two main responses by the state, to unmanaged street trading or street trading that fails to adhere to restrictive bylaws. This includes the sporadic, large scale evictions of street traders and lower-level ongoing harassment of traders. The 2005 Operation Murambatsvina in Zimbabwe can be seen as a response taking place on larger scale according to her. Here, "Street traders and those living in informal housing were targeted, with about 700,000 people in cities across the country losing their homes, their source of livelihood, or both" (*ibid*). This according to Tibaijuka cited in Skinner (2008a) resulted in one in every five people in Zimbabwe being affected by this directly or indirectly. The second response, ongoing and low level harassment, Skinner (2008a) argues that it tends to be persistent across African cities. She uses Bissau, the capital of Guinea to demonstrate that municipal agents have essentially remained unsympathetic to informal traders in enforcing by-laws. In a survey that she did in Bissau she found that street traders complain about the oppressiveness of public agents which includes applying harassment in enforcing by-laws where they are often required to bribe their way out to this.

The idea to replace street trading by markets in Johannesburg is identified in the work of Rice (2006) as being another form of regressive management to some traders. Rice (2006) starts by acknowledging that markets clearly represent an improvement in the physical environment in spaces of trading, before arguing that they are not sufficient (alone) in growing the businesses of traders -. This critic towards markets is also based on international experience. His research was based on 82 interviews with street traders who were trading in the street but then moved to markets, 41 traded at the Metro Mall, 28 in the Yeoville market and 13 in the Hillbrow market. In his findings he revealed that a clean environment, a fixed space, shelter from the rain and sun and security are important to almost all the traders he interviewed to run their business. The markets which they were moved into provided some level of this and they are an improvement compared to streets in this regard. However, nearly 65 percent of his interviewees who traded on the street before moving into the market confirmed that few people pass their trading site compared to when they were on the streets. Moreover, they confirmed that markets provide no flexibility in terms of movement by traders as to ensure that they reach to potential customers, where as in the street, traders were able to reach out to potential customers and advertise their goods or services. His research also reveals

that few (31.3%) of these traders make more profit in the market than on the street. The latter issues are very important in the business of street trading and physical environment improvement alone cannot ensure that all traders make profit thus improving their livelihood.

2.2.4. EThekwini (Durban) Municipality: The case of Warwick Junction

David *et al* (2012) note that over the past ten years, some governments have started to realise the importance of the informal economy in both social and economic development. Therefore, some of these governments have attempted to develop policy frameworks and strategies aimed at growing and embracing the informal economy (*ibid*). In South Africa (and probably in Africa as a whole) the eThekwini municipality street trading management approach experienced from 1996 to 2004 is widely identified as the most progressive approach to street trading (Skinner 2008a). This approach according to Skinner (2008b) was particularly adopted in the Inner-city, in Warwick Junction, the main transport node in the City (*ibid*). This area is made of at least 5000 traders who sell their services and goods to 460,000 commuters on an average day (*ibid*). Skinner (2008a) states that this approach matured in 1996 when an area-based urban renewal initiative was launched in Warwick Junction by the City council. The project found its location directly under the council and it was made up of one overarching project team and three core teams which one was responsible of planning, the other implementation and the last responsible of operation (Dobson and Skinner 2009). These teams drew staff from various city departments including politicians but not traders (*ibid*). Dobson and Skinner (2009) further note a key to the success of this initiative was the commitment to participation and consultation from every stakeholder involved.

Communication is important since it allows different 'experts' to come with different knowledge in developing a solution. Dobson and Skinner 2009 believe that better solutions that benefit everyone can be achieved if the expertise of officials is used which may include their skills to mediate between different interests are respected. Furthermore, the expertise of street traders which include their skills to determine places are suitable for trading should also be respected. These different types of expertise amongst others are important to respect and allow them to engage in a dialogue where compromises are made for progress by all stakeholders. One Street trader leader explains:

The most important thing is communication. The council doesn't come and tell us what to do – at least not in the area I trade. We talk about things. When I raise issues the council respects that (cited in Dobson and Skinner 2009).

In the Warwick Junction project communication proved to be a significant tool when infrastructure for traders was established. In communication with traders they were accommodated with

infrastructure that suits their trading (*ibid*). For example, corn-on-the-cob sellers and those cooking and selling the Zulu delicacy bovine heads were provided with tailor-made facilities (Skinner 2008b). This type of infrastructure came from a concern by traders that they cannot be provided with similar infrastructure as their different types of trading differ in their needs (Dobson and Skinner 2009). In addition to the infrastructure above a new market was built for nearly 1,000 traditional medicine traders (*ibid*).

In parallel with infrastructure development in Warwick Junction, there was also a focus on improving management of the area (*ibid*). This included the establishment of different operational teams by an area-based team that was to monitor and drive public space management in the area. These teams are different from the overarching project team talked about above. These teams dealt with issues such as cleaning, crime, looking after facilities, child-care facilities and pavement sleeping (*ibid*). Dobson and Skinner (2009) state this was a cooperative effort which included traders and officials. In tackling crime urban designers contributed with design interventions including improving street lighting and reducing concealed spaces. A community police forum (Traders against Crime) that operated in the area prior to this initiative was incorporated in managing crime with strong links with South African Police Services (SAPS) and the Durban Metropolitan Police (van Schilfgaarde 2013). Skinner (2009) adds that alongside project cleaning initiatives, a group of traders volunteered their time to clean streets. According to Skinner (2009) their motives for doing this were that it is good for business and that they are proud of their city and concerned about its image.

The volunteer participation by traders to compliment efforts of the eThekwini municipality resulted in improved environmental conditions for everyone than the conditions the City used to achieve on its own in the area (van Schilfgaarde 2013). Thus, based on how 'progressive' is understood in this research, this management approach shifts to better conditions that people have benefited from as a result it is understood to be progressive in this research. However, this progressive approach was a 'moment' according to Pat Horn, Streetnet International coordinator who made this remark in workshop hosted by CUBES from the 11 to 13 August 2014. Streetnet International is an international federation located in Durban established to focus on promoting solidarity between street trader organisations amongst other objectives. Pat Horn says this progressive lasted for few years and now things in Durban are back to what they used to be, with repressive approaches now being applied.

2.3. Street trading policy and regulation in post-apartheid Johannesburg

This section serves as a background and seeks to trace back initiatives around the management of street trading in Johannesburg, since the advent of democracy, which serves as a legacy to street trading management today. It commences by looking at the first legislative initiative in this era which was the passing of the 1991 Business Act (later amended in 1993), with a discussion on urban management issues that were experienced subsequent to this Act. Furthermore this section discusses the financial crisis that emerged in 1997 under the Greater Johannesburg Metro Council (GJMC), which together with Inner city decay as argued by Peyroux (2008),motivated the support for City Improvements Districts a(discussed in detail in this section). This is followed by a discussion around the Inner city urban renewal strategy, which looks at the CoJ's own response to inner city decay. The Inner City Regeneration Charter 2007 is also considered in this section where it is unpacked based on the idea of 'balancing the needs of all affected stakeholders' to use the street. Both the long term and short to medium term policies such as GDS 2040 are also considered to understand their position on street trading. Lastly this section looks at the latest major developments, consultation process on restricting trading areas and designation of New trading Areas, on street trading management in the City of Johannesburg,

2.3.1. The 1991 Business Act, the first initiative in South Africa towards progressive management of street trading

Historically, in South Africa the management of street trading was subjected to restrictive regulations that were motivated by apartheid motives aimed at controlling and regulating the growth of indigenous enterprises (Tissington 2009). This restrictive approach was motivated by town planning justifications of maintaining order and control in urban areas amongst other reasons (*ibid*). At this time it was very difficult for traders to obtain licenses that permit trading especially in Central Business Districts (CBD) and traders were forced to continuously relocate, which led to them losing their customer base in the process (*ibid*). The adoption of the Business Act of 1991 marked a new era in street trading management that brought about a drastic turn away from regulations that were restrictive and viewed the activity as 'problematic'. The Business Act of 1991 was introduced as a national law that attempted to reduce the powers of local government in developing and implementing laws that were too restrictive to informal trading. This piece of legislation is recognised as the most progressive tool of managing street trading in South Africa to date (Skinner 1999). Moreover, the Business Act of 1991 was an indication of a shift in national government thinking about street trading, a shift that recognises the significance of street trading in poverty alleviation (*ibid*). It acknowledged street traders as business people with a vital contribution to the

economy and livelihood, therefore restrictions such the limitations on allocation of trading spaces fell away (Tissington 2009).

The period after 1991 experienced a rapid increase in street trading within business centres and difficulties in managing urban areas from the side of City officials (Skinner, 1999). Local government complained that the national government through the Business Act of 1991 did not give them any space to manage street trading as a result they argued that the uncontrollability of street trading was not their fault (*ibid*). Amendments were made in 1993 to the Business Act which gave powers to local government authorities to regulate street trading while not necessarily preventing it. This prompted the development of bylaws and regulations that were to suggest where and how street trading should take place, albeit the restrictive approaches in management of street trading in Johannesburg become more evident (Tissington 2009). These by-laws and regulations are subjected to the approval by the administrator which according to the Provincial Government Act, 1986 is a person appointed by the president of the country to administrate a province. This started taking place in 1995 when the Business Act was devolved to the provincial level and interestingly not to the local level as many local authorities would have wanted (*ibid*). This meant it was now the provincial government who have powers to change the act.

The most contested and arguable one of the important clauses in the Businesses Act is section 6A. 2(a) of this section states that;

“a local authority may ... by resolution declare any place in its area of jurisdiction to be an area in which the carrying on of the business of street vendors, pedlar or hawker may be restricted or prohibited.”

2(c) of this section goes on to add that;

“before such a motion is adopted, the local authority shall have regard to the effect of the presence of a large number of street traders in that area and shall consider whether more effective supervision or control in that area, including negotiations with any person carrying on in that area the business of street trading or their representatives, will make a declaration unnecessary and the intended restriction or prohibition will drive out of business a substantial number of street vendors, pedlars or hawkers”.

Notwithstanding other matters contained in the Business Act including service delivery issues, this section is important because it is a central source of conflict between municipalities and street traders according to David *et al* (2012). This is partly based on how people interpret it. Traders for

instance feel negotiations should be about the city discussing trading spaces with traders instead of approaching them for negotiations with already 'taken' decisions.

2.3.2. Urban issues in the early years of 'deregulation' in Johannesburg Inner city

In the national sphere, the change of attitude to informal trading cumulated in a climate of deregulating previously regulated practices based on discrimination in South Africa. This included segregation by race as people were now allowed to move to spaces which they were previously not allowed to move to (Tomlinson *et al* 2003). This resulted to what Skinner (1999) refers to as 'Africanisation' of CBDs, which is the movement of African people into the CBDs of major South African cities. Increasingly there was consumer stratification along class lines, which in the case of South Africa (especially in the early 1990s), was closely linked to race (*ibid*). This was coupled by the flight of corporate capital to the outskirts of the City (*ibid*). Although not necessarily linked to Africanisation of the Johannesburg CBD, in parallel to the 'Africanisation' process, was a process which begun much early in Johannesburg, suburbanisation where middle to upper-middle income consumers abandoned CBDs in favour of decentralised shopping malls (*ibid*). The implications of this for street traders were that CBDs started to provide increasing business opportunities (*ibid*).

Beall *et al* (2002) provides a very interesting account of the situation at the time. Beall *et al* (2002) cited in Tissington (2009: 27) note that "by 1991, the Inner city of Johannesburg was one of the most racially integrated areas in South Africa, with 54 percent of apartments occupied by whites".

However, Beall *et al* (2002: 110) explain that:

"Underpinning the ubiquitous focus on 'crime and grime,' and the degree of hysteria about the public health risks of informal street trade and densely occupied buildings, was the 'race question'...the desegregation of the inner city from a predominantly white area to one almost entirely inhabited by black Africans has been at the forefront of Johannesburg's elite public consciousness"

Beall *et al* (2002) further note that by 1996 there was a drastic change in racial mix revealed by a survey done in the same year which demonstrated that the number of white people who were living in the Inner City Johannesburg had decreased by 49 percent to that of 1991. Beal *et al* (2002) suggests the desegregation in the Inner city became synonymous with slum living, poverty, crime and urban decay. This area became a no go area particular by middle to upper classes from the predominantly office node of CBD and Braamfontein to the residential areas of Hillbrow, Berea, Joubert Park, Yeoville and Bellevue. Johannesburg's inner city was labelled by many as an area

plagued by general lawlessness. Beal et al (2002) provide the following description as the perceived situation at the time: "drug-dealing rackets, street gangs, organised prostitution and large illegal immigrant populations are grist for the mill of modern evocations of the Johannesburg inner city, so is anti-social behaviour such as public drunkenness and dangerous driving". This situation, although benefiting traders from a customer point of view, paved the way for private sector intervention as property owners were losing on property values which were falling at the time (Beall *et al* 2002).

2.3.3. The Johannesburg's financial crisis and Igoli 2002 as a policy response

The Greater Johannesburg Metro Council (GJMC) was established after democratic municipal elections in 1995 as the first municipality in post-apartheid (van Rooyen 2009). This municipality was divided into a two tier structure between GJMC and four substructures (Northern, Western, Eastern and Southern municipal sub-structures) (Tomlinson et al 2003). Two years after, in 1997 a looming financial crisis was envisioned due to an organised boycott on rates by the residents of the rich areas, which were the former white only suburbs, as they complained about the redistribution policies of Johannesburg, that were arguing for rich areas to cross subsidise poorer areas of Johannesburg (ibid). However, notwithstanding, "rates boycott which cost the City about R220 million, rates recovery in the richer areas remained significantly above that of previously poor areas" (Tissington 2009: 28). Moreover, this was made worse by aggressive and over-ambitious spending with low revenue collections and by July 1997 the City owed Eskom 300 million and in October the same year the City experienced a negative cash flow of R130 million per month, and this according to Beall *et al* (2002) pressured the City to adopt a more commercial cost-recovery policy model.

This was manifested in Igoli 2002, which Samson (2012: 8) says is "widely acknowledged as the most radical instance of municipal neoliberalisation in South Africa to date". This was a strategy for municipal financial recovery that included the reorganisation of municipal services and the establishment of a uni-city municipal structure (Beall *et al* 2002). Under Igoli 2002, municipal services were isolated and corporatised, although each of the utility companies remained 100 percent publicly owned (with the City as their only shareholder) (Mabin 2006 in Peyroux 2008). This "corporatist approach" as referred to by Mabin (2006) in Peyroux (2008: 10) entails key neoliberal characteristics observed elsewhere such as bureaucracies replaced by "professionalised quasi-public agencies and decisions increasingly driven by cost-benefit calculations". Beall *et al* (2002) note that the objectives of this plan were to turn the city towards operating like a business with hopes that achieving efficiency will achieve equity between the poor, former black areas and rich former white areas. Notwithstanding the detailed reference to financial, administrative and management consolidation the Igoli 2002 plans also attempt to revitalise the Inner city, and to re-establish its

traditional role of being the central district of business in Johannesburg (Tomlinson *et al* 2003). Tomlinson *et al* (2003) further argues that the final goal of the plans was the creation of a 'world class city' that is conducive to private sector investment.

2.3.4. City Improvement Districts, a solution to the then Inner city urban issues?

The flight of corporate capital in the Inner city was never absolute, Beall *et al* (2002) argue. They further note, however, that the face of retail did change with banks, shops, markets and stalls all catering for a predominantly African trade. This fact according to them challenges the stereotype of capital flight, because a significant number of corporate businesses never left the Inner city. These are the same businesses which took a lead in initiating the partnerships for regeneration aimed at reversing Inner city decay (*ibid*). An important moment here was the establishment of the Central Johannesburg Partnership in 1992, a partnership between the formal business, community and the local authority. The City Improvement Districts (CIDs) concept is what captured the imagination of this organisation and later it became a tangible legacy of the organisation (Peyroux 2008). In the development of this concept the CJP does not reject that the concept is rooted on North American experience of responding or combating urban degeneration, as their research solely focused on studying this experience (*ibid*). Interestingly, this experience advocated for 'zero-tolerance' to street traders (*ibid*). Consequently, the approach CJP imported to Johannesburg is "based on business improvement districts (BIDS) promulgated in the mid-1980s by then New York City Mayor Rudy Giuliani" (Tissington 2009: 31). This model became the fashion of the time as it was also adopted by many cities in the United States and in Europe for local economic development and urban renewal (*ibid*).

According to Miraftab (2007) in the developing world, Cape Town and Johannesburg are among the few cities that have adopted the entire CID package. City Improvement Districts according to the CJP (2001: 4) website's definition, referred to a CID as "a geographic area within which property owners and/or tenants agree to pay for certain services supplementary to those supplied by the Local Authority and which will enhance the physical and social environment of the area". Central Johannesburg Partnership (2001) argues that the main aim of the CIDs is to consolidate the vision of the municipality and the business sector in the Inner city. Through the collection of voluntary levy, property owners and businesses benefit from services that operated exclusively within the boundaries of each CID (Miraftab 2007). These services are provided over and above those provided by the city, but ran in cooperation and coordination with the city's services (Beall et al 2002). Typically, according to Beall *et al* (2002) these services include private security officers, who operate

in radio contact with a privately financed central control room and with backup from an armed response unit, and supervisor who patrolled the district on motorcycle.

A second level of service offered in CIDs is street-cleaning and basic maintenance, such as repainting traffic poles (*ibid*). The prerequisite for a CID to be adopted according to the Gauteng City Improvement District Act of 1997 cited in Ngwabi (2009) is the vote of more than 51 percent of an area's property owners in favour of this initiative and from here, an additional fee to that paid to the City, from all owners in a specific jurisdiction is required. Different CIDs comprise of different management boards, occupied by property owners and business owners, which take the responsibility of ensuring that the CID business plan is adhered to (*ibid*). These management boards, however, do not represent tenants or street traders and according to the CJP (2001), City officials can be part of this board but the majority of people involve should be property owners with the voting power proportional to the levy paid by them. The responsibility of these boards also includes appointing service provider company Urban Genesis Management (UGM) in the case of Johannesburg, to manage the day-to-day operations within the CID (*ibid*).

Peyroux (2008) says that CIDs were supported by the City of Johannesburg as part of the Inner City Regeneration Strategy developed in line with the Joburg 2030 strategy and the Vision for the City as "the golden Heartbeat of Africa". Moreover, Peyroux (2008) note that another reason CIDs gained political support in the City of Johannesburg was the result of its continuing fiscal crisis, through which private funding of public services was seen as a solution going forward. Beall *et al* (2002: 115) note that:

"In the case of Johannesburg, where the City had no policing, function zero-tolerance policy could not be mimicked. The Council, however, cooperated with business and endorsed an initiative to get the by-laws changed in order to prevent unregulated street-vending and to ensure the removal of street vendors to formalized markets".

The Council's cooperation with corporate businesses happened as the City was failing to provide adequate services on their own in a context a financial crisis. This pushed the City to work with corporate businesses in providing services in addition to those provided by the City such as security as noted above. Corporate businesses especially property owners engaged to the CID initiative with an aim of raising property values in the Inner city and this had negative implication for low income tenants and street traders in the Inner City of Johannesburg as talked about in the paragraph below.

In a paper by Miraftab (2007: 603-604.) titled "Governing post-apartheid spatiality: Implementing City Improvement Districts in Cape Town" she refers to CIDs as promoters of "uneven social and

spatial development characteristic of neoliberal spatiality", which result to enclaves of rich where the poor are not accommodated to benefit from. CIDs marketise public urban spaces and by doing so they challenge the presence of the urban poor, who cannot afford to pay for this requirement, particular street traders in the case of this paper. Thus undermining the objectives of transformation that advocate for the poor to benefit from the enclaves of rich areas in the city where corporate businesses are only benefiting (*ibid*). One other major imperfection of CIDs is that "they are created and governed in a highly undemocratic manner", with property owners taking the position of dictating what should happen (Tissington 2009: 32). For example, the timing of establishing a CID is decided by them (property owners) and they become the majority on the boards of managing CIDs, this gives them voting power (*ibid*). Tenants and street traders which work and live in a jurisdiction of a CID do not have a say in management of an area they work or leave in. (*ibid*).

SANTRA cited in Tissington (2009: 32) have used the Business Act to criticise CIDs, which requires the evaluation of the negative Impact on socio-economic development of traders in a specific areas before streets are promulgated or prohibition for street trading, to criticise CIDs. They said through CIDs this is not adequately done. They say in the "CIDs, particularly in Braamfontein, street trading is strictly prohibited and regulated by private security guards and the Metro police". This according to SANTRA had an enormous impact on traders who used to trade in the area as some of them struggled for months without any source of income. This position from SANTRA, however, has changed in the Retail Improvement District, discussed further below, where private sector or property owners have embraced street traders and paying for them to be managed.

2.3.5. City of Johannesburg's response to decline: Johannesburg's Inner city urban renewal strategy

Ngwabi (2009) argue that the beginning of the new post-apartheid era in South Africa saw all tiers of government focusing on improving service delivery under the national framework of the Reconstruction and Development Programme (RDP). He further notes that at the time there was very less attention on the maintenance of Johannesburg Inner city services and infrastructure despite being in a poor state. According to Ngwabi (2009) this began to change in 1995 after the first democratic local municipal elections where private and public sector in partnerships could develop a vision for the Inner city from which an urban regeneration strategy was developed. In 1996 a structure known as Johannesburg Inner City Development Forum (JICDF) was established by the GJMC to develop this vision, made of business, community and labour organisations and as well as provincial and local government (Nkokoto 2005). In 1997, the then deputy president Thabo Mbeki, announced the new vision for the Inner city Johannesburg, named "Johannesburg, the Golden

Heartbeat of Africa" (Ngwabi 2009). This vision aimed to see the Inner city transformed into a "dynamic, liveable, people-centred, accessible place" which would be the "trading hub of Africa, thriving through participation, partnerships and the spirit of Ubuntu" (*ibid*: 135). The vision was further complimented by an urban regeneration strategy in 1998 contained in the Spatial and Economic Framework for the Inner city (SEFIC) document (Nkokoto 2005).

JICDF was only given the privilege to develop the vision, subsequent strategies and framework for the Inner city but not authority and resources to implement the initiatives that emerged from its work (Ngwabi 2009). As a result, after developing the vision, strategies and frameworks it was replaced by the Inner city committee, a sub-committee of the Johannesburg Metropolitan Council (*ibid*). This committee commissioned the International Organisation for Development (IOD) to prepare a report on the future of the Inner city and the IOD recommended that an organisation responsible for facilitating amongst other things urban regeneration and private sector investment in the Inner city be established (*ibid*). This cumulated in the Inner City Office (ICO) in 1998 and its successor Johannesburg Development Agency (JDA) in 2001 to achieve the same (Nkokoto 2005). These organisations functioned as project designers and facilitation units, structuring a range of urban environment upgrade and social and economic development projects (*ibid*). While the work of the JDA and its predecessor ICO is acknowledged as significant in urban regeneration it is often criticised for favouring certain powerful private interests and not those of the poor (Ngwabi 2009). This is further discussed in the next chapter where the work JDA is considered in relation to future projects it aims to implement in the area of study.

A revised Inner city regeneration strategy (ICRS) was adopted in 2003, directly linked to Johannesburg 2030, the long term plan of the City of Johannesburg announced in 2002 (Ngwabi 2009). The explicit aim of this strategy is to "attract businesses and upper to middle-class residents' back into the Inner city and to raise and sustain private investment leading to a steady rise in property values" (Tissington 2009: 30). The strategy assumes the promotion of safety and security in the Inner city will contribute in achieving the above. Moreover, in residential areas outside the CBD, the strategy is pushing for illegal business to be closed with high street upgrades and creation of more open spaces. In the CBD, the strategy calls for the creation of maximum return on industrial space, promoting new industries and sectors. Subsequent to this strategy was the Inner City Regeneration Strategy Business Plan 2004-2007, aiming to put implement the ICRS. Through this business plan specific projects were realised in the Inner city (Nkokoto 2005). This includes the developments "at Constitutional Hill, the redevelopment of a cultural hub in Newtown, the Fashion

District upgrade, the new Nelson Mandela Bridge, the Metro Mall and the establishment of a City Improvement District (CID) in Braamfontein" (Tissington 2009: 30).

2.3.6. The idea of 'balancing the needs of all affected stakeholders' to use the street: The Inner City Regeneration Charter (IRC) 2007

The Inner City Regeneration Charter (ICRC) is the result of eight months of dialogue comprising a range of Inner city stakeholders, including property owners, residents and street traders, which started in November 2006. This charter attempted to address a number of key issues in the regeneration of the Inner city including "disorganised trading". Furthermore, commitments and deadlines for projects relating to street trading were made in this charter with the City committing itself on adopting a developmental (and not simply regulatory) approach, which is repressive to street trading, in ensuring that there are no more unmanaged streets beyond 2009 (*ibid*). The City ensured that it will make efforts to avoid repressive or arbitrary actions against street traders in enforcing its by-laws relating to street trading (Tissington 2009). The City also announced that one of its projects to street trading is to "formalise" street trading by providing employment opportunities "through formal market spaces, linear markets, co-operatives, flea markets, mini shops and kiosks, manufacturing hives, car guarding, waste recycling, transport services" (*ibid*: 34).

Under the heading "Economic Development" in the charter "Street trading/Micro-retailing" is the first topic discussed and it begins by mentioning that the CoJ gives much value to street trading. As a result the craft is a priority in the context of high unemployment as it plays an important role of providing a livelihood to those who have been rejected in the formal sector. However, the charter goes on to acknowledge that street trading is not the only priority to the CoJ. The charter talks about trade-offs that were taking place in the Inner city between economic and social development:

"... while the needs of street traders to sustain a livelihood and explore and exploit future economic opportunities is very important, these needs cannot be met at the expense of the needs of commuters, pedestrians, formal businesses, residents and other users of Inner City space for clean, safe and well-organised public environment" (City of Johannesburg 2007: 25*).*

The City of Johannesburg (2007: 29) notes that while the needs of street traders are important to be accommodated, they "cannot be met at the expense of the needs of commuters, pedestrians, formal businesses, residents and other users" of the Inner City, "who require a City that is clean, safe and with a well-organised public environment". As a result it was concluded that a 'balanced way' in management of the Inner city should be developed so as different people's interest are

accommodated (Peyroux 2008). This thinking developed here played a significant role in the revision on the Johannesburg's informal trading policy in 2009 (*ibid*).

2.3.7. The gap between Johannesburg's informal trading policy, and enforcement/implementation

Skinner (1999) argues that the development of an informal trading policy is a positive move towards progressive management as it is a useful tool in encountering 'reactive' environments around street trading issues. These environments experience pressure from various stakeholders and as a result decisions are made based on who makes the most noise (*ibid*). Skinner (1999) notes that in such situations policies form a base from which officials can guide their decision making process, and which everyone else can debate/resist/ influence the type of management they would prefer. However, even if an informal trading policy is adopted it does not guarantee progressive management as there are other related processes linked to it such as implementation. Bénit-Gbaffou (2014a) agrees with this statement by arguing that there exists a gap between developmental policies and municipal practices, which are repressive. Bénit-Gbaffou (2014a: 9) notes that one of the issues underlying this gap is that supportive frameworks/policy for street trading are developed "but fail to address specific municipal issues, such as their dual and often contradictory mandates to alleviate poverty/promote economic development, but also to manage dense and congested streets".

In Johannesburg, the Informal Trading Policy of 2007 was published as to provide the policy outline for the management and regulation of informal trading and later revised in 2009, in order to facilitate the new policy imperatives outlined in the ICRC (Tissington 2009). This policy acknowledges that informal trading contributes towards job creation, as a result absorbing many who have been pushed out of the formal economy. Informal trading is supported by this policy for helping in the alleviation of poverty like the formal economy. One notable element about the informal trading policy is its acknowledgement that informal trading is here to stay, contributing to the development of the City as are other forms of activity. Consequently, the policy notes that the mission of the City should be to create opportunities in this sector so that people can continue to benefit from the City's economy. This according to the informal trading policy of 2009 should be done through a developmental approach that enables access to jobs and entrepreneurial opportunities available within the informal sector but also allowing migration of informal traders to the formal sector. The policy further aims to build a positive relationship between the formal and informal sector, so that both can operate effectively alongside each other in an environment that fosters sustainable economic growth (Tisington 2009).

On the other hand the Johannesburg Metro Police Department (JMPD) continues to emphasise on enforcement of rules and regulations stipulated in the informal trading by-laws of the CoJ. JMPD was established in 2001 with the mandate to perform traffic policing, policing of municipal by-laws and regulations, and the prevention of crime in the City of Johannesburg (Charlton and Karam 2003 cited in Ngwabi 2009). The City of Johannesburg's informal trading by-laws were promulgated in 2009 in line with the Businesses Act amended in 1993. Section 9 of the by-laws stipulates areas where street trading is not prohibited, including areas where it may obstruct traffic. Moreover, section 10 provides conduct which is restricted in areas where street trading is permitted, which includes restricting traders from creating nuisance, health risk. Tissington (2009) argues that the JMPD continues to enforce these by-laws despite the fact that necessary means have not been made available for such regulations to be adequately adhered to by street traders. The informal trading policy of 2009 suggests that the City must assist in alleviating some of the challenges impeding the further development of the sector including limited infrastructure and storage. With this being not available it is very hard for traders to live up to the expectation of the City. For example, with no access to water, sanitation and refuse removal and litter bins, there are very limited chances that nuisance and health risks are not to be created.

2.3.8. Where does street trading sit in the City's long term plan?

In 2002 the Johannesburg City Council launched its long term plan, Joburg 2030 Growth Development Strategy (GDS) aiming to reshape the city's economy it into a world-class business centre. Rogerson (2005) cited in Peyroux (2007) writes that the aim of the Joburg 2030 Growth Development Strategy (GDS) was to transform Johannesburg into a "world-class city" with a strongly outward-oriented economy, which specialises on the service sector. As opposed to an inward-oriented economy which is about building and improving domestic industries this strategy advocated for the development of means that would make it easy for 'foreign' corporate business to grow their business in Johannesburg (ibid). This includes the Inner city renewal Urban Development Zone (UDZ) tax incentive scheme adopted in 2004 till 2014 as a way of attracting more private investment in the Inner city (Tissington 2009). This tax incentive provides generous tax breaks to those investing in new commercial, residential and retail developments in the Inner city (ibid). According to Malbert and Kain (2004) cited in Peyroux (2007) Joburg 2030 favours interventions directly supporting economic development and business interests. They further note that this strategy is too narrowly focused on economic growth without focusing or talking about how it interrelates with other dimensions of sustainable development, such as the environment and the needs of the urban poor (including street trader's existence in the City).

Consequently in 2011 the City of Johannesburg developed the Growth and Development strategy (GDS) 2040, a long term strategy consolidating numerous strategies of the City of Johannesburg, each addressing different dimensions of the City's development, into a single cross-city strategy (City of Johannesburg 2011). The GDS 2040 is an aspirational strategy that defines the type of society the city aspires to achieve, by 2040 (*ibid*). The GDS 2040 document notes that infrastructure, housing and transportation sectors are to use this document as a prerequisite in developing their medium-term, strategic, spatially-oriented plans. Moreover, the document provides a set of defined strategic directions that frame the five-year IDP and other medium-term plans. This strategy is made of six tenets that provide the view of the city's approach to development. These tenets include "the eradication of poverty, building and growing an inclusive economy, building sustainable human settlements, ensuring resource security and environmental sustainability, achieving social inclusion through support – and enablement, promoting good governance". This tenets amount into the 2040 vision that state:

"Johannesburg – a World Class African City of the Future – a vibrant, equitable African city, strengthened through its diversity; a city that provides real quality of life; a city that provides sustainability for all its citizens; a resilient and adaptive society" (City of Johannesburg 2011: 3).

Eradication of poverty and building and growing an inclusive economy are of greater relevance to street trading from the six principles. The principle on eradicating poverty suggests that "the City of Johannesburg will continually assist the poor to build capacity, thereby supporting them in accessing the City and stepping onto the ladder of prosperity" (City of Johannesburg 2011: 33). Here, the city commits itself on developing supportive and innovative informal trading regulatory approaches that will allow the poor to grow their business in the informal sector but also allow them the opportunity to graduate to the formal economy (*ibid*). The principle on building and growing inclusive economy argues that the City will work with marginalised groups as to promote economic inclusion that will ensure that poor people also benefit from the city's economy (*ibid*). City of Johannesburg (2011) notes that to grow its economy that would be resilient and sustainable it needs a robust informal sector that will serve as an additional supporting pillar. Moreover, the GDS 2040 asks for "regulation and policy that manages informality, without destroying informal economic activities and the opportunities they present, serves as an additional support, growing resilience further within these economies" (City of Johannesburg 2011: 25). Notwithstanding the need to protect the rights of third parties the City further acknowledges that it "must also consider how it can use the informal sector as a lever for social upliftment" (City of Johannesburg 2011: 43).

2.3.9. Latest major developments on street trading management in the City of Johannesburg

This development is taking place in the aftermath of Operation Clean Sweep (OCS). It is an attempt by the City to adhere to the procedures of the Business Act on restricting and designating new trading spaces. This order came from the Constitutional court which ruled that the City did not follow the Business Act in conducting OCS. The main objective of the engagement process as outlined in the 2014 *Proclamation of Restricted Trading Areas and Designation of New Trading Areas in the Inner City of Johannesburg* document is to:

"Obtain authority from all affected stakeholders to declare restricted trading areas in the Inner city and to designate new areas for trading, in line with Town Planning Schemes and in terms of the Business Act No 71 of 1991 and the City's Informal Trading Policy" (City of Johannesburg 2014: 32.1).

The City of Johannesburg (2014) proposes short to medium term intervention in this process which they argue are guided by the Constitutional court on its ruling which found that the Business Act was not followed when the City was street trading in the Inner city. This engagement process is made of two phases, however at the time this paper was being written only phase one had commenced. This phase took place for nine days with different stakeholders such as Informal traders, Property owners, Public transport operators, Residents, Courts and Security cluster, Academics and Researchers attending on different days.

The engagement process has received much criticism particularly from street traders, business stakeholders and academics. This includes critics by CUBES's in a submission to the City on the 8th of August 2014 where they criticised the City for not providing sufficient information that would result in meaningful participation. CUBES (2014) have also raised concerns on the restrictive approach which the CoJ is taking towards accommodating all existing street traders. They have argued that this will require heavy and permanent police enforcement which will cost the City a far greater amount than that required for management of street trading on the site. Street trader organisations have also joined forces, in workshops facilitated by CUBES, in a joint submission handed to the CoJ on the 13th of August 2014 which included SANTRA, SAITF, One Voice, ATO, GIDA, NUT, JOWEDET, ETA, and ACHIB. In this submission traders criticised the process for lacking a 'proper' structure of engagement, with milestones agreed upon by all stakeholders around policy, demarcation and institutions relating to street trading. In their submission traders also use the Business Act Amended in 1993 to argue that the City should have provided the number of traders (licenced and unlicensed) to be affected by the new demarcation as stated by the Business Act, as this information is a prerequisite to a street demarcation plan prior to it being published.

CJP have also criticised the process in its submission dated 27 August 2014. They argue that this participation process should have been done based on detailed proposals informing about the designation and promulgation of trading spaces. CJP (2014) argues that this should include a dedicated stakeholder consultation process around the numbers of traders to be accommodated. Furthermore, they noted that a dedicated stakeholder consultation process on areas that are to be promulgated and designated for trading in ensuring a sustainable solution was also required. They also made the argument made by both CUBES and other street trader organisations who suggest that there is a need for stakeholders to be offered the opportunity to hear each other's views and responses to the CoJ's plans in a joint stakeholder forum.

2.4. City of Johannesburg: The case of Retail Improvement District

The above section about Johannesburg policies and regulation with regard to street trading has highlighted, mostly, failures of both the private and public sector to progressively manage street trading. However, Bénit-Gbaffou (2014a) notes that there exists a private sector led street trading management model in Johannesburg that appears to be progressive and this section attempts to discuss this management model.

The Retail Improvement District (RID) offers a very interesting and unique type of management in Johannesburg. Bénit-Gbaffou (personal communication 2014) went as far to suggest that, based on the fact it is property owners' levy which funds street trading management in the RID; this type of street trading management represents some form of redistribution. Edmund Elias cited in Malemagoba *et al* (2012), SANTRA spokesperson and also a trader in the RID precinct, acknowledges this type of management as a 'true' management that provides dedicated security, cleaning ambassadors to the area and the monitoring of hawkers. Based on his experience as a trader and a leader he criticises the management approach adopted by the City of Johannesburg and admires the RID as more progressive than the former approach. He argues that the CoJ has chosen the metro police route where police arrive to confiscate goods belonging to traders and leave, whilst a short while after the same or a different trader comes to establish a trading site in the same spot.

The City of Johannesburg has been struggling for a very long time to provide adequate services such as cleaning and security, and according to Beall (2002) this played a significant role in private sector led management gaining political support in the council. In light of this, traders were inspired by the RID management approach which provides what the City is failing to provide and wished for this model to be extended around Park station. It is because of this reason amongst other reasons that the Park Station Street Trading Management Model (PSSTMM) exists. The RID was established in

2005 in Johannesburg Inner city, boundaries are Jeppe Street to the north, Commissioner Street to the south, Von Brandis Street to the east and Harrison to the west as illustrated in the map 2.1 below.



Map 2.1 (above): taken from Bénit-Gbaffou (2014c) depicts the location of the RID in Johannesburg Inner city and two significant nodes connected by a mobility corridor, between Park Station and Gandhi Square

This street trading management model, according to Bénit-Gbaffou (2014c), rests on cross subsidisation amongst other significant components; from property owners who pay a levy (as in any City Improvement District) additionally to their municipal rates and taxes, to be spent locally for additional street security, cleaning and other services. Malemagoba et al (2012) notes that the board of directors comprises of some of the financially contributing property owners that are located in the RID precinct as well as City of Johannesburg officials. However, this board is highly dominated by property owners with no street trader or tenant's representation (ibid). This board then contracts a service provider to manage the precinct, Urban Genesis Management (UGM), in the case of the RID (Bénit-Gbaffou 2014c). This service provider communicates with traders by holding regular management meetings with block leaders and through these meetings a good relationship was established according to Director of CJP Steffny (interviewed on 22/04/2013).

This is one of the reasons SANTRA approached CJP to assist in ensuring that a pilot management model for street trading is developed and tested around Park station, where they have a lot of affiliated members. Bénit-Gbaffou (2014c) argues that the appointment of a grounded administration in the RID contributes significantly to management efficiency, particularly in conflict resolution and in maintenance. According to her, security agents who are grounded within the precinct are useful in attending to conflicts that arise within the precinct, whether conflicts between traders or pedestrians. Moreover, Malemagoba *et al* (2012) further notes that for the security agents it becomes easy to identify street traders who are not permitted to trade in the area because of their stability within the precinct. Complaints within the RID precinct are easily attended to due to UGM's regular monitoring which then allows them to talk with the CoJ on maintenance where it requires the City. Moreover, CJP is very important with regards to management efficiency with its strong lobbying power and networking with City officials & politicians (Bénit-Gbaffou 2014c). The overall role of CJP is to create platforms where the RID can share information with other Improvement Districts, follow and build on international trends and better work together with all levels of government (CJP 2014b). However, CJP experienced difficulties with the latter and hence decided to establish a joint venture (JV) with the Metropolitan trading Company, a municipal owned entity responsible for managing informal trading in the City of Johannesburg. This allowed UGM to administrate trading stalls, rental collection and administration.

2.5. Concluding remarks

The chapter has revealed that perceptions towards the informal economy, both within municipalities and of corporate businesses, have contributed to the regressive/progressive management approaches, developed. Progressive management approaches acknowledges the informal economy as a crucial component in economic development, amongst other significant imperatives, and that it offers significant job and income generation opportunities. Conversely, the regressive management approaches discussed in this paper understood the informal economy to be a 'problem' that needs to be dealt with by seeking for ways to take people out of this site of 'marginalisation' to the formal sector. In Johannesburg the financial crisis, coupled with the Inner City that was losing investment in a form of cooperate business, , might have reduced the capacity of the City to effectively manage street trading and caused it to hand over its legislative management role to the private sector. The private sector, in its management of the CID has demonstrated a lack of sympathy towards street trading as it enforced regressive management.

It might have been the case that both the City and the private sector have understood the source of the problem on management issues as being due to street trading, thus adopting management

approaches that aimed at eliminating the 'source of the problem'. If this is the case, there exists misdiagnose of the problem, as it is not sufficient to argue that street trading is the source of the problem. Rather, as was argued in the chapter, urban form and inadequate management contributes significantly to the urban management issues. Street trading management is a very complex and contested activity that needs a closer inspection for one to understand how it operates and for governments to develop progressive management solutions. It is necessary to diagnose or to completely understand the sector if you are to develop solutions that will fix the problems. It hence becomes very difficult for the city to develop a good solution for the management problem if this understanding is not achieved. The eThekwini management approach from 1996 to 2004 demonstrates that for management to respond to all traders needs it has to understand what is happening on the ground in terms of what works for different traders. This is something the CoJ and private sector, in the form of the CID, has paid less attention to as with the case where the City assumed Markets were good for every trader

Chapter three: Research methodology

3.1. Introduction

This research methodology chapter provides a research strategy that outlines the manner in which this research has been undertaken. This section, amongst other things, identifies the methods used in this research. These methods define the means through which data was collected. This chapter is important since it also allows one to analyse the reliability, breadth of the findings and it also outlines the limitations of the research. This chapter start with the context through which this research has emerged, as this has influenced the methodology used. The methodology to be discussed in this chapter is based on a qualitative approach that includes interviews, documentation, action research and observations. Moreover, a quantitative survey that was used to understand the character of the area of study in relation to street trading management will also be discussed. This chapter will go on to explain the reason why these specific methods were used and why they were the appropriate ways of acquiring information.

3.2. The context or conditions through which this research has emerged

One of the things that Operation Clean Sweep (OCS) managed to achieve was to 'reintroduce' a 'public' debate around the legitimacy of street trading in the Inner city, Johannesburg and the failure of the City to effectively manage street trading. This debate dates back to November 2013 where it occupied various platforms including social networks, newspapers articles, and television interviews. Different street traders, government officials, pedestrians, and other street users were seen in these platforms explaining their positions in this debate. Interestingly, one of the dominant comments from this debate, which I observe was the question of who should be blamed on the city that is not managed effectively. The City in these platforms maintained its position, reflected in a report of the City written by Moyo (2013), of illegal trading as one of the main challenges hindering the vision of a clean, safe, healthy, vibrant city. One street trader organisation, SANTRA, while noting that the statement by the City is insufficient, admitted some of the wrong doings which the City accused them of. SANTRA cited in Business Report (2013) note that the City, however, has failed in the past 10 years to manage public space in an effective ways and to suggest that the problem is a result of street trading alone is incorrect as the City is also part of the problem.

The court case which started on the 27 November 2013 when SANTRA and SAITF approached the South Gauteng High Court asking for an urgent interdict to OCS was in parallel to a situation where the City begun to reserve its comments and engagement on street trading as they believe the matter

was sub judice (City of Johannesburg 2013). This made it difficult for traders to engage with the City in a constructive manner to negotiate how they can better solve the situation. The desire to be part of the solution by SANTRA as reflected in the Business Report (2013) article was also undermined by this process and attitude. This left the organisation (SANTRA) with no option but to turn to CJP, an organisation which in the past they have been very critical of, because it lobbied the City to prohibited street trading in City Improvement Districts (CID) (Elias, SANTRA spokesperson (interviewed on 24/03/2014), Tissington 2009). However, since the RID experience CJP and SANTRA have established a relationship that has convinced them that they can work together (Elias, SANTRA spokesperson (interviewed on 24/03/2014) and Steffny, CJP director (interviewed on 22/04/2014). This level of trust can be observe on SANTRA being relatively happy of CJP management in the RID as opposed to the City's management approach and asking CJP to serve management duties in the PSSTMM, and SANTRA as the main organisation on the ground that is to also collect fees from traders (*ibid*).

For CJP this was a business opportunity and an opportunity to respond to criticism towards the CID model where traders or anyone else who lives or work in the CID territory but not a property owner is excluded from decision making of that CID (CUBES 2014). Emails exchange between CJP, Hans Jooste from Specialised Area and Improvement Districts (SAID) and SANTRA about minutes of previous meetings reveal that there were meetings held to discuss the request by SANTRA prior to this research. SAID is a "management services company specialising in consulting, urban management and place management services". Furthermore, a letter was sent to the City on the 03 January 2014 as a proposal of the PSSTMM reflecting an urgent need to address security issues and cleanliness in the area of study (CJP 2014b). In this letter, UGM prepared a quotation, attached in the proposal, reflecting the number and amount to be required for public safety ambassadors (PSA), cleaning ambassadors and other necessary equipment for both cleaners and security ambassador. According to Elias, (interviewed on 24/03/2014) the response of the City to this proposal was that "they are not interested". This might have been the case because the proposal asked the City to fund the management model by paying CJP, with the City being reimbursed with traders' fees. Maybe this was the case because the City was still in court thus refusing to engage as highlighted above.

In February 2014, CUBES was approached by SANTRA requesting for assistance in developing this management 'plan'. This separate request made by SANTRA to CUBES is part of a broad request by SANTRA and Congress of South African Trade Unions (COSATU), a trade union federation that was also trying to unite street traders, as discussed in chapter one. SANTRA approached CUBES talking

about this marvellous partnership initiative between them and CJP and this was the period when I said I want to study this pilot plan that appeared to be developing, in fulfilment of the requirements for the Bachelor of Science with Honours in Urban and Regional. Access to the actual proposal, however, was a struggle, when CUBES asked SANTRA about it they said they do not have it. I had a meeting with Norman Maluleka (interviewed on 03/04/2014) also from SAID who I gained access to through Hans Jooste, where I also asked to be given the proposal. He refused talking about the sensitivity of this proposal, where he said these negotiations are still between them and the City and they are not prepared at the time to share them with anyone. Claire Bénit-Gbaffou, from CUBES eventually got angry and asked Edmund Elias, SANTRA spokesperson to make the proposals available if he really wants our support and he called Hans and requests that the proposal is sent to us. We read it at CUBES and we did not find much of a 'partnership' amongst other components that we felt were necessary for such a model as they are discussed in chapter five.

With this research focus I had a privilege to be part of a research group that has been going on for several years on informal trading organised by CUBES through staff and students research projects in the School of Architecture and Planning, Wits University. Other research or projects that have been part of this group includes an honours thesis on foreign traders by Thoko Motaung, master's thesis by Kwena Letsoalo on processes of decision making in the City of Johannesburg, on issue of street trading and media perception by Sifiso Dlamini. Third and second year Wits planning students were also conducting research on the topic, street trading. Some of their work was used in this research to compliment and this includes pictures taken by third year students. This work, including this research will then be available to support street traders on their engagement with CUBES. Furthermore, this context (the research group) has presented a window of opportunity to influence the AFTRAX project and this opportunity has also helped in framing the approach to this research. It is important to note that this research was not for AFRAX rather I saw an opportunity through the CUBES research group to write a report titled *Reflection on the SANTRA-CJP Street Trading Management Model*, which reflected initial findings of this research which were made available for the AFTRAX report in case they needed it. The deadline to the AFTRAX project was is in June 2014 where I pushed myself to start with findings of my research before this date.

The development of the PSSTMM needs to be understood as a stop and go process, where at times there was progress but also at other times the development of the PSSTMM experienced delays. One of these delays or stops to the PSSTMM has been talked about above, where it has been noted that the City rejected the PSSTMM when the first proposal was submitted in 03 January thus bringing a stop to progress that was already made. SANTRA's request to CUBES in February 2014,

however, resulted into some progress being made as the PSSTMM was developed further with an attempt to make it more sustainable and progressive. This progress with regard to the development of the PSSTMM was affected by other political urgencies in the interaction between the City, CJP and SANTRA and CUBES which brought delays to the PSSTMM. For example, the consultation process by the City from 28 July until 6 August 2014 prevented an opportunity to submit the PSSTM proposal again. However, after this period the City begun to call for proposals to be submitted and progress was made with regards to the PSSTMM as it was submitted again. This had an impact on the progress of this research because delays experienced on the development of PSSTMM also brought delays in this research in terms of documenting how the PSSTMM was progressing.

3.3. Interviews

This was the first method used for findings on the PSSTMM as I felt the option to use other methods amongst the methods highlighted in the introduction section was not available when I started with this research. In the beginning of this research there were no documents about the PSSTMM that existed except the letters exchange between SANTRA, CJP and Hans, and that which was sent to the City as a proposal which I came to know about in an interview with Norman Maluleka. Although, there was evidence reflected in these emails, that some meetings were held to discuss the PSSTMM, these meetings were held prior to this research as a result I did not attend them to observe how the things reflected in the proposal were discussed.

Before engaging with interviewees I prepared a list of things that I wanted to know about the PSSTMM as an interview guideline. This interview guideline, attached in annexure, included specific aspect which in chapter one have been identified as things which a street trading management model can be examined by. This includes things to be regulated, people/organisations or institutions to be involved, their specific roles and functions. In these interviews I have also proposed to interviewees to be helpful in the development of the PSSTMM by helping them, in any way where they felt my help would have been useful. This was done with expectations that it would lead to action research, however, it did not materialised as they suggested that at that moment there was nothing which they thought I could help with. I think this was the case as there was nothing much that was happening with regards to progress of the PSSTMM after the City rejected the proposal. Moreover, as identified elsewhere in this chapter the PSSTMM was regarded as something that is sensitivity by one of the stakeholders (Norman Maluleka) and it might have been difficult for them to involve someone new to them.

CUBES took advantage of this and suggested that I can be helpful by conducting research that was to help in developing the management model. In the research that I did with CUBES I made sure that it related to this research as a result some of that research has been used in this paper. This, as with the AFTRAX project, also influenced the methodology of this research because I was at times asked to conduct research, earlier than I would have done if it was not for the request. For example, I was asked to do a qualitative survey during the first semester of this year which I had planned to do during the second semester.

The first interviewee was Edmund Elias, SANTRA spokesperson who I was introduced to by Claire Bénit-Gbaffou, my supervisor. Edmund and Claire worked together previously in the "Yeoville Studio, a research and learning initiative that was driven by a collaboration between the Wits School of Architecture and Planning and several community partners" according to the Wits University website[10]. Through this interview I became aware of the names of other people who are involved in the project. This includes Anne Steffny, CJP director and Hans Jooste, from Specialised Area and Improvement Districts (SAID) who introduced me to Norman Maluleka who I also interviewed with Anne Steffny. Norman was interviewed because he was involved at the time when the PSSTMM was first developed, as a service provider.

CUBES also interviewed Urban Genesis Management (UGM), this was an attempt to understand the financial model, which is the amount spent on specific services, used in the RID as part of the research at CUBES about understanding different street trading management models. This was important for this research as to understand how UGM decide on the amount of different services they provide. The involvement of UGM replacing SAID came after a resolution in a meeting held on 15 May 2014 between CJP, SANTRA and CUBES to renegotiate the financial model of the PSSTMM. This financial model was initially designed by Hans at UGM and moved with the project to SAID. Hans Jooste used to be at the core of both UGM and CJP and this created a strong relationship between him and CJP. This might have be one of the reasons he was approached first in the development of the PSSTMM, but he split from UGM, and now UGM is rebuilding itself and is still maintaining a relationship with CJP. The renegotiation of this financial model was an attempt to find ways of reducing the cost of the PSSTMM.

3.4. Documentation

This research has also used academic and policy documents, electronic mails, reports (including those that have been developed about PSSTM during the course of this research), newspaper

[10] http://www.wits.ac.za/academic/ebe/4876/interdisciplinary_engagement.html

articles, and websites for various reasons explained below. Library research and internet research were used to access both academic and policy documents. Library research provided books which helped in contextualising the research question by giving understanding of and insight into theories relating to the research topic, and particularly on the management of street trading, a literature that remains very limited (Mitullah 2003; Bénit-Gbaffou 2014a). Moreover, these books contributed in giving contextual insight into the Inner city, Johannesburg, they provided light on different initiatives undertaken in the Inner city and the various stakeholders involved in the process. It is through this library research where I have gained knowledge about some of the City of Johannesburg's policy and policies of other cities in the South. Most policy documents used in this research which include Johannesburg's policies on street trading were accessed through the internet research. The internet research has been helpful also in providing access to journal articles, the Women in Informal Employment: Globalizing and Organizing (WIEGO) website in particular. WIEGO according to their website[11] is a "global action-research-policy network that seeks to improve the status of the working poor, especially women, in the informal economy". Internet research also gave access to websites including that of the CoJ, CJP, SANTRA and UGM and this was important in contributing to understanding these organisations/Institutions.

Emails that existed as a means of communication between SANTRA, CJP, SAID, the CoJ and CUBES were very useful as a source of information in this research. Some of these emails were written as minutes of previous meetings reminding stakeholders of what was discussed, written as follow up questions to what was discussed elsewhere or informing stakeholders about particular developments. This includes an email that was sent to stakeholders of the PSSTMM talking about UGM's idea of waste recycling. Furthermore, it should be noted that I received the first proposal titled *Informal Traders Amended Sustainable Management Proposal relating to some trading areas within the Johannesburg Inner City* submitted to the City council by an email. Because of the action research method adopted in this research most emails shared amongst stakeholders were also sent to me, as a result some of that information is used in this research. The use of this kind of information, personal communication, has ethical implication as noted in chapter one. In this research some of the quotes which are used are made anonymous as to prevent prejudice. Newspaper articles have been another significant source of information especially with regards to information around the topic of street trading, however, not specifically on the PSSTMM. This includes newspaper articles written prior and after this.

[11] http://wiego.org/. accessed on 25 September 2014

3.5. Action research and observations

Action research is done in different ways; this includes being part of the negotiating group with the aim of empowering participants. In this research this method has been used to empower participants in the development of the PSSTMM through research and not by only observing as a neutral person to negotiations that have arisen between CJP, SANTRA and CUBES. As a student I have decided to take the role of being an observer in these negotiations which allows me to learn. Claire Benit-Gbaffou, representing CUBES was directly involved in these negotiations with me participating by supporting her with research in this process. This include the interviews I did as talked about above in the section on interviews, these interviews provided her with some information of the initial proposal. Moreover, a quantitative survey that included the number of street traders in the area of study, the type of goods being sold by traders, stalls they use and their size which were used to help in the development of PSSTMM. This information challenged the 'legal'/'illegal' divide which dominates the current planning approach of the CoJ as it allowed all traders to be seen as an important asset to the PSSTMM.

This information made it possible to also test another method of management that starts from the ground to find a model, understanding how many people are to be affected, rather than imposing a model that lacks sufficient information on what is happening on the ground. This research method has made this research challenging as it provided less distance to critically examine everything, it gave me too much responsibility for change as well as for research which some of it might not even be recognised by an examiner. For example, I provided the information about the number of street traders to influence the PSSTMM at the same time I was expected to understand the role which this information play in influencing change to the PSSTMM. In dealing with this challenge I have tried all the time to make sure that collected data is interpret or analysed in a defensible way. I have also used an opportunity to discuss the collected information with my supervisor as to reflect and grasp what a second person thinks about the information. This has allowed me to be aware of certain things which I was not aware of as I tended, at times, to focus on attempting to perfect what I was doing in trying to affect change and losing awareness on other things that were happening around me.

For example, as I was counting the number of traders, which it is was above the initial number provided by SANTRA in UGM quotation attached in CJP (2014a) as representing their members, it did not come to my mind that this might mean other traders might be from a different organisation and this could result to conflict amongst trader organisation. It was only when I talked with a second person, my supervisor, where I become conscious about this dynamic. Another challenge

experienced in this research has been the changes that have occurred which made it hard to predict or plan the trajectory of this research. As highlighted above the development of the PSSTMM is a stop and go process, which at times there was progress but also at other times it became stalled. In addition to the above reasons, this is also because of other political urgencies in the interaction between the City, CJP and SANTRA and CUBES. For example, the consultation process by the City from 28 July until 6 August 2014 made it impossible for proposals on street trading to be submitted to the City as the City was not prepared to take proposal at that time. However, this was followed by a period where the City called for proposals to be submitted and progress was made with regards to the PSSTMM as it was submitted again. This played a significant role in shifting the trajectory of the PSSTMM as it was envisioned in this research, where it was anticipated that it will also include an implementation process which did not take place during the course of this research. However, reflections on implementation have been part of the model making process and in this research I have reflected on this aspect instead of actual implementation process.

The reason for action research method was because this research was exploring a management model in the making in its principles, its politics and implementation as a result interviews, documentation and observation were not sufficient alone. Particularly, in understanding how the principles of the PSSTMM were being negotiated. Consequently, action research allowed me to be part of the group developing the PSSTMM as a result I was informed of almost every development and asked to attend meetings where the PSSTMM was to be discussed. Here, my observations were documented in a diary dedicated to this process where I have recorded all my thoughts and informal discussions.

Negotiations on the PSSTMM included other groups such as the eThekwini expects who were asked to share their experience on precinct based street trading management and their comments on the PSSTMM. UGM has been also part of these negotiations bringing precinct administrative knowledge. I have attended all these negotiations, including those that were between CJP, SANTRA and CUBES in most cases as an observer and documenting my impressions. Part of UGM contribution in these negotiations was to estimate the cost of services in the precinct where PSSTMM is to be implemented. Here, I took a more active role as I went with them on the ground where I was also expected to explain some of the things they did not understand about the PSSTMM. This include briefing UGM staff about the PSSTMM as most of them appeared to be clueless about the project. This episode in this research highlights one of the moments where my role changed from being a passive observer to being an active observer. The visit to the area of study with UGM is one of the

two visits which I took. The first site visit is explained above where I have counted the number of traders amongst other things talked about elsewhere in this chapter.

Chapter four: Historic, Current and Future Perspectives: Three Layers of Development of the Johannesburg Park Station Precinct

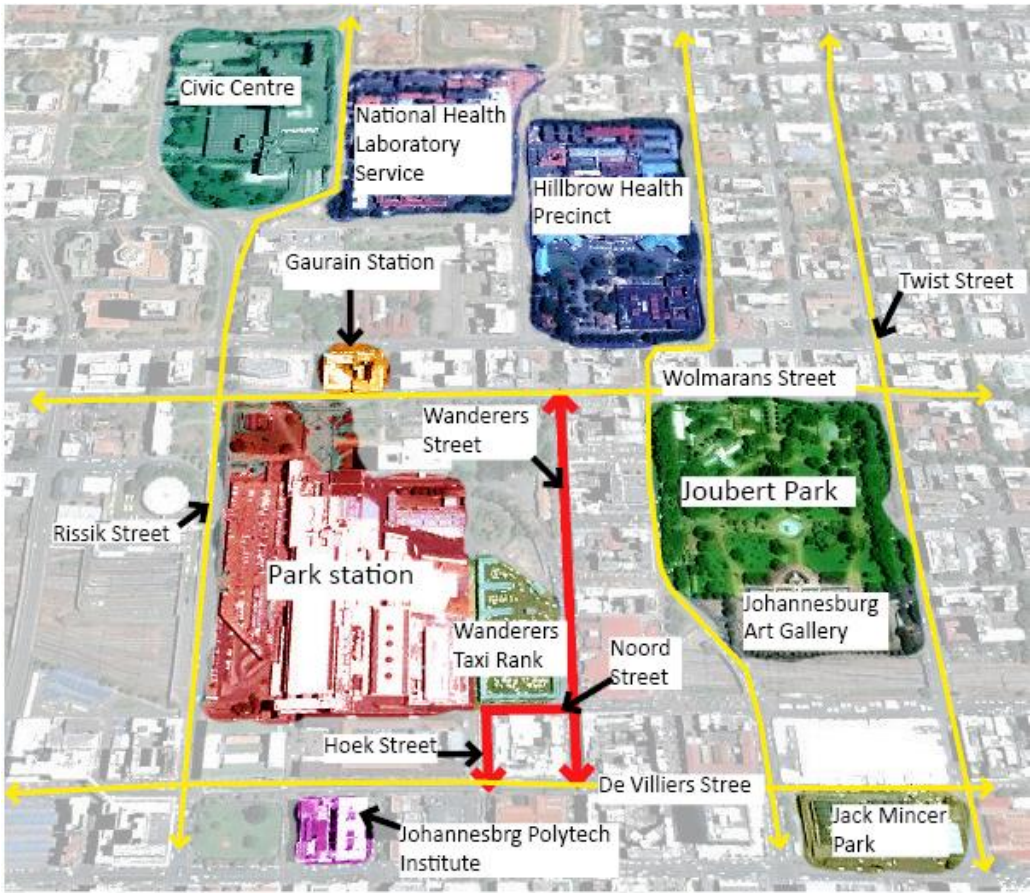
4.1 Introduction

This chapter discuss how Pak Station has developed along the years (historic perspective), the current state of affairs (current perspective) and how is going to develop according to the proposed projects of the City of Johannesburg (CoJ) (future perspective). This section contribute in allowing this research to respond to the research question. For example, by understanding the number of all existing traders in the area of study, this research can then evaluate if the PSSTMM is progressive or not, in terms of the number that it seeks to accommodate. Furthermore, this section of the report contributes in framing the PSSTMM as it gives an understanding of what needs to be challenged in existing plans and where the model could integrate nicely in them; how it would start providing responses to issues on the ground (at best). This chapter start by discussing the image of the area of study as of 02 May 2014, where land uses including the station itself, trading spaces, the park, markets and other major uses are discussed to give immediate sense of the place. In this part of the chapter, two research papers by Makhetha (2010) titled "*Exploring the livelihood strategies employed by street traders selling vegetables and fruits along Noord Street"*, and by Manoko (2012), titled "*Understanding the micro spatial practices of street traders around major transportation nodes: a case of the Park Station precinct",* have been used. These two pieces of research have been complimented by observations and survey conducted in a site visits by the author on the 02 May 2014.

The second part of this chapter attempts to put the current image of the area of study in its historical perspective, where significant 'moments' in the history of the Park station precinct will be discussed. Here, the focus is on how the area has developed since the time it was declared as the mining camp, by firstly looking at what prompted the development of Park station and further unpacking major developments of the station since its establishment. Moreover, this part of the research also discusses the diverse land uses which found their location in the precinct at different times in the development of the station, and it explains how they came about. The third part of this chapter will present initiatives currently taking place and proposed by the City of Johannesburg. These initiatives are driven by the Johannesburg Development Agency (JDA), an agency of the CoJ that functions as a project designer and facilitation units, structuring a range of urban environment upgrade and social and economic development projects (Nkokoto 2005).

4.2. Understanding the current character/image of the Park station precinct in relation to street trading in the area of study

The Park station precinct is one of the busiest and most 'chaotic' areas in Johannesburg as it serves as a primary public transport interchange in the CoJ and a host to various other major activities (CJP 2013). This station according to Bruwer and Bruwer (2006) has long been a place of new beginnings for travellers from across Southern Africa, that every year thousands and thousands of people entered the city for the first time using trains, buses, and taxis. In proximity to Park station, metropolitan functions such as the Joubert Park, the Hillbrow Health Precinct, Jack Mincer Park, Johannesburg Art Gallery, and the Johannesburg Metropolitan Centre are found. Furthermore, the National Health Laboratory Service, Wanderers Taxi Rank, Johannesburg Polytech Institute, Gautrain station also form part of major land uses/activities that are located proximity to the area of study as illustrated in map 4.1 below.



Map 4.1 (above): done by the author depict a zoomed version of the area of study and major land uses that are in proximity.

Joubert Park according to Johannesburg City Park's website[12] is one the "busiest and most vibrant parks in the city centre, with about 20 000 people using it each month". Major features to this park include a community garden, playing ground for children and large-scale chessboards (*ibid*). Johannesburg Art Gallery which find its location south of the Joubert Park is one of the biggest galleries in the sub-Saharan Africa according to Gauteng tourism website[13] as it "claims over 9,000 works of art", including sculptures, drawings, paintings, prints and lacework. The Hillbrow Health Precinct located north of the Park station offers medical assistant, research and training for health professionals. Both Wanderers Taxi Rank and Jack Mincer Park are taxi ranks with Wanderers Taxi Rank, serving as an international rank, whereas Jack Mincer Park only service within the boundaries of the CoJ. The Johannesburg Polytech Institute is a school offering basic education from grade 0 to 12. Johannesburg Metropolitan Centre is headquarters of the City of Johannesburg where administration of the City take place. National Health Laboratory Service according to their website[14] is a "diagnostic pathology service in South Africa with the responsibility of supporting the national and provincial health departments in the delivery of healthcare". Lastly, the Gautrain station is a rapid transit railway system linking the CoJ, specifically Park station, Pretoria, Ekurhuleni and OR Tambo International Airport.

The area which is of interest in this research is highlighted red in map 4.1, specifically the study area include: Hoek Street between Park Station and De Villiers Street, Noord Street between Park Station and Wanderers Street., Wanderers Street between De Villiers Street and Wolmarans Street, see map 4.1 below (CJP 2014a). The below sub-sections talk about this area in relation to street trading with a specific focus on tangible matters such as the number of traders operating in the area, as well as the goods being sold by traders. Furthermore, they also discuss intangible street traders' matters such as the relationship amongst traders in the area of study.

4.2.1. Makhetha's (2010) Findings

In her research, Makhetha (2010) decided to focus on 15 street traders engaging in the same income generating activity (selling vegetables and fruits) along Noord street. This characteristic was important to her research as to have some level of homogeneity amongst the participants while exploring difference in the strategies that they employ (Makhetha 2010). This was the main criteria

[12] http://www.jhbcityparks.com/index.php/our-parks-contents-28/find-a-park-contents-64?task=view&id=41. Accessed 15 October 2014

[13] http://www.gauteng.net/attractions/entry/johannesburg_art_gallery/. Accessed on the 15 October 2014

[14] http://www.nhls.ac.za/. Accessed 15 October 2014

for choosing her participants. Furthermore, in her initial research she also focused on street traders who were selling within the areas that Metropolitan Trading Company, a municipal owned entity that used to be responsible for managing street trading in Johannesburg, demarcated as trading zone. However, her research revealed that there were traders who were trading in areas outside the demarcated spaces.

Her definition of which traders were legal and which were illegal is very interesting as she understood legal traders as those who were trading in areas demarcated by the MTC and those which were not she considered them as illegal traders. One of the interesting things about this definition is that it requires a person to engage with the traders to validate it because it is difficult especially in her area of study to determine demarcated spaces as there were very few noticeable signs which I observe from my site visit on 02 May 2014. From the 15 street traders she interviewed 7 were 'legal' traders and 8 of them were 'illegal' traders as they were trading in areas which were not demarcated as trading zones. Moreover 7 of the people she interviewed were women and 8 were men and only 7 of them lived around Johannesburg in areas such as Yeoville and Hillbrow while the rest lived in different parts of Soweto such as Pimville and Dobsonville.

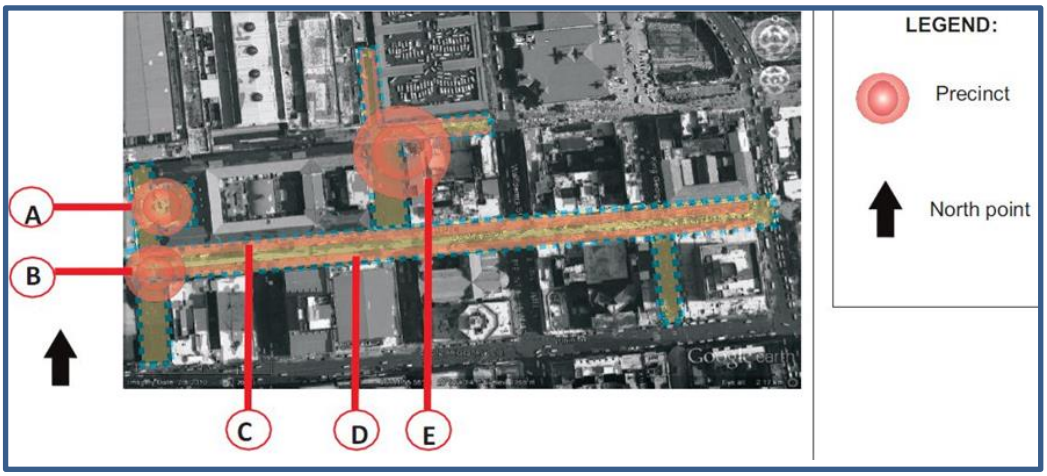
Makhetha (2010) found that access to physical capital in the form of transport, enables street traders to be mobile and not be limited to living in close proximity to their places of work. Makhetha (2010) also note the attitude of dislike from legal traders around the area of study to illegal traders who also occupy the same space and she argues that this dislike is based on competition for customers. This is a battle for winning customers and is being won by illegal traders (ibid). This is the case because illegal traders around Park station do not wait for customers on demarcated sites rather they locate in areas where customers can see them and access them before getting to the legal traders who are fixed in their demarcated spaces. Another reason why they are winning this battle according to Makhetha (2010) is because of lower prices compared to those of legal traders for similar goods and they can afford to do this because, according to legal traders, illegal traders do not have to pay for the area which they occupy. Makhetha used the price of an apple which was R2.00 when you buy it to an illegal traders and R3.00 to legal traders

This has created tensions between the two groups; however legal traders have a very warm relationship towards each other and this relationship also contribute to the success of their business (Makhetha 2010). For example, traders help each other by looking after each other's stock when the owner is away, but these favours do not go as far as borrowing money from each other (Makhetha 2010). Illegal traders do not have a warm relationship towards each other as in most case their relationships amongst themselves is based on disputes over space to trade due to the fact that they

operate in an environment where there is competition over trading spaces which are pavements. She found that most illegal traders have been force to used pavements as the equipment to display goods different from legal traders who some of them had access to form of infrastructure an designated space which they refuse to share with the illegal traders. She also found that most traders do not keep records of the money they make and this according to her could affect their businesses in a negative way as they cannot plan proper without this information. In conclusion she noted that trader's status of being legal and illegal play a role in determining the strategy that traders employ and this has created tension in between these groups in Noord street.

4.2.2. Manoko's (2012) Findings

Manoko (2012) used a similar methodology to the one used by Makhetha (2010) which was based on interviews and observations. However, his focus was different in that he looked at five different precincts in which different street trading practices were being conducted unlike Makhetha (2010) who looked at a single street and street traders who were selling similar products (vegetables and fruits). He identified five precincts which included a flea market located South exit of Park station labelled A in map 4.2, linear market across the South exit of Park station labelled B in map 4.2, the length of the pavement lining De Villiers Street on the North side between Joubert and Eloff street labelled C in map 4.2, the length of the pavement lining De Villiers Street on the South side between Eloff and Hoek street labelled D in map 4.2, and Noord street between Hoek street and Wanderers street labelled E in map 4.2. His interviews were based on a sampled portion of seven street traders which were different in many respects including how they access their trading spaces and the precincts in which they were selling their goods.



Map 4.2 (above): taken from Manoko (2012) showing the five precincts which Manoko focused his research on. From this map it can also be observed that only precinct E that seats within the area of study.

Table 4.1 below show the number of traders which were interviewed in specific precincts and it is important to note that he did not interview any trader in precinct C rather interviewed most traders located in precinct E which is the only precinct that seats in the area of study. His observations were primarily based on observing the spatial practices of traders in conducting their businesses and how their practices impact pedestrians, public space and urban planning. Overall his aim was to find how street traders in different precincts around Park station were displaying their goods, the type of trading stall they use and how they use the environment to the benefit of their businesses, how they access facilities such as storage and toilets.

Table 4.1 (below): shows the number of traders which were interviewed in specific precincts by Manoko (2012)

	Precinct A	Precinct B	Precinct C	Precinct D	Precinct E
No. of traders interviewed	2	1	0	1	3

In the precincts which Manoko (2012) based his studies, he found that structures used by street traders to display their goods were all temporary including fold-up tables, makeshift structures, on top of a cloth placed on the pavement surface, cloth or plastic bag on pavement surface. He also found that out of five precincts only two had permanent overhead structures and in others traders used Gazebos and tents and trees for shade. He found that most traders use toilets available inside Park station. These are the same toilets that are used by commuters as a result traders have to wait in long queues to use the facility. It is important also to note that some traders have established a 'good' relationship with shopkeepers as a result they used toilets inside these shops (Manoko 2012). He found that there was no storage facilities provided on site meaning that traders had to travel with their goods. During the day they use boxes and recycle bags to store their goods.

His findings provide three ways which traders in the precincts he looked at access their trading stalls. This includes access through the Metropolitan Trading Company (MTC) at the time, presumable, now they access them through Johannesburg Property Company as the MTC does not exist anymore, in precinct B, C, D, E. Traders in precinct A access their trading stalls by approaching Passenger Rail Agency of South Africa (PRASA) and others access their trading spaces 'informally', which means they do not approach anyone they just take which ever space that is available and trade. The impact of trader's spatial practices on pedestrians, Manoko (2012) found that pedestrians in most of the precincts (B, C, E) were experiencing difficulties in moving on streets as a result they were forced to

walk on the road to avoid crowded pavements. He further observed that some of the equipment used to display goods such as makeshift structures was playing a significant role in disturbing pedestrian movement as some were overlapping designated trading spaces/ taking space beyond that which was given to them, creating limited space for pedestrians to move, some were not visually appealing according to his observations. Unmaintained road surface and pavements especially around precinct E were collecting litter and rain water making it worse for people to move Manoko (2014) observed.

4.2.3. Findings from my research

To give a precise number of street traders is a very difficult exercise simply because this is an informal economic activity where traders enter and leave the sector without notifying anyone (especially those who are not registered under any body) and few if any documents exists that record this process and various other aspect of this activity (Skinner 1999). Even the two existing pieces of research (Manoko (2012) and Makhetha (2010) do not provide the exact number of traders operating in the area consequently on the 02 May 2014 I had to go on the ground to collect this information. This also provided an opportunity for me to observe the type of goods being sold by traders, stalls they use and their size. The area was made up of 411 traders; 229 were in Wanderers Street, 114 were in Noord street and 68 were in Hoek street as located in map 4.3 below.



Map 4.3 (above): taken from Lande (2014) shows the number of street traders in each of the three streets that make up the study area. The reason for counting traders only in the three streets and

not in other streets is because they form the area in which the PSSTMM is set to be implemented. The numbers highlighted in yellow are to be read with the figure 4.1 to 4.5 below as it shows where these pictures have been taken.

Table 4.2 illustrates the eight categories that I constructed under which the 411 traders sell their goods as of 02 May 2014 and this include traders selling (i) cigarettes, sweets and chips, CDS (ii) fruits and vegetables (iii) clothing (iv) Cooked food (v) salon (vi) Phone equipment (chargers, pouches, simcards) (vii) traditional medicine (viii) Blankets, pillows and cosmetics. The size of trading spaces that traders use is shown in table 4.4 and it has been categorised into medium and small, with medium being an estimate of three to two metres and small being one and less metre. Above/before table 4.4 is table 4.3 that shows the type of trading stalls in Park station Johannesburg which includes tents, tables, boxes and trolleys, traders trading within the Market, on the floor and using chairs. But first, below are pictures demonstrating some of the points made here.



Figure 4.1 (left) taken from Lande (2014), demonstrates one of the trading stalls used by traders which are the use of a tent and the space taken by this trader is considered to be a medium size. These tents serve a cover to both the trader and goods that he/she sell from the sun. This figure also shows a trolley on the south part of the picture which is used to display goods and is considered as taking small space.





Figure 4.2 (top left) taken from Lande (2014), illustrates the display of goods (clothing) which is on the floor and it takes medium size. Figure 4.3 (top right) taken by the author illustrates a small size space taken by a trader who sells cigarettes.





Figure 4.4 (top left) taken by the author, while figure 4.3 in Noord street illustrates that some traders are not operating within demarcated spaces, this figure taken in Hoek street illustrates that some traders are operating within demarcated trading spaces as shown by the yellow line. These traders are located adjacent to the Hoek street linear market discussed below and they sell vegetables and fruits and using tables to display their goods. Figure 4.5 (top right) taken by the author depicts the only market in the area of study which Tissington (2009) says was completed in 2008. In this market all traders are selling cooked food, with tables and chairs within for people to enjoy while resting. South of this market is de Villiers street which is also a high trading street.

Table 4.2: Street traders in park station – nature of goods being sold

	Wanderers	Noord	Hoek	Total
Cigarettes, sweets and chips, CDS	37 16%	10 9%	12 18%	59 14%
Fruits and vegetables	52 23%	67 59%	13 19%	132 32%
Clothing	55 24%	20 18%	14 21%	89 22%
Cooked food	24 10%	0 0%	26 38%	50 13%
Salon	23 10%	0 0%	1 1%	24 6%
Phone equipment (chargers,	25 11%	9 8%	2 3%	36 9%

pouches, simcards)				
Traditional medicine	1 0.4%	2 2%	0	3 1%
Blankets, pillows and cosmetics	12 5%	6 5%	0	18 4%
Total	229	114	68	411

Source: Lande 2014

Table 4.3: Street traders in Park station – the type of trading stalls used by traders

Trading stalls	Wanderers	Noord	Hoek	Total
Boxes and trolleys	13 5.68%	0	0	13 3.16%
Tables	95 41.48%	41 35.96%	28 41.18%	164 39.90%
Tents	73 31.88%	28 24.56%	5 7.35%	106 25.79%
On the floor	32 13.97%	45 39.48%	6 8.82%	83 20.19%
Chair	16 6.99%	0	3 4.41%	19 4.62%
Within the linear market	0	0	26 38.24%	26 6.33%
Total	229	114	68	411

Source: Lande 2014

Table 4.4: Street traders in Park station – the sizes which traders take

Size	Wanderers	Noord	Hoek	Total
Medium	145 63%	60 52.63%	44 64.71%	213 60.58%
Small	85 37.1%	54 47.37%	24 35.30%	164 39.66%

Total	229	114	68	411

Source: Lande 2014

4.2.4. Comparative analysis

This section will take a vertical and horizontal approach in analysing the data presented above, here vertical is referred to as an analysis of a street in relation to other streets and a horizontal approach is an analysis within the same street. Different streets will be characterised both vertical and horizontal in relation to the three elements presented above which is the nature of goods that are being sold, the type of trading stalls and the sizes which traders take in performing street trading related activities. This is the case because from the data it appears that some streets have a distinct character in relation to other streets but this character is not prominent when analysing a street in relation to what is happening within. As a result a single dimension of the analysis for example a vertical approach will not capture the full character of a street. For example, Hoek street when analysed in comparison to other street can be analysed as a street that have 26 traders located in the market more than any other street (Wanderers and Noord street). On the other side when analysing Hoek street on its own it is evident that most traders do not sell inside the market rather they use tables adjacent to the market and these traders are 3% more than the traders within the market. This is to say Hoek street in the area of study is the single host of traders selling within a market but the market is not the dominant type of trading stalls used by traders when only looking on Hoek street and the dominant type of trading stalls in Hoek street is the use of tables with 28 traders using tables.

In Hoek street, when analysing the type of goods being sold the number of traders selling cooked food dominates within the street and in comparison to other street with 26 traders. This is the case even though this street has the lowest number of traders when compared to the other two streets (Wanderers and Noord street) which is 68 compared to 229 in Wanderers street and 114 in Noord street. As the number traders who use medium space is high (65%) in Hoek street compared to Noord (53%) and Wanderers street (63%) because most of the traders in the area of study who sell cooked food prepare it on site and this requires a much bigger. This for Hoek street is also the case because all the traders inside the market have reserve space for their customers to seat and eat, while this does not happen elsewhere in the area of study.

In Noord street, the street is dominated by traders selling fruits and vegetables which are 59% of all traders in this street. This dominance is also evident in the whole area of study as Noord host 15 more traders selling fruits and vegetables compared to Wanderers street and 54 more traders

compared to Hoek street. This type of products does not necessary requires a bigger space because it is not prepare on site unless a trader wants to expand his/her business by have more goods then he/she will require a medium space. The sizes of trading stalls in Noord street which are recorded as 53% for medium and 47% for small also reveal that the number of traders using medium size is almost equal to the one of small size. This should not be understood as a suggestion to allocate small trading stalls but to acknowledge that these traders can use small trading site but in time they can increase their businesses and require bigger trading stalls. The latter should be read as a suggestion that the allocation of trading stalls should consider that these traders will at some point want to grow their businesses and require medium size trading stalls. Moreover the number of traders displaying their goods on the floor which is 39% is more than any other form of displaying of trading stall within Noord street. It is also more than any other form of displaying goods or trading stall in the area of study with 39 traders more than Hoek street and 13 more than Wanderers street.

Wanderers street is diverse compared to the other streets in relation to the services and goods that are being sold which include cooked food and salon that are not available in Noord street, and traditional medicine and blankets, pillows and cosmetics which are not available in Hoek street. Clothing is the dominant item that is being sold by traders with 24% within Wanderers street. The number of traders who sell this item also dominate in the area of study, 35 more than traders selling it in Noord and 39 more than traders selling it in Hoek street. As with Hoek street the use of tables to display goods or as a trading stall is a dominant way to serve this purpose in Wanderers street with 41% which is 9.2 % higher than the second most used way of displaying goods. Moreover unlike Hoek street it is also the dominant way of displaying goods or trading stall used in the entire area of study.

4.3. History

This section attempts to unpack the development of Johannesburg's Park Station by highlighting the major 'moments' in the life of this Station. This is an attempt to put the current image, discussed above, of the area of study in its historical perspective. Here, although, this section does not necessary focus on the history of street trading in the area of study, there is evidence of trading in and around Park station which is found in the work of Tissington (2009). Tissington (2009: 25) note that despite a very restrictive approach by local officials and central government from the 1886 to the 1980s, against allowing black South Africans to earn a living in the city, "from the city's early years street traders operated in the city". Amongst the restrictive initiatives was the Urban Areas Act passed in 1923, aimed at enforcing residential segregation, where the permanence of black South African's in urban areas was abolished with also "restrictions on the nature and location of

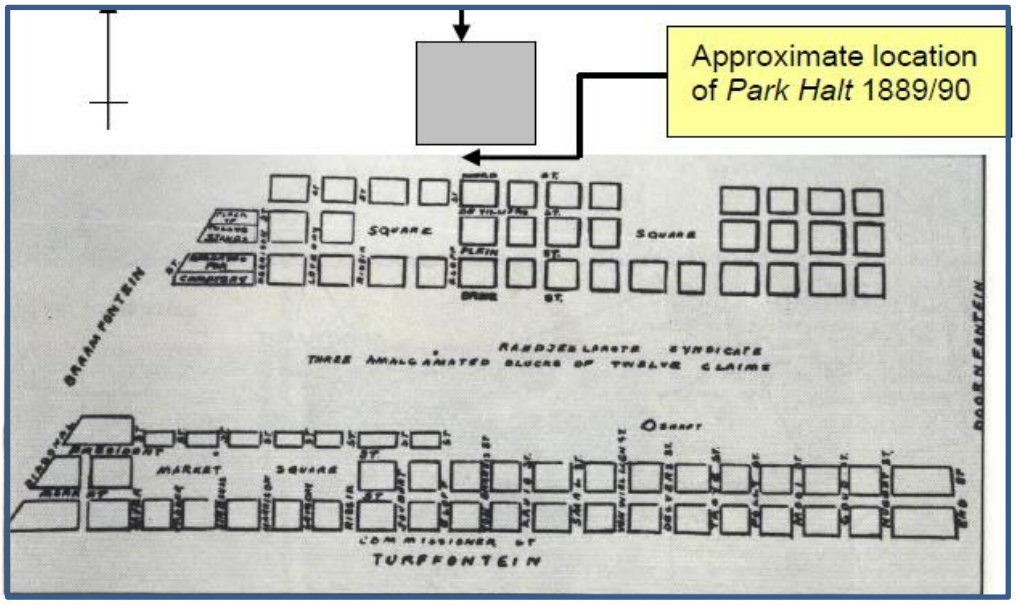
commercial activities" they conduct (Tissington 200: 25). Tissington (2009: 25) further state that "due to these restrictions, many black South Africans turned to informal trading, a loosely defined occupation permitted by the Act". In 1922, the year of strike in the mining sector the Johannesburg Council selected a white only space of 23 street blocks in the CBD where few stands were given to black traders (mainly Indian) (*ibid*). Tissington (2009) write that this restricted area was expanded in 1947 and again in 1953 to 192 blocks, which covered most parts of Johannesburg's CBD and some parts around Joubert Park.

Those trading in the white only restricted area were only allowed to do so between 7am and 6pm, with traders operating outside this area being forced to adhere to the move-on regulations which required them to move their terrain by 25m every 20 minutes (*ibid*). The late 1970s period according to Tissington (2009) saw a cluster of traders conglomerating both in the periphery of the Inner city and inside the restricted area (located close to the main exit and entrance point for black people). This includes Johannesburg Park station (Noord and Hoek Streets in particular), "the African bus terminus in Newtown and the secondary commuter railway station on the southwest of the CBD" (*ibid*: 25). The main goods that were being sold by traders at that time in these particular sites included fruit and vegetables, sandwiches, porridge and stews, which some of them were prepared at home/ on site by traders (*ibid*). Tissington (2009) note that these traders were frequently harassed with possibilities of being arrested by the "nine-man hawker squad" that confiscated goods and destroyed their infrastructure a resource that is important to traders, for contravening by-laws, including not moving on every 20 minutes or operating in areas where they were not allowed to operate in them.

4.3.1. The genesis of the Park station precinct

The area now known as Park Station precinct developed in a land used to be known as Randjeslaagte which in the late 1880s found its location on the centre of eight farms (Driefontein, Elandsfontein, Doornfontein and Turffontein, Langlaagte, Roodepoort, Paardekrall and Vogelstruisfontein) proclaimed as public digging sites for gold (Beavon 2004). Moreover, Randjeslaagte was selected to be a site for a mining village or mining camp by the state which later laid out stands that were sold in 1886 as illustrated in the map 4.4 below (*ibid*). Beavon (2004) note that the idea behind the selling of the stands was more inclined by revenue creation for the state as a result street blocks were made small so as to maximise the number of corner stands that were leased at a higher rental than others. Beavon (2004) argue that this decision contributed substantially to the traffic problems that characterised Johannesburg at the time it became a city of automobiles. Through such developments it soon became obvious that something better than wagons and animal power, which

were the dominant mode of transport, particular to farmers, would be needed to provide the essential transport services in and out of the Transvaal Republic, an independent Boer-ruled country in Southern Africa during the second half of the 19th century (*ibid*). In 1890 the first train arrived in Johannesburg as a result of pressure put on to the Kruger government, the government of Transvaal Republic, to allow construction of a light railway, known as a tramway, between Boksburg and Johannesburg (Bruwer and Bruwer 2006).



Map 4.4 (above) taken from Bruwer and Bruwer (2006) depicting Johannesburg Stands Surveyed by Jos. E. De Villiers Preferent Right and Sold By Joost Heystek in 1886. North of the stands is an approximate location of Park station indicated as Park Halt in the map by Bruwer and Bruwer (2006)

In 1890 when the light railway commenced its operations, the Johannesburg station and marshalling yards were located north-west of Newtown (*ibid*). However, the station in proximity to the centre of Johannesburg was located at the northern end of Eloff street positioned north of the stands in the map 4.4 above and known as Park station (*ibid*). Despite the significance and success of the tramway for the general public and in bringing coal for mines, Randjeslaagte community in general and the mines in particular, continued putting pressure on government for a rail that would link Johannesburg with the ports of Durban and/ Cape Town (Beavon 2004). The Cape government was also put under pressure by the prince of the Cape through agreements with the Boer Republic of Orange Free state, to extend the railway line from Kimberley to the Vaal River via Bloemfontein (*Ibid*). The route from the Vaal was then direct to Germiston (the then called Elandsfontein) and from there the trains simply followed the route of the tramway westward to Johannesburg after the light track had been replaced with heavy rails (*ibid*). In 1892, the first train to arrive in Johannesburg from the Cape steamed into Park station (Bruwer and Bruwer 2006). The Natal line from Durban to

Johannesburg was completed three years later in 1895 (*ibid*). Through these developments Johannesburg was now connected to both the Indian and Atlantic Ocean by a railway line.

4.3.2. Park station as a site of recreational facilities

In 1888, the president Paul Kruger of the Transvaal Republic was approached by a number of Johannesburg sportsmen to discuss plans for a sports club (Bruwer and Bruwer 2006). A portion of empty piece of land north of Noord Street/Park station was allocated by the mining commissioner who was following the orders of Paul Kruger and that land was to become known as the Wanderers' Ground (*ibid*). It did not take much time for the grounds to become the main centre for sporting and social activities for Johannesburg's white inhabitants of all ages (*ibid*). Moreover, in proximity pavilions were constructed and the Wanderers' Dance Hall which became a host of balls and performances by visiting musicians (*ibid*). The first south east square to Park Station in map 4.4 above, bounded by Rissik, De Villiers, Eloff and Plein Streets was being used by the Park Tennis Club and known as Lawn Tennis Square (*ibid*). However, in 1903 the Square was converted to a site that hosted municipal offices and later was used by the Transvaal Technical Institute (*ibid*). In 1887, Johannesburg's earliest local government, the Diggers' Committee approached the Kruger's government requesting a public park or garden (Van der Waal 1987). In 1892, Joubert Park was laid north east of the site that hosted the Transvaal Technical Institute, by the Health Committee (*ibid*).

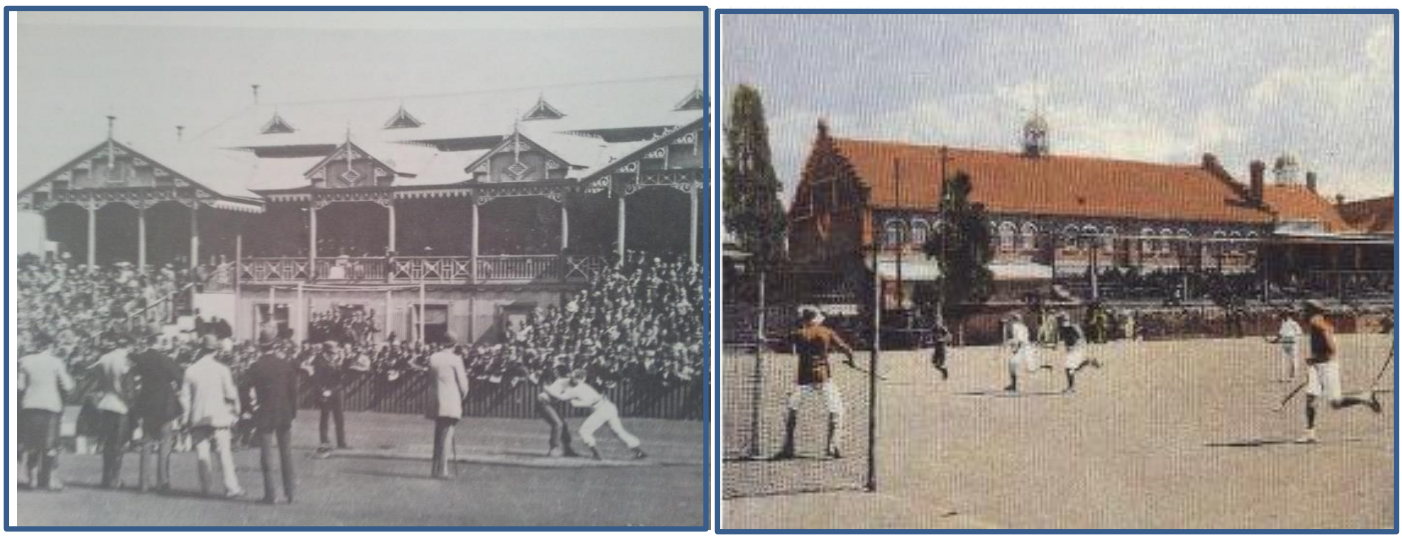


Figure 4.6 (top left) taken from http://www.heritageportal.co.za/remember/old-wanderers. Accessed on 03/09/14 and Figure 4.7 (top right) taken from Bruwer and Bruwer (2006) demonstrates some of the sporting codes played in Wanderers grounds which include wrestling

shown in figure 4.6 and hockey shown in figure 4.7. Figure 4.6 also shows a pavilion located far north and figure 4.7 also shows a Gymnasium Hall.

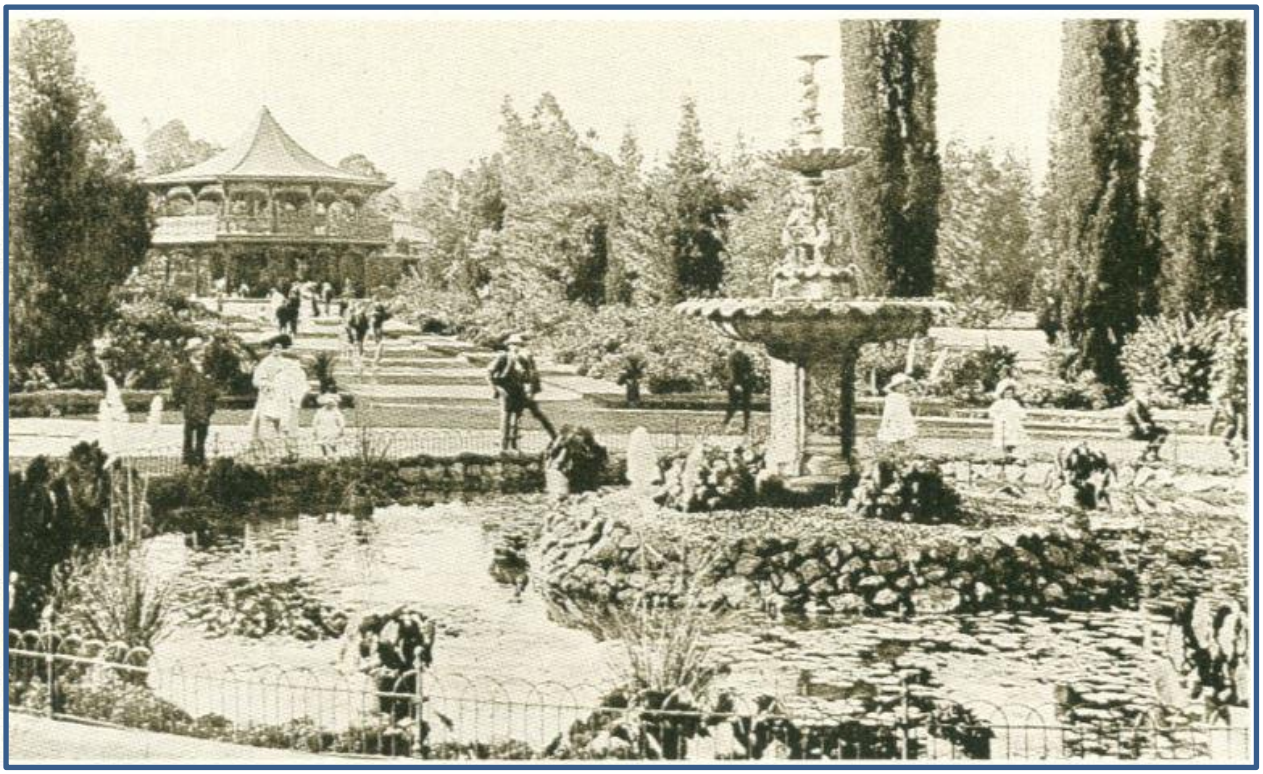


Figure 4.8 (above) taken from Van der Waal (1987) illustrates the Joubert Park, with its Indigenous trees and a centrally-placed ornamental fountain

Following the establishment of Joubert Park, in 1910-1915 was the construction of Johannesburg Art Gallery situated north of the railway reserve, on the southern portion of Joubert Park (Van der Waal 1987). Johannesburg Art Gallery was designed with ambitions that it could be linked up with both Joubert Park and Union grounds, located south of Jobert Park across the railway line as opposed to Johannesburg Art Gallery, through a formal garden (Bruwer and Bruwer 2006). The idea as illustrated by figure 4.9 below was that a garden would be laid around the Johannesburg Art Gallery to cover the railway line to link up Joubert Park with Union grounds. Union grounds, where both soccer and cricket games were played (*ibid*). Failing the extension, however, of the Park beyond the railway line, Union Grounds were donated to the citizens of Johannesburg as a playground for children (*ibid*). The urgent need for both regional and local transportation resulted in the area being altered to host the Park Central Taxi Rank which is now known as the Jack Mincer Park (*ibid*).

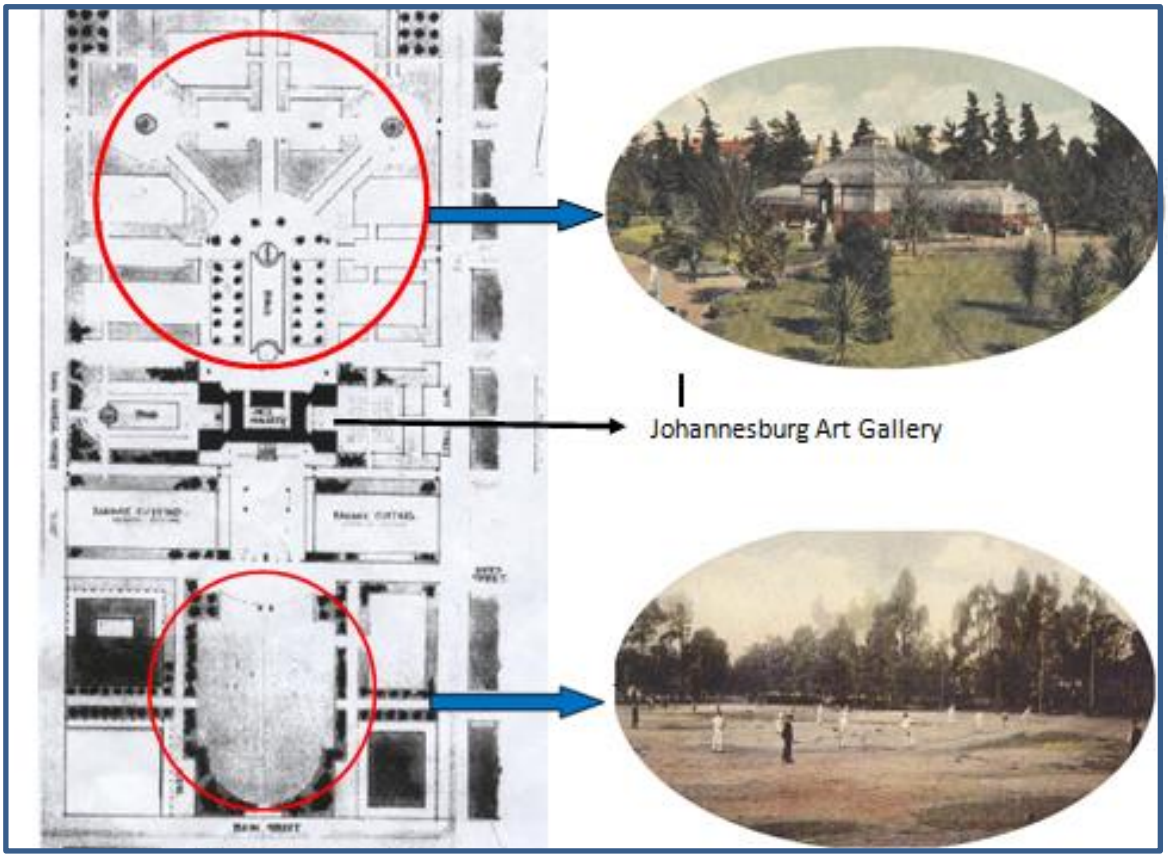


Figure 4.9 (above) taken from Bruwer and Bruwer (2006) depicting the plan to link Joubert Park, top right and the Union Ground on the bottom right through a garden that was to be laid on top of the railway line to link the two.

4.3.3. Expanding Johannesburg prompting the extension of Park Station

The period 1890 to 1900, saw the unprecedented development of Johannesburg from a mining camp to a mining town that had increase in its population, the services it provided, and expanded both in its vertical and horizontal density (Beavon 2004). This includes an increase in the quantity of pedestrians from Park Station into the retail core, which was the market square located south west of Park station (*ibid*). The population again increased following the economic upturn after the 1890 collapse, and this, together with the success of the Rand tram with regard to the flow of pedestrians in the core of Johannesburg and the role of the horse-drawn tram in Commissioner Rissik and Bree street contributed to rapid growth of business in the downtown or centre of Johannesburg (*ibid*). Furthermore, the period 1900 to 1920 represented a transition of the fairly closed Johannesburg town core to the extended city area of 1920 and beyond, including the suburbs adjacent to the core (Bruwer and Bruwer 2006). This includes the establishments of formal locations for African people beyond the municipal boundary in 1904, which later were accommodated in municipal compounds or hostels with limited capacities, inside the boundaries of Johannesburg but still outside the core of

Johannesburg (Beavon 2004). This came after local government authorities began to recognise that African male labour were essential in the development of Johannesburg (Beavon 2014).

In parallel to the creation of hostels for Africans in the south of the Johannesburg centre, there was by way of contrast in terms of living conditions, a rapid spread of low-density suburbs for white people in the northern part of the Johannesburg core (*ibid*). Before reaching these suburbs from the core of Johannesburg there were (immediately to the north of the railway lines) emerging higher-density apartment blocks (*ibid*). Beavon (2004) note that this Included 10400 apartments which were built in the period of 1933 to 1939 located on the north-eastern edge of the CBD in the zone from Joubert Park to Hillbrow and the Berea, although some were in the northern suburbs in areas such as Killarney and Houghton (*ibid*). At Park Station, in the meantime, the daily rush of suburban and main-line passengers resulted into inadequacies of facilities to accommodate the increasing number of users (Bruwer and Bruwer 2006). Railway authorities responded by extending railway platforms, this was the start to the relocation of Wanderers sport ground, resulting into expropriation of a section of the adjacent grounds of the Wanderers Club in 1926 (*ibid*). Bruwer and Bruwer (2006: 109) note that "there was a time when the Wanderers' Ground was on the edge of the town and quite suitable for sports. Fact is that the city had grown, and the grounds had become surrounded by large blocks of flats, shops, and encroached upon by much-needed railway extensions".



Figure 4.10 (above) taken from Bruwer and Bruwer (2006) depicts the grounds of the Wanderers Club and left of the white line was the land expropriated for the extension of railway in 1926

The construction of a second Park Station building was also prompted by major changes which were happening which required facilities to be enhanced for the station to function adequately (Van der Waal 1987). In 1928, the start of construction of the new station building commenced and it was finished in 1932 (*ibid*). Chipkin cited in Bruwer and Bruwer (2006: 110) argues that this new station

of 1932 became a "textbook illustration of the country's segregation laws". Moreover, Chipkin continues to acknowledge that it was in this station where the white middle class population in particular had "sophisticated venue with their own Blue Room restaurant, leading off the (whites-only) concourse, for New Year's Eve dinners or for enjoying a night out on the town, while black commuters were relegated to a separate entrance and the most basic facilities" (Bruwer and Bruwer 2006: 110). Furthermore, exclusion was not only limited here, it was experienced in many of the recreational facilities located in the precinct. Van Der Waal (1987) notes that, although the original intentions of the Wanderers grounds were that it should serve the entire community, the entire sports complex was fenced and had to be entered through a cast-iron gates. Moreover, Van Der Waal (1987) argues that this was a clear manifestation of exclusivism and the need to demarcate a private territory removed from public view.

In 1932 when the new Johannesburg Station was opened it serviced 16 million people in a period of one year, however, in a space of ten years the number trebled to 50 million (Bruwer and Bruwer 2006). Consequently the need for a bigger station became urgent and planning had to start in 1945 as it was delayed due to the Second World War (*ibid*). The initial plan that emerged suggested that there should be a separation of suburban and main-line traffic by constructing two adjacent but independent stations (*ibid*). However, the best solution as decided by engineers involved in the planning of the development was to extend the old Park station site by incorporating the old Wanderers' ground located north, which some of its territory had already been taken early (ibid). The project which started in 1946 entailed a programme that was to see a vast buildings being built over a period of twenty years (*ibid*). The first stage of this project was completed in 1951, which including the replication of the old station further north of Park station (*ibid*). Here, all trains were then diverted from the old to the new track and leaving the old station stranded north of Newtown as a mere historical feature (*ibid*). This meant that people were to access Johannesburg through the new station that was moved westwards.

As the Park Station was growing, its railway lines expanded to an extent that it was difficult to access the CBD from surrounding suburbs, a series of major traffic bridges were built over the Johannesburg's "steel river" to enhance access to the CBD (Van Der Waal 1987). The Johan Rissik Bridge located west of the Park Station complex, constructed in 1952 is one of the bridges built to facilitate access as shown in figure 4.11 below (*ibid*). According to Van Der Waal (1987) these developments did play a significant role in creating access for traffic between the CBD and the surrounding areas but they did not soften the visual effect of the railway barrier. On the other hand, the second stage of the Park Station development, finished in 1954 entailed the construction of

more platforms and tracks that added to the converging main-line tracks that existed separating Braamfontein and the CBD (*ibid*). Moreover, the second and third stages of the Park station development involved the construction of a concrete cover over the platforms, with this development finally being completed in 1965 (Bruwer and Bruwer 2006). Efforts to soften the visual effect of the railway barrier identified by Van Der Waal (1987) we further promoted by the Johannesburg City Council in 1988 when its Planning Department released a report titled *Guidelines: Proposed Decking of the Railway Line: End Street to Queen Elizabeth Bridge*.

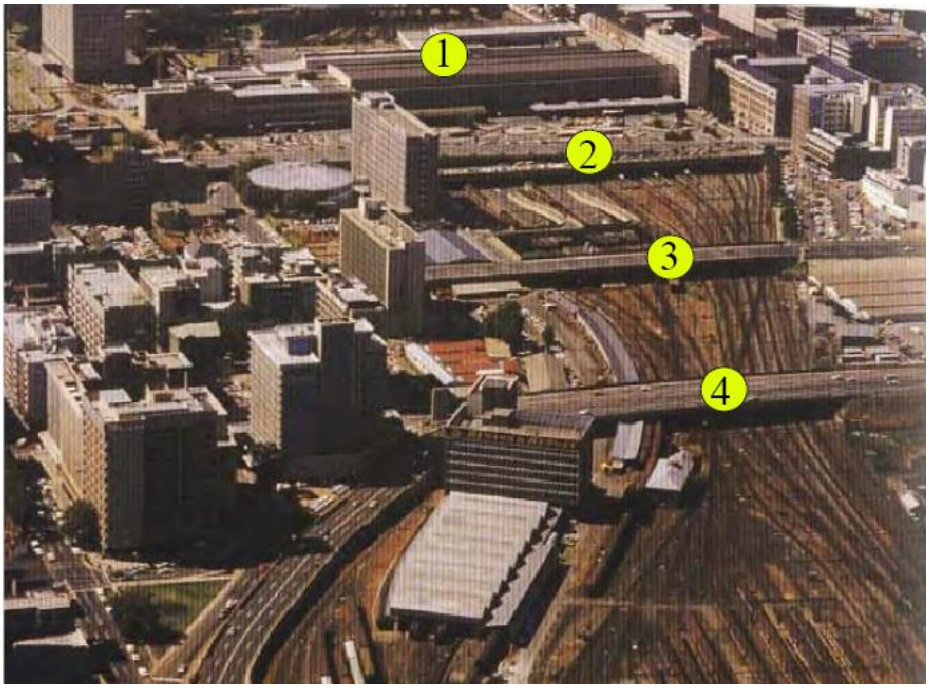
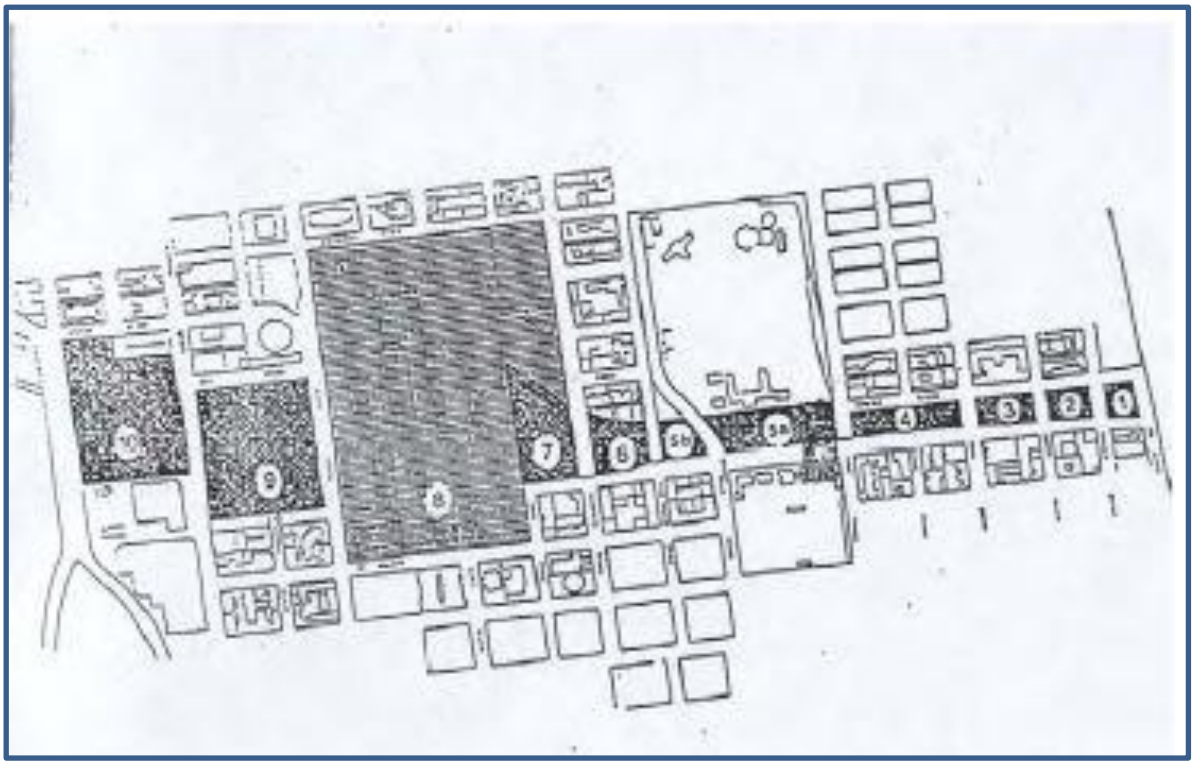


Figure 4.11 (above) taken from Bruwer and Bruwer (2006) and edited by the author show an aerial view of Johannesburg Park Station in 1986 and three bridges hat were built to facilitate access to Johannesburg CBD from the northern part of the City. Number one in this figure depicts Park Station with number two showing Johan Rissik Bridge, number three illustrate Harrison Bridge and number four depicts Queen Elizabeth Bridge.

Bruwer and Bruwer (2006) state that, in the report by the City's Planning Department, guidelines for the redevelopment of the Park Station precinct and adjacent land were provided. These guidelines suggested that decked-over of railway tracks to the east and west of the Johannesburg Park Station between End Street and the Queen Elizabeth Bridge was a solution to the barrier formed by the "steel river" (*ibid*). Bruwer and Bruwer (2006) state that the report by the Council's Planning Department divided the airspace on top of railway lines into individual parcels and map 4.5 below depicts these parcels with the Park station complex being labelled as parcel 8.



Map 4.5 (above) taken from Bruwer and Bruwer (2006) illustrates various parcels that were earmarked for redevelopment in the 1988 report by the Council's Planning Department and it is evident that the aim was to cover all the railway lines which today are still visible to Johannesburg residents and perpetuating that visual barrier observed by Van Der Waal (1987).

In 1996, as the most parts of the Inner city were experiencing decay the Johannesburg Park Station was not different as some parts of it were being vandalized (*ibid*). For Park station, allegations suggested that this was a result of neglect from the South African Rail Commuter Corporation's property division, the body responsible for providing services to passengers (*ibid*). Jack Prentice, Managing Director of Intersite, the South African Rail Commuter Corporation's property division responded in 1996 to the allegations by mentioning that plans that were to refurbish the station building were underway (*ibid*). Through these plans Johannesburg Park Station was to undergo transformation into an inter-modal transport and retail facility that accommodates both local and international passengers aimed at turning the Park Station building into a public meeting place, comprising offices and fast-food outlets (*ibid*). Prentice noted that during the apartheid the station was exempted from municipal by-laws and planning, moreover the station was a monument to apartheid planning (*ibid*). With this being said he further noted that it was going to be difficult to turn a 'symbol of white exclusivity' in a short space of time (*ibid*). This mounted into a redevelopment of Park Station known as Park City redevelopment which entailed various phases, which included the construction of a long distance intercity terminal for coaches and main-line trains and two retail malls (*ibid*).

4.4. Proposed initiatives by the City of Johannesburg around the area of study

"Transit-oriented development strategies are at the heart of the City of Johannesburg's 2011 Growth and Development Strategy, Joburg 2040", a long term plan for the City, "prompting the Johannesburg Development Agency (JDA) to prioritise public transport in its development plans" according to the JDA website[15]. An intervention focus for JDA is the Park Station Precinct, the 'primary transit interchange in the City' (*ibid*). "It is a busy and vibrant part of the Inner city, but it has significant problems" according to the JDA website[16] and this includes congestion experienced by both pedestrians and by those who travel by vehicles, amounting to conflict amongst all street users (conflict between informal traders, pedestrians and retailers). JDA in this node/precinct is prioritising interventions that aim at "reducing crime, safe playing spaces for children, more green space, markets for informal traders, managed parking, more taxi facilities, public toilets, and safe walking space for pedestrians and cyclists" (*ibid*). There are three JDA projects being undertaken in the Park Station Precinct to give effect to the above vision: "Inner City Commuter Links, Metro Park/Transnet Land and African Food and Culture Hub". This section of the chapter will first look at the concept of relocating street traders in Johannesburg into markets with a specific focus on the perception of corporate businesses and their influence to planning in the CoJ. This will be followed by a discussion of the three projects talked about above.

4.4.1. Markets for informal traders: The influence and perception of corporate businesses in future and proposed projects in the Inner city, Johannesburg

In 2006, the JDA commissioned an independent consultant to assess its performance and achievements in achieving their vision of urban renewal and development in the inner city, in line with indicators set in 2001. Interestingly, this success was to be measured based on a survey of 150 formal businesses/corporate businesses in the Inner city and not of other urban stakeholders such as street traders. Corporate business's perceptions were analysed in document titled *Johannesburg Inner City Performance Indicators report* written by Wessels (2006); crime and grime, unmanaged informal trading and congestion were on top of the most negative effect on their businesses in the Inner city (Wessels 2006). According to the 2006 Johannesburg Inner City Performance Indicators report, 45 percent of respondents supported the concept of informal trading in principle, with 18.6 percent of respondents leaving the question blank. However, the report states that "more and more respondents cited hawkers as a big negative in the Inner city, with many blaming them for crime and

[15] http://www.jda.org.za/index.php?option=com_content&view=article&id=1414&Itemid=219. Accessed on 13 August 2014

[16] http://www.jda.org.za/index.php?option=com_content&view=article&id=1414&Itemid=219. Accessed on 13 August 2014

grime problems" (Wessels 2006: 40). Over 59 percent of businesses believed the solution to the main problems affecting their business was the relocation of informal trading to designated areas (*ibid*). This according to them was to produce or result in cleaner pavements, freer walkways, less crime, more hygienic and cleaner environment, increased visibility and more attractive shop windows (*ibid*).

The report acknowledges that the most frequent responses from businesses when asked about the positive development in the past years had been, "the removal of hawkers from Braamfontein," Metro Mall and "Metro police more visible" (*ibid*: 48). The report goes on to outline the frequent responses on the most negative development in the past two years which are, "illegal traders," "people cutting hair on the pavement," and "crime and grime". Many of the responses further suggested that JDA needed to address this urgently by "creating designated areas for informal trading" (*ibid*: 49). Tissington (2009: 37) note that the findings of this survey "clearly suggested that the elimination of unmanaged street trading and its formalisation", through markets, "was a high priority for formal business in the Inner city". This priority is also suggested by Skinner (2009) where she state that the Inner City Street Trading Management Strategy of the CoJ which advocated for the establishment of markets was announced by both members of the council and the private sector companies involve as a strategy which was to completely prevent street trading in the project area. Tissington (2009: 37) argued based on the findings commissioned by JDA, that street trading was to be "one of the City's most urgent priorities to address, given the fact that the main focus of City's Inner city regeneration strategy is to attract corporate business and private investment back into the Inner city".

Moreover, Tissington (2009: 37) state that the JDA, "while not directly involved in informal trading policy or management", it does have "a powerful voice in Inner city regeneration and its focus on appealing to private investors and business heavily depends on ensuring that the issues of informal street trading are addressed urgently" (*ibid*).

It has been noted in the literature review that while markets in Johannesburg clearly represent an improvement in the physical environment in spaces of trading, they are not sufficient alone in growing businesses of traders which in turn improve their livelihood based on local and international experience (Rice 2006). A number of issues have been raise in a research done by Evan Rice in 2006 titled "*Informal traders' markets in Johannesburg: creating an enabling environment for development of micro-enterprise?"* In this research he found that nearly 65 percent of his interviewees who traded on the street before moving into the market confirmed that few people pass their trading site compare to when they were on streets. Moreover, they confirmed that

markets provide no flexibility in terms of movement by traders as to ensure that they reach to potential customers, where as in the street, traders were able to reach out to potential customers and advertise their goods or services. His findings demonstrate the negative impact replacing street trading would have to some traders whose business require flexibility to access potential customers.

4.4.2. Inner City Commuter Links project

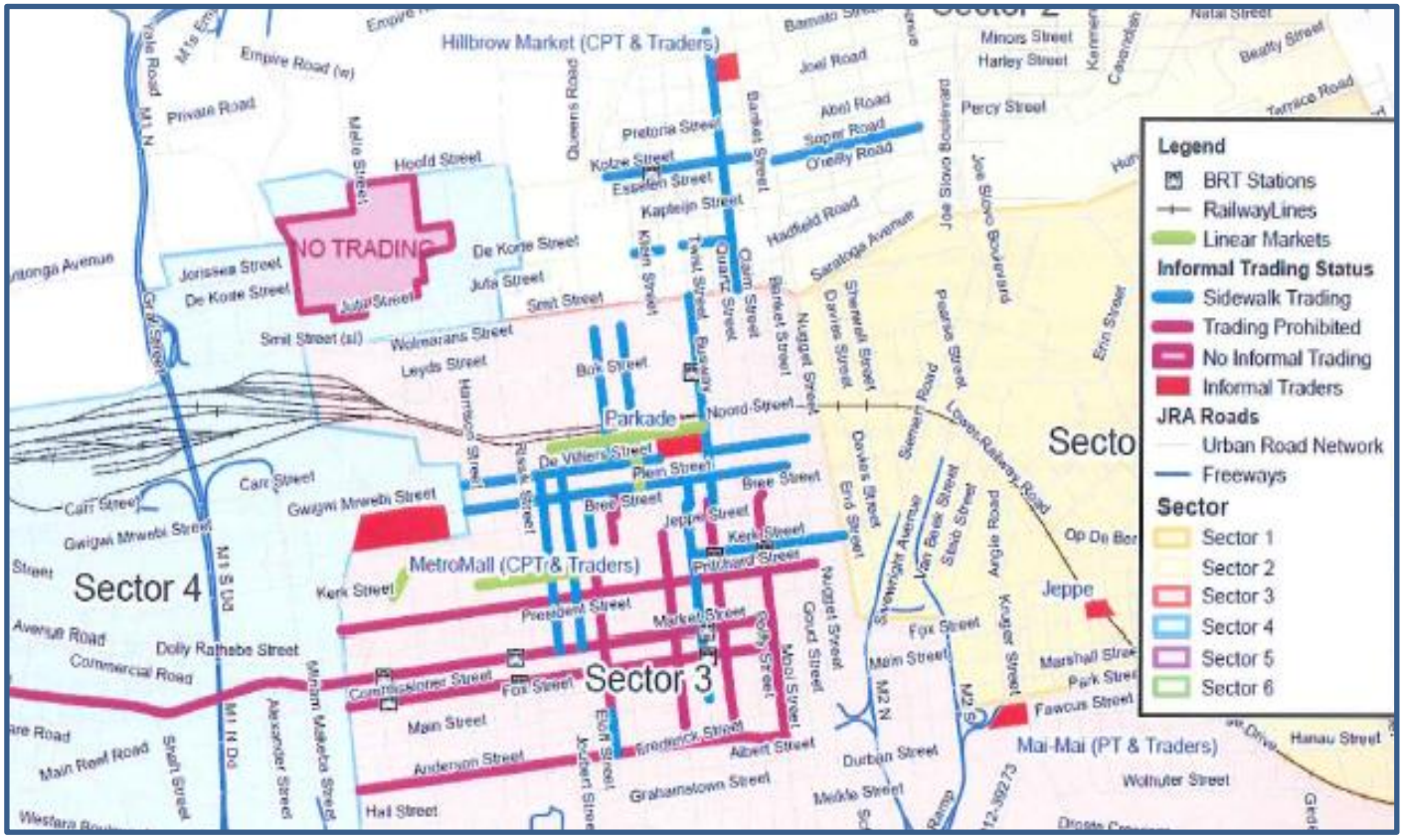
According to the JDA website[17] the Inner City Commuter Links project is being implemented in different phases and the first phase out four was implemented in the 2010/11 financial year where paving of sidewalks, lighting, street benches and sidewalk extension were conducted in many streets around Park station including Wolmarans Street. These interventions form part of the broader aim to upgrade the public environment for pedestrian and vehicle traffic, as well as for informal traders in the Park station precinct. Moreover, the 2012 JDA annual report note that the purpose of this project is to create a pedestrian friendly and walkable urban environment and this is to be done by setting up a network of public spaces, actively encouragement easy circulation by pedestrians and vehicles. JDA (2012) identified that the Park station precinct experiences high levels of physical and social disorder, including dilapidated buildings and criminal activities, which are "exacerbated" by the high volumes of pedestrians, informal traders, and vehicles. Furthermore, the JDA (2012) argues that their intention is to turn this kind of environment by building an inner city that is functional and liveable. This will be achieved by "optimising the use of existing facilities, improve the quality of the public realm, contributing to enhanced safety and perceptions of safety, and complement urban management initiatives to clean up and maintain the inner city" (JDA 2012: 24). This is an attempt to give a message to investors that the Inner city is a viable investment location in which profits or future value returns are not at risk (JDA 2012).

According to the 2013 JDA annual report this is a 6-years budget allocation project in which detailed design of the area and implementation of identified upgrade initiatives are to be undertaken in phases. The 2012 JCSP Crime Prevention through Environmental Design (CPTED) Report cited in JDA (2013) note that the second phase was completed in 2011/12 and it included the continuation of environmental upgrade similar to that in phase one, however, in different parts of the precinct. The third phase according to the (CPTED) document cited in JDA (2013) was to be implemented in 2012/13 and to focus on repairs and improvements of the urban environment including paving and lighting with also a focus on formalising street trading spaces where a linear market was to be built in Noord street, between Klein and Wanderers streets. The fourth phase of work was being designed

[17] http://www.jda.org.za/index.php?option=com_content&view=article&id=1414&Itemid=219. Accessed on 13 August 2014

for 2013/14 at the moment the 2012 CPTED Report was written. According to this document it will include the continuation of the public environment upgrade along Noord Street between Twist and Klein streets, and from Wanderers to Park Station. In addition, a linear market will be created along King George Street between Noord and De Villiers streets.

These upgrades, although, they are pushing for the widening and paving of sidewalks which might be good to allow both street trading and pedestrians to use the streets, there is evidence that the City is taking the route of moving some of the street traders to markets, specifically in Noord street. Map 4.6 below taken from JDA (2013b) depicts a markets, streets prioritized for street trading and linear markets which are also observed in the area of study, in Noord street.



Map 4.6 (above) taken from JDA (2013b) illustrate the Inner City Traffic and Transport Study 2010 which also reflected on the areas which they believe are suitable for trading

Furthermore, a report by JDA (2010) titled *Johannesburg Inner City Traffic & Transportation Study* suggested that the City must consider implementing a City Improvement District or similar special purpose vehicle in the precinct, which in its original form had a zero tolerance to street trading. In this study detailed designs/intervention have developed for the Park station precinct that also emphasis on environment upgrade in a form of improving sidewalks and public parks in the area, but there exist a notable absence of street trading facilities from these interventions. This illustrates less

desire to develop street traders trading on the street with attempts to move traders to markets. It should be noted that if the observe markets shown in map 4.6 are implemented this would mean in the area of study we would have two out of the three streets with traders being moved to a market.

4.4.4. Transnet Land/Metro Park project

Report prepared by GIBB Engineering & Science in association with ASM Architects & Urban Designers (2009) identifies the lack of ranking space for international buses and taxi's arriving from the Southern African region as a significant problem in the inner city of Johannesburg. This document acknowledges that the traditional ranking site, Park Station is struggling to cater for national and international buses as it does not provide enough spaces for ranking. Consequently, a significant number of buses are now ranking informally as they are not adhering to the by-laws of the City, both in Braamfontein and in the CBD (JDA 2011). This includes the then overspill of taxis in the Metro mall rank to the Transnet Land immediately to the north of Metro mall taxi rank, prior to the development of that area, see figure 4.12 below (*ibid*).



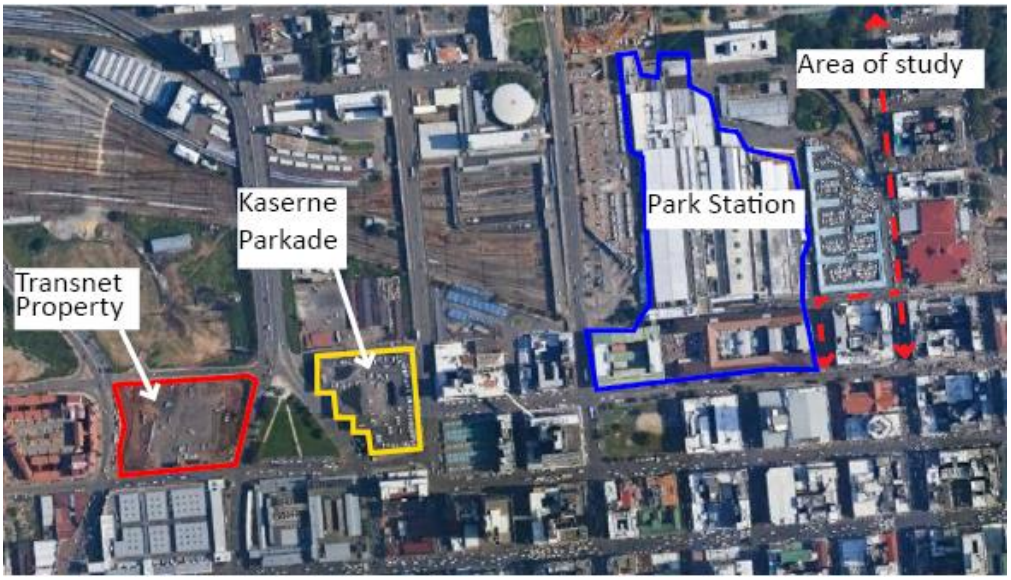
Figure 4.12 (above) taken from a report prepared by GIBB Engineering & Science in association with ASM Architects & Urban Designers (2009) depicts the overspill of taxis from the Metro mall rank directly opposite to this site.

The Metro mall was estimated to cater for only 50% of the demand, and the development of a temporary holding site was seen as a priority (*ibid*). The land is known as Portion 61 of the Farm Johannesburg 91 and is owned by Transnet Properties. It is situated to the North of Metro Mall (Gwigwi Mrwebi), South of the railway tracks and between Queen Elizabeth Bridge and Ntembi Piliso Street.

The Transnet Land/Metro Park project which started in 2011 involves the development of a large-scale park along the railway line in the Inner city, north of the Metro mall rank, through a phased approach (JDA 2012). This was done to service residents and children living in the Brickfields development (*ibid*). Additional to the development of the park this project also include the development of temporary international transit holding space and shopping centre near Park Station that is assembled from properties owned by the CoJ, Transnet and the South African Post Office (JDA 2013). A report prepared by GIBB Engineering & Science in association with ASM Architects & Urban Designers in 2009 acknowledges that these are to temporarily house the taxi's which were and currently are at the Harrison holding area (Kaserne Parkade) and adjacent to Transnet property (above, figure 4.12). The precinct development is intended to further the objectives of regenerating the Inner city and reinforcing its role as a key transit node in the Gauteng City Region (JDA 2012). More specifically, the aims and objectives for the redevelopment of the Kazerne Parkade according to JDA (2012: 26) are to:

- "To develop an integrated Long distance Taxi Facility on the Kazerne site, including all vehicular and pedestrian movements".
- "To cater for significant pedestrian movements across and alongside the site".
- "To capitalise on footfall to generate commercial uses".
- "To explore the viability of a mixed-use and Transit Orientated Development proposal"
- "Improve inter-modal interchange integration"

In 2011/12, through this project, a park was in its final stage of being complete, north of the Metro mall rank as illustrated in map 4.7 below (JDA 2012). Moreover, temporary taxi holding facility in the Transnet land for the long distance taxis that were using the Kazerne 2 Parking Garage as a holding area and rank at the Park Station Taxi Rank on Wanderers Street in Joubert Park was completed (*ibid*). However, the Transnet Land that was identified for this purpose was not sufficient. Additional land, the Post Office Land known as Kaseme Parkade was identified opposite the newly constructed holding area in as a way of accommodating taxis which were not accommodated in the Transnet land (ibid). This facility will provide approximately 350 additional parking bays for long distance taxis as a holding facility (ibid). This property will also be incorporated into the long term vision for the area as an International Intermodal facility to be developed with the private sector as a Public Private Partnership (ibid). The map 4.7 below depicts the two areas where taxis are to be and currently moved to.



Map 4.7 (above) demonstrating two sites that have been selected as ranking space and for the park. To the right of these sites is a Park station and from this map it can be observed the proximity of these two sites to Park station.

Both holding areas include the installation of paving, lights and water points and permanent braai-stands for a cooking facility for traders which were to be managed by the MTC and greening through grass planted with a two-year maintenance agreement (JDA 2013). The cooking facility, however, are only provided in the first taxi holding area not in the second. There is a possibility according to the JDA annual report (2012) that they might also be roll-out at other taxi and holding sites.

4.4.5. African Food and Culture Hub project

African Food and Culture Hub project is the latest project of the three, and according to the JDA website[18] "plans are under way to turn Park Station into a gateway to Africa, with a welcoming public place that is a celebration of African food and culture, as well as a safe night-time activity zone around a public square or along a street in the precinct". JDA (2013a) note that the African Food and Culture Hub project emerged from the 2013 business plan consultations when the executive Mayor of Johannesburg Parks Tau identified the need to capture the public imagination through JDA's development work in the inner city. According to the JDA (2013) the mayor expressed a need to capitalize on the role of Park Station as a gateway to Africa by creating a welcoming public place that is a celebration of African food and culture. This project add to the fairly long term commitment of JDA of creating a precinct with a safe play space for children, additional green

[18] http://www.jda.org.za/index.php?option=com_content&view=article&id=1436:park-station-precinct-african-food-and-culture-hub&catid=137:projects&Itemid=159

spaces, markets for informal traders, parking, taxi facilities, public amenities, and safe walking spaces for cyclists and pedestrians as discussed above from other projects.

The purpose of this project is to identify, brand and facilitate the development of a new public spaces that are surrounded by appropriate restaurants and shops which will reflect a range of African cultures (JDA 2013). In 2013/14 the JDA intended to spend on detailed designs, community participation processes, stakeholder negotiations and initial construction to upgrade the public environment (*ibid*). According to Sharon Lewis, executive manager of planning and strategy at JDA in a discussion on redesigning Park station hosted by Wits Institute for Social and Economic Research (WISER) on the 07 October 2014, designs for this project do not exists yet. However, she noted that the intention is to develop the vision of an African food and culture hub within the Park Station Precinct. According to the JDA website this will start by a temporary Park Station Pavilion that is to be designed by David Adjaye, working with, Urban Works. The detailed designs of this pavilion, on the discussion talked about above, Zahira Asmal, director at Designing South Africa, said details and designs of this pavilion are still something that is being discussed 'internally' which will be realised at some point. However, David Adjaye mentioned that the main objective of this temporary pavilion is to serve as a mark that changes the use of the site, Park station, activating the development of a much larger and permanent Food & Culture Hub.

David further mentioned that attempts will be made to open up the blue room, old Park station room located directly west of the new park station, to create linkages between it and the pavilion that is to be located on the intersection between Rissik and Wolmarans street. The temporary pavilion which will also offer cultural food is seen as the first gesture of the larger project in the Park Station precinct (JDA 2013a). The year 2014/15, at JDA is marked as the year which intensive public environment will commence, along with a series of events including exhibitions and events in the African design pavilion (*ibid*). Public environment upgrades will be the continuation of the work that has been done through the Inner City Commuter Links project which include installation of lighting, landscaping, paving, street furniture and branding to create a safe night-time activity zone around a public square or along a street in the Park Station Precinct (*ibid*). This public environment upgrade work is scheduled to be completed by 2014/15. Despite these attempts it is concerning to observe in the presentation by Zahira Asmal done in the WISER discussions and in documents that talk about this project to note that the project appears to be mainly focusing on people arriving in Johannesburg without giving attention to people who work in the area such as street traders. This project attempts to brand the Park station precinct as a cultural precinct with African restaurants,

the blind eye to street trading, as it does mention how they will fit in the area threatens the existence of traders.

4.4.6. Concluding remarks

In Johannesburg, there is some degree of consensus on reasons why street trading should be managed and most official and research often argue it should be the case "as to ensure the needs of other street users are not affected negatively". Thus management should be an endeavour to balance these needs rather than prioritising other needs or interests over others. Both these statements from a certain angle moves away from the apartheid logic of managing as a way to eliminate the craft all together. Both they do not prevent the existence of street trading in the inner city and this position has been extensively documented by both the municipality and JDA. However, it becomes a concern when needs or interests of other street users are prioritised over the interests of others when there is conflict of interests, rather than balancing. The JDA is not different from this and what it has done in the projects around the area of concern was to acknowledge the need to give space to traders in the Inner city and persistently provided trading spaces in a way which was suggested by corporate business. Around Park Station especially at Noord street, JDA is relocating traders to markets as demonstrated particularly in the Inner City Commuter Links project. These markets are where a majority of traders fail to grow their business as argued by Rice (2006). In conclusion, it can be argued that priorities of other street users' particular property owners or corporate business are prioritised over and above those of traders and there is no balance in their interests.

Chapter five: Principles and Principle renegotiations of the Park Station Street trading management Pilot model

5.1. Introduction

The Park Station Street Trading Management Model (PSSTMM) came in the aftermath of Operation Clean Sweep (OCS), where the City of Johannesburg (CoJ) in October 2013 unilaterally (and unconstitutionally) decided to chase about 6000 street traders from the CBD, as a reaction to its incapacity to manage the sector (Constitutional court 2014). This was a time where there was an urgent need to propose alternative forms of street trading management or re-establish a dialogue for a sustainable solution as management at that time was threating the livelihood of about 6000 people. However, it was hard for both traders and the City to engage in a constructive manner to negotiate how they can better solve the situation partly because of the court case that placed both the City and traders in positions where they are 'enemies' of each other (Anonymous 2014). Furthermore, the court case was in parallel to a situation where the City decided to reserve its engagement on street trading as they believe the matter was sub judice (City of Johannesburg 2013). This left the organisation (SANTRA) with no option but to turn to CJP, an organisation which they managed to establish a 'good' relationship with in the Retail Improvement District (RID) (Elias, SANTRA spokesperson (interviewed on 24/03/2014) and Steffny, CJP director (interviewed on 22/04/2014).

In the RID, Steffny (interviewed on 22/04/2014) says CJP tried most of the time to inform traders about new developments in the precinct and organised meetings to listen to their concerns amongst other things. Furthermore, according to Ryan Mathew (interviewed on 15/08/2014) by CUBES, head of finance at UGM, they always make sure that traders in the RID are invited to activities that take place in the precinct to participate and trade. This relationship amounted to SANTRA requesting CJP to extend this form of management to the area of study where they have a lot of affiliated members (Elias interviewed on 24/03/2014). A management 'plan' was drafted by CJP and Hans Jooste for the area of study and submitted to the City, but according to Elias, (interviewed on 24/03/2014) it was rejected by the City for possible reasons explained above and in chapter three. In February 2014, CUBES was approached by SANTRA requesting for assistance in developing this management 'plan'. This separate request made by SANTRA to CUBES is part of a broad request by SANTRA and Congress of South African Trade Unions (COSATU) to assist street traders in preparing a more informed position from which to negotiate with City authorities. Since then more and more street trader organisations as discussed in chapter three have joined the engagement. Two key issues were considered:

- "Where should traders trade in the Inner city (and where should they not?"
- "What are models of street trading management that work?"

The separate request to CUBES by SANTRA was for us to help in refining the PSSTMM to be more progressive and sustainable. The role that is being played by CUBES with regards to the PSSTMM is to provide its research expertise to propose ideas for discussion aiming at improving the model to be more progressive and sustainable. Furthermore, CUBES have played the role of facilitating the renegotiations of the PSSTMM that aim at improving this pilot model. These negotiations have resulted in other groupings being involved in the development of this model. This include the eThekwini expects who were asked to share their experience on precinct based street trading management and their comments on the PSSTMM. Urban Genesis Management (UGM) has also been involved as a possible service provider, although, initially SAID was more involve as a service provider. This ongoing involvement of different service providers was motivated by a resolution, amongst other reasons, taken in a meeting held on the 15 May 2014 between SANTRA, CJP and CUBES to find the most affordable service providers. This is to say the involvement of UGM is part of an attempt to understand how affordable is this service provider, and also comparing it to other service providers. The second section of this chapter goes on to reflect on these negotiations/principle reconstruction process of the PSSTMM; on the stakes, what is negotiated and the challenges that were experienced in these negotiations.

This pilot model is an interesting initiative to observe and study in the context of Johannesburg, considering the failures of the CoJ to adequately manage street trading in a progressive manner and criticism around privatisation of street trading management. It is important to note that prior to the principle renegotiation process of the PSSTMM this model was something that people (SANTRA and CJP) talk about which was never presented in full. Moreover, it must be noted that this model is work in progress because of the negotiations (which involve CUBES, CJP, and SANTRA for now: CUBES with a specific position in this process) that have commenced. Consequently, this chapter is structured in a way that initial findings on what the management model entailed will be discussed first followed by a section that discusses the renegotiation of this management model. This prevents the author to make conclusions on the management model based on the initial findings only, rather to also understand the product of these negotiations. This is one of the significant elements in understanding whether this management model is progressive or not because the judgement will also be informed by the knowledge gained in understanding compromises taken for specific principles through negotiation.

5.2. Underlying Principles: What did the Park Station Street trading Management Model (PSSTMM) entail, in its initial form?

The underlying principles of the PSSTMM are derived from a proposal titled *Informal traders amended sustainable management proposal relating to some trading areas within the Johannesburg inner city,* sent via electronic mail to the CoJ on 03 January 2014 by Hans Jooste from SAID on behalf of Anne Steffny. Furthermore, these principles are derived from interviews with Edmund Elias, SANTRA spokesperson (interviewed on 24/03/2014), Anne Steffny, CJP director (interviewed on 22/04/2014) and Norman Maluleke from SAID (interviewed on 03/04/2014). In this section, the initial proposal of the PSSTMM and the above interviews were examined to understand key principles which are identified as constituting or involve in a management model. This includes understanding the structure of the management model and lines of accountability amongst other elements provided in the interview guideline attached in the annexure. The PSSTMM principles were important as a foundation, a base, through which development that followed had its reference to. This includes the suggestions made by CUBES (2014) as an attempt to make the PSSTMM more progressive, which used these principles as a reference. It is important to note that information presented in this section only reflect the thinking behind the initial model as a result it does talk about the changes that have happened after that period or stakeholders that have come to be involved (or who have left) as a result of the principle renegotiation process amongst other reasons, or CUBES which was asked to assist in refining the PSSTMM.

5.2.1. Stakeholders involved/anticipated to be involved in the PSSTMM, in its initial form

Although, the initiators/establishers of the PSSTMM are SANTRA and CJP, in its initial form, the PSSTMM involved or it was anticipated that it will involve various other actors and figure 5.1 below demonstrates their roles or anticipated roles. Shown in figure 5.1, includes the CoJ, a stakeholder which Hans Jooste on behalf of Anne Steffyn sent the initial proposal to, via electronic mail. In this electronic mail it was “proposed that the City pays the amount” reflected in a quotation by UGM of the cost to manage the area of study, “if approved, to CJP”. The anticipated role of the CoJ in the model has been shifting since the principle reconstruction process, however, initially CJP wanted the City to subcontract and pay them to manage the model with the City being reimbursed by traders’ fee. In addition to the funds which were required from the City, the buy in of the City, which they did not, at that stage, was important since the City hold legislative powers, based on the Business Act of 1991, to manage street trading in Johannesburg.

Other important stakeholders, that the PSSTMM in its initial form would have find difficulties to start without them, were there 221 SANTRA members who were expected to finance the PSSTMM by repaying the City, unless a source of finance was established elsewhere. CJP (2014a) note that the area of study is made up of 221 street traders that are SANTRA member which will be accommodated in the PSSTMM, and will finance the model. This means those who were not SANTRA members were to be excluded. Elias (interviewed on 24/03/2014) mentioned that one of their plans with regard to financing the PSSTMM were to ask JDA to cross-subsidise the PSSTMM Pilot model and this made JDA a possible stakeholder in the implementation process of the PSSTMM at that stage.

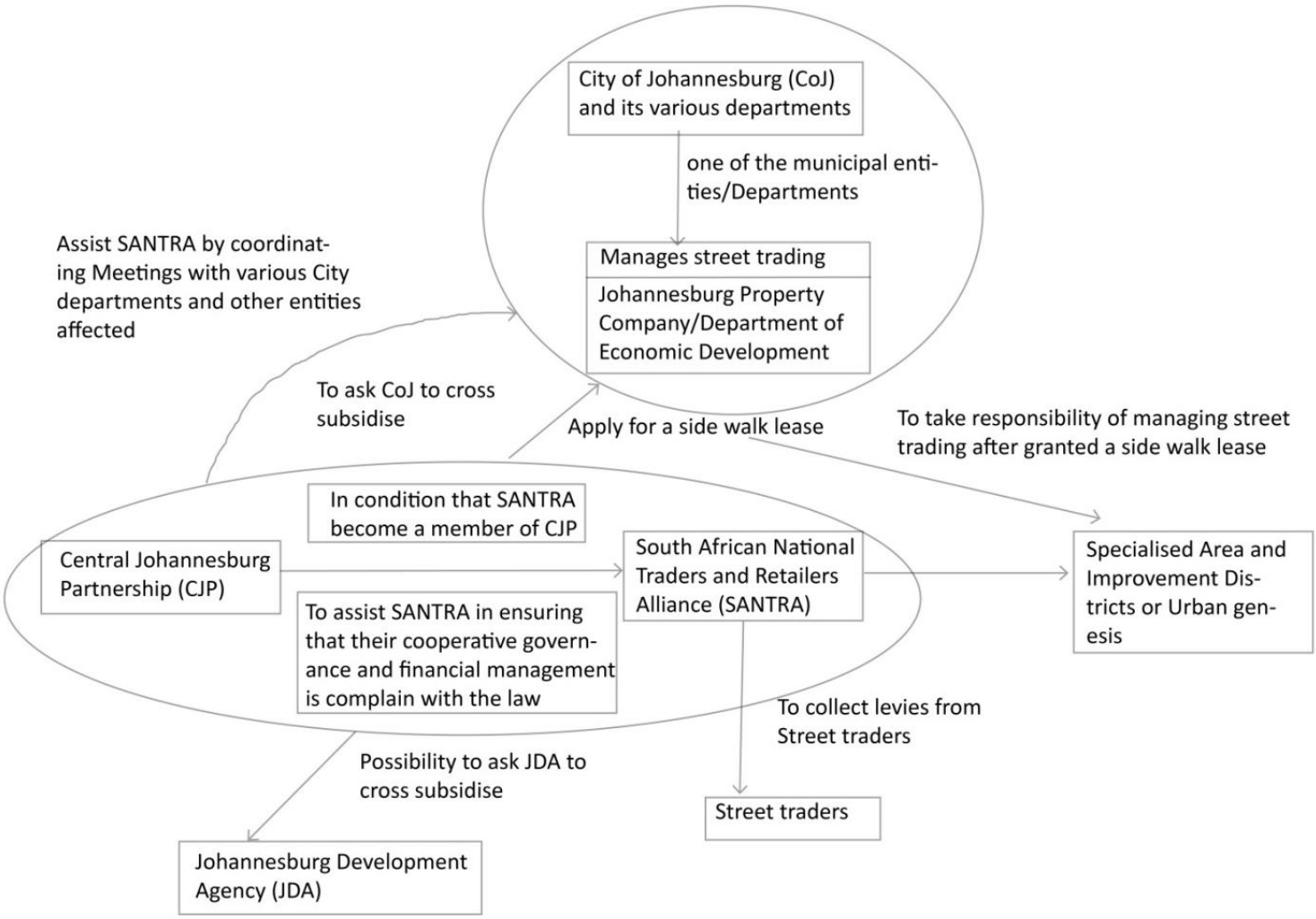


Figure 5.1. (above) produced by the author based on the information obtained through interviews and analysing the initial PSSTMM proposal illustrates stakeholders involved and their roles.

Interviews with Edmund (interviewed on 24/03/2014), Anne (interviewed on 22/04/2014) and Norman (interviewed on 03/04/2014) revealed that both CJP and SANTRA are involved in the PSSTMM, CJP as a manager, SANTRA as the main organisation on the ground, and relatively happy of

CJP management as opposed to the City's management approach. Furthermore, when conducting these interviews it was not clear which company will take the responsibilities of being a service provider. Both Edmund and Anne talked about UGM and in the initial proposal it was suggested that the fee to be paid by the City will go to CJP and they "will release to UGM on completion of work and if work has been done satisfactory". However, Norman introduced me to SAID, a new service provider company led by him and Hans Jooste who used to be at UGM. This created possibilities that maybe the initial proposal was developed while Hans was still at UGM and moved with the project to SAID without both Edmund and Anne knowing. This is a reason why service provider in figure 5.1 is referred to two providers because at this stage there was some level of uncertainty because CJP and SANTRA relied on Hans for this service who they thought he was still at UGM.

5.2.2. What were the services the PSSTMM attempted to provide in its initial form?

The initial proposal of the PSSTMM by CJP (2014a) begins by presenting what they refer to as "matters of concern relating to the pilot project area". This includes the acknowledgement that the "placing done of informal traders is not logical", with a suggestion that a possible solution would be for CJP to arrange interactions between themselves, Johannesburg Property Company (JPC), an agency of the CoJ also responsible for managing street trading located on markets, the property of the CoJ, Department of Economic Development (DED) and Johannesburg Metropolitan Police Department (JMPD) to demarcate stands for traders to operate from. Furthermore, CJP (2014a) acknowledges that the infrastructure of the CoJ in the area of study is of poor standard, coupled by the infrastructure used by informal traders which is also of poor standard and creating an impression of an unmanaged, unhealthy environment. The CJP (2014a) further suggest that a solution would be for JPC, DED, JMPD, Environmental Health department of the CoJ, responsible for all municipal health services and CJP to revisit previous work done regarding practical, aesthetical acceptance structures. Nonetheless, CJP (2014a) expected these issues not to be addressed in a short run as they state, for now the pilot project should focus on implementing the matters identified in the quotation provided by UGM.

This is to say some of the issues including the ones talked about above were not going to be addressed at the beginning of the PSSTMM but they were to be part of a long term plan of the PSSTMM. It is important to note that Anne (interviewed on 22/04/2014) was quite reluctant to talk about this long term plan in the beginning of her engagement with CUBES, however, as time goes on she started opening about it in the PSSTMM negotiations. This is further discussed below under the arrangement of the partnership of this management model section. At this stage of the PSSTMM development, she mentioned that the overall aim of this long term plan is to see traders managing

themselves in the future and their (CJP) role is to teach them how to manage and engage with different related entities on management (*ibid*). She never went beyond this in giving information about this long term plan in terms of explicitly explaining how is this going to happen.

Based on the estimations provided by UGM in CJP (2014a) the PSSTMM attempted to provide two different services in the area of study which is cleaning and security. Furthermore, the estimations provided by UGM in CJP (2014a) highlight that five cleaning ambassadors who are to work from 07h00 to 16h00 from Monday to Sunday are to be deployed to ensure that the area is clean. Moreover, this document proposes that weekly reporting should be done on process and quantity of refuse removed. These urban cleaners are to be supervised by one person who will also supervise six security ambassadors who are to be deployed to operate from 07h00 to 19h00, Monday to Sunday (*ibid*). The security ambassadors or Public Safety Ambassadors (PSA) are to draft weekly reports that reflect on process and incidents that have taken place (*ibid*). On site PSA were expected, according to CJP (2014a), to inter act with traders who had a responsibility to report problems they were experiencing on the ground to PSA. PSA were to be responsible for reporting to the South African Police Service incidents of crime, however, attend to those that need their attention (*ibid*). The PSA's roles also extend to ensuring that the number of street traders that was to be permitted to trade according to UGM in CJP (2014a) in the area of study was regulated. The number of traders that are considered by UGM in CJP (2014a) document is 221 street traders who are all affiliated to SANTRA as members. Moreover, these traders are all 'licenced traders', as SANTRA asserts they all hold permits (smartcards) to trade in the area.

5.2.3. How much did it cost for the PSSTMM to operate in its initial form?

The costs of management, based on the estimations provided by UGM in CJP (2014a) are based on the number of urban cleaners to operate in the area of study, public safety ambassador and equipment that relates to their daily operations. It is important to note, as CJP (2014a) state "the work to be done by the CJP has not been costed and is not included in the attached UGM quotes, if the proposal is accepted the CJP will meet with the City to discuss its cost". The cost provided in the UGM estimations do not include the cost for CJP as mentioned above, the costs of a service provider, a possible levy to be paid to the City, for the use of public space, as noted by Bénit-Gbaffou (2014b). This means when these additional fees are added the total cost for management will increase from the one provided in table 5.1. Consequently, the fee to be paid by traders will also increase. Based on the cost provided in table 5.1 each trader from the 221 street traders that were to be permitted to trade in the area of study according UGM in CJP (2014a) was to pay a monthly fee of R450.00 that would have amounted to R 9,9372.83 which is required to sustain the management

plan. This is a monthly levy to be collected by SANTRA to traders with assistance by CJP to ensure that this comply with applicable legislation (CJP 2014a).

Table 5.1 (below) taken from CJP (2014a) illustrates the initial costs to the Park Station Street Trading Management model which were estimated by UGM

Security Personnel	Work days	Number of people	Monthly salary	Cost per year
Control room operator (supervisor)	Monday-Sunday	1	R9, 850.00	R118, 200.00
Security ambassadors	Monday-Sunday	6	R9, 550.00	R687.600.00
Total		7	R67, 150.00	R805, 800.00
Cleaning Personnel	Work days	Number of people	Monthly salary	Cost per year
Urban cleaners	Monday- Sunday	5	R4, 000.00	R240, 000.00
Cleaning Truck and crewmen	Monday- Sunday	1	R3, 750.00	R45, 000.00
Total		6	R23, 750.00	R285,000.00
Equipment			R8, 472.83	R101674.00
FINAL total			R 9,9372.83	R1, 192,473.96

5.2.4. The task team that was to give oversight on the PSSTMM

The PSSTMM according to Norman (interviewed on 03/04/2014) was to also have a task team which was to be appointed and briefed by CJP board. Norman said that "the responsibility of this task team was to draw up and ensure the implementation of rules for trading that comply with by-laws, to set time frames, define responsibilities/authorities, clarify how rules get revised and tighten up, give clear guidance on dispute resolution". This task team was to be a structure where most structures of the PSSTMM were to be accountable to (*ibid*). For example, the service provider was to draft a weekly report for both security and cleaning and present it to this task team, and the collection of levies from street traders was to be annually audited and reported to this task team (*ibid*). The task team was to include representative from SANTRA, Department of economic Development/Metropolitan Trading Company staff, representative from Central Johannesburg Partnership, and Hans Jooste (from Specialised Area and Improvement Districts) (*ibid*). This task team was to also form part of platforms that were to serve as laboratories where street traders were

expected to learn on management matters (Anne interviewed on 22/04/2014). This was to be an attempt to contribute to the long term vision of the PSSTMM to empower traders to manage themselves in future. Although, in the task team SANTRA is envisioned to be an independent stakeholder, in an email sent to SANTRA by CJP (2013) it is noted that to give effect to the PSSTMM SANTRA have to become a member of CJP. This makes it confusing to understand the role of each and an explicit explanation of how traders are to be empowered (CUBES (2014).

5.3. Principle 'renegotiation' of the PSSTMM: How is the PSSTMM being negotiated?

This section of the paper documents the 'renegotiation' or principle reconstruction process of the PSSTMM, which has come to include additional groups to CJP, Hans (who presented his contribution as a member of UGM initially but moved with the project to his new company SAID which I was introduced to) and SANTRA. These additional groups are Centre for Urbanism and Built Environment Studies (CUBES), the eThekwini expects and Urban Genesis Management (UGM). This part is interesting since it brings a person closer to policy formulation process. The main aim here is to reveal main decisions taken and unpack the reasons why they were taken with illustration on what were the different stakes of participants. The first 'renegotiations' of the PSSTMM were between SANTRA, CJP and CUBES with two meetings, which I attended, held to discuss the PSSTMM. The first part of this section discusses these negotiations. Here, after some period of research on progressive models around the world and understanding the PSSTMM, CUBES who was asked to help refine the initial proposal discussed in the previous section have pushed for three elements for discussion (CUBES (2014): financial sustainability of the model, the nature of the partnership between SANTRA and CJP and the process of implementation. These elements were identified as to bring clarity to some of the initial principles, discussed in the above section, which were identified as missing/lacking clarity/ and which can be improved to make the model sustainable and progressive.

Interestingly, the discussions between SANTRA, CJP and CUBES as a way of responding to the elements by CUBES, although some very significant agreements were reached, are responsible for negotiations, discussed in this paper, that have opened elsewhere. This section which is discussed further below will go on to reveal why this is the case.

The second engagement on the PSSTMM separate from that between SANTRA, CJP and CUBES was for the eThekwini expects to share their experience on precinct based street trading management and their comments on the PSSTMM. The eThekwini (Durban) experts on street trading included Pat Horn, StreetNet International coordinator, Richard Dobson co-founder and Project Leader of Asiye eTafuleni and Patrick Ndlovu who is also a co-founder of Asiye eTafuleni. According to the Asiye

eTafuleni website[19] they are “a non-profit organisation focused on promoting and developing good practice and process around inclusive urban planning and design”. Moreover, both Patrick and Richard were heavily involved in the eThekwini street trading management initiative which according to Skinner (2008b) was particularly adopted in the Inner-city, in Warwick Junction. This initiative happened from 1995 to 2004 and in Africa is widely acknowledged as one the most progressive “moment” to street trading management (Skinner 2008a). Pat in a meeting held on 13 August 2014 argue that this experience was just a “moment” and since 2004 management of street trading in eThekwini has went back to being oppressive towards street traders. These experts were in Johannesburg invited by CUBES to unpack their experience on street trading in eThekwini with the aim of providing lessons for Johannesburg. Their visit was also taken as an advantage to advice of the PSSTMM.

The third engagement about the PSSTMM was for Urban Genesis Management (UGM) to contribute with administrative knowledge. This group according to Ryan Mathew (head of finance at UGM) in a meeting held on the 15 August 2014 exists to fill the gap between “good” City policies and poor implementation. The main job for UGM with regards to street trading and urban management in general is to provide services over and above those provided by the City, but in cooperation and coordination with the City services (*ibid*). It should be noted that, although, UGM claims an ‘autonomous’ status, however, one can argue this company forms part of CJP. In 1997 when CJP decide to establish 'Partnerships for Urban Renewal' (PUR) it changed its position to focus on urban issues not only in the traditional CJP operating area of the Johannesburg Inner City rather in Johannesburg as whole and throughout the African continent (CJP 2014b). The main aim of PUR according to the CJP website[20] was to provide a consulting and urban management services throughout the Johannesburg Metropolitan area and an urban consulting service throughout Africa. Here CJP initially had its own staff concerned with lobbying for, administrative of CIDs until 2003 (*ibid*). The establishment of Kagiso Urban Management (KUM), which was to become UGM, in 2003 resulted in the PUR being combined into KUM whilst the CJP remains to be a lobby group to the City for CIDs and administration provided under contract to KUM (*ibid*). According Tiiso Masipa, from UGM (electronic mail communication) KUM was bought approximately four years ago thus there was a change from KUM to UGM.

Furthermore, the staff/workers that belonged to CJP which were concerned with administration of CIDs were transferred to KUM (*ibid*). In a way UGM was formed to take the administrative role from CJP and to be a for profit company, as service provider. It is under this relationship and history that it

[19] http://aet.org.za.www12.flk1.host-h.net/about-asiye-etafuleni/. Accessed on 19 September 2014
[20] http://www.cjp.co.za/background.php. Accessed on 05 August 2014

is hard to separate CJP and UGM in the management of CIDs as they need each to do their respective work. This history and relationship between the organisations proves the trust and the reason UGM was called by CJP to contribute with administrative knowledge formed in other CIDs across the city, and in particular in the RID which deals with street traders management, in the negotiations. This part of the paper will start by presenting the engagement between CJP, SANTRA and CUBES and this will be followed by a discussion on the comments by eThekwini experts and lastly the input of UGM will be discussed.

5.3.1 Negotiations between SANTRA, CJP and CUBES

This section is divided into three key questions which the negotiations between SANTRA, CJP and CUBES have attempted to find answers to. This includes the question; how many traders should the pilot model accommodate? Is the fee affordable to traders? And how the partnership of the management model is to be arranged? These are the questions which took centre stage after the three elements, for consideration, (financial sustainability of the model, the nature of the partnership between SANTRA and CJP and process of implementation) were proposed by CUBES. It is important to note that, although the PSSTMM has not been implemented yet, the implementation process is reflected in a proposal of the PSSTMM which came after the negotiation by Bénit-Gbaffou (2014b). This part of the paper will reflect on this process after the questions talked about above have been discussed. In addition it should be noted that SANTRA leadership and members have also started talking 'informal' and very brief about street trading management and what will be required for this to happen. This part of the paper also reflects on this 'informal' talk.

5.3.2.1. How many traders should the PSSTMM accommodate?

This element was brought into attention and proposed in the negotiations held on the 15 May 2014 to be discussed by CUBES with SANTRA and CJP. The concern by CUBES was on the number of traders which were to be pushed out of business (CUBES 2014). According to the UGM in CJP (2014a), the area of study is made of 221 registered street traders under the CoJ to trade in the Inner city and these traders are also SANTRA members. This is one of the reasons why this site was chosen as an area to roll out the pilot model because it is where SANTRA, who initiated the project, have a lot of affiliated members (*ibid*). The 190 other street traders that also form part of the traders operating in the area of study are not considered by the initial model – either because they are not SANTRA members or because they don't have smart cards (it is not clear) (*ibid*). It is important to note that, if they are not considered because they are not SANTRA members, the elimination of those traders might provoke conflict amongst street trader organisations. This is the case because

some of the unlicensed traders in the area of study belong to One Voice of All Hawkers Association (OVOAHA) and perhaps to South African Informal Traders Forum (SAITF) (Bénit-Gbaffou (2014b). If it is the case that they were excluded because they do not have smartcards, then SANTRA, SAITF and OVOAHA will face a crisis because it is their responsibility to protect their members who will be prevented to work by the PSSTMM.

Initially to these negotiations, CJP was very supportive of the idea to accommodate only SANTRA members, 221 traders identified by UGM in CJP (2014a). Anne said she was "concern about the negative impact 411 traders would have on the urban environment". The statement made by Anne above demonstrates that she believe the presence of 'many' traders on the urban environment is one of the causes to the urban management issues experience in the Inner city and by reducing this number it will be easy for them to manage the area of study. Moreover, this interest for CJP might have arisen from their long time desire for the area of study to be regulated because of its proximity to RID territory and affecting it (Bénit-Gbaffou 2014d). This is to say she might have believed that by reducing the number of traders in the area of study this will contribute in the solving some of the problems they experience in the RID. SANTRA in this principle was in between, with evidence that its leadership is split, Livingston Mantanga was supporting that the model should allow only their members by saying "traders who do not have permission to trade in the area must not be allowed in this management", while on the other hand Edmund SANTRA spokesperson was pushing to accommodate as many traders as possible regardless of their membership. Edmund was on a view that the management model "should go beyond the 221 traders, however, this need to be carefully considered as to ensure that it does not affect public space badly".

The organisation, SANTRA, was caught between protecting the interests of its members that is to eliminate competition brought by unlicensed traders (an interest of the organisation to grow its members) and interests of street trading as a sector which is to fight for all traders to be accommodated. This is one of the things which I have paid a very close attention to in the meetings attended on the 25 May and 10 August 2014. These meetings were between SANTRA members and their leadership and it became evident that some SANTRA member are pushing for management that will accommodated licensed traders only as they complained that it would be unfair to them to pay while others are enjoying the same services without paying for them. Lastly, CUBES (who initiated this discussion through the elements discussed above) was pushing for all traders to be accommodated. This interest for CUBES exists because of our commitment to issues of social justice. Social justice is understood in this research as being the protection of equal access to opportunities, as well as siding or defending the least advantaged members of society, particularly the urban poor

who at most times receive a weaker 'voice' in society. Rawls (1971) in his book *A Theory of Justice* writing at the rise of modern reform liberalism state that it is important that everyone is made equal in the "original position". He argues that people from this position will choose equal access to opportunities unless an unequal access makes everyone better off.

Sen (2005) on the other side argues that equal access to opportunities in our societies cannot be achieved by only using the model provided by Rawls because our societies are not homogeneous as some people are more capable than others. If we only concern ourselves about starting everyone in an equal position as Rawls suggest we will have societies that protect equal access only at the beginning but ending up having societies that provide unequal access. To obtain social justice we need to ensure that the deficit in capabilities of other people is enhanced by taking care of those who are least advantaged in a form of capabilities. In a meeting held on the 15 May 2014 with SANTRA, CJP and CUBES there was a consensus among the participants on the need to change the initial proposed number of traders to be accommodated. This came after CUBES first argued that by increasing the number of traders in the area would render the model more financially sustainable, as it will decrease the individual fee each trader would have to pay; and make the pilot plan more implementable, as it would not lead to chasing away half of the traders. Before, this consensus, however, the argument pushed by CUBES was contested by both CJP and SANTRA in a meeting held on the 26 May 2014, who argued that traders in the area of study do make a lot of turnover thus they can afford to pay for the PSSTMM. This started another debate, which is discussed further below, around the question; is the fee asked from the 221 traders which according the initial proposal of the PSSTMM were only going to be accommodated.

The consensus was reached when all participants finally decided to compromise when CUBES proposed that there should be, at least, an urban designer who is to look at how many traders can the area accommodate without infringing the rights of other users to use the street. This conclusion meant that discussions with urban designers were to commence for the pilot to move forward.

5.3.2.2. Is the fee affordable to traders?

This question was also raised by CUBES (2014) under the financial sustainability element with concerns that 221 traders cannot sustain R1, 192, 473.96 per year which is the amount that was initially required to sustain the Park Station Street trading Management Plan as reflected in CJP (2014a). Based on this amount each trader that was to be permitted to trade in the area of study according UGM in CJP (2014a) was to pay a monthly fee of R450.00 that would have amounted to R9, 9372.83 required to sustain the management plan monthly.

Anne Steffny in a meeting held on the 15 May 2014 said she expected the City to pay for the first few months and after this period traders are to pay the costs. Furthermore, an email sent by Hans Jooste to Helen Botes, managing director at JPC noted that Gerald Dumas, the chief operations officer in the office of the city manager, acknowledged that the "City would maybe fund to give SANTRA a month to start getting monthly levies from their members". On the other side Edmund (interviewed on 24/03/2014) said that there is also a possibility that they might also ask JDA to subsidise but in the absence of this traders will have to pay for the management model to work. These statements did not erase the concern by CUBES (2014) as they did not guarantee sustainable payment. However, both SANTRA and CJP in the meeting held on the 26 May 2014, as talked about in the above section, were convinced that traders especial in the area of study were capable to pay this amount because the area accommodate a lot of potential customers and traders in this area do make a lot of turnover. This is not an easy task to discuss simply because 'no one' knows about the street trader's monthly or weekly turnover as most traders do not keep records of the money which they make and in some cases they use some of it as it arrive to them (Mitullah 2003).

Makhetha (2010) in her research conducted around Park station also lament on the findings by Mitullah (2003) and she warns that this lack of recording can have a negative impact on the progress of street trading as it can make it hard for traders to do proper planning without knowing what they make. Her warning is what CJP, SANTRA and CUBES are struggling with at the moment as they consolidate a plan based on assumptions with no accurate figures. In an interviewed on 03/04/2014 with Norman Maluleke I asked him how do traders feel about financing this management plan as I was told by Edmund in the first interview I did for this research that this management plan was to be financed by traders. His (Norman) response was that "traders with smartcards approve paying as this will be accompanied by the elimination of traders with no smartcards", which according to them serves as a very serious competition. Livingstone Mantanga (in a meeting held on 15 May 2014) also acknowledge that 'informal' negotiations between SANTRA leadership and members, which later I attended some of them, have begun and traders are willing to pay the monthly fee as long as people who are not paying will be prevented from selling.

The first SANTRA meeting which I managed to attend was a launch of the organisation held on the 25 May 2014. This was themed; a 'meeting for the leadership to be given a mandate by members' but the leadership also talked about what they believe the organisation should be doing. This includes a brief discussion on the need for street trading management which traders will have a direct influence to, and the members were reminded by their leadership that they will be required to pay for this management. Traders were then told to ask question, although very few traders

asked about the management, with most expressing their grievances about the City who they claim is harassing them. The few that did talk on this management agreed with their leadership that this is overdue, but as talked about above they noted that one of the conditions to this was that there need to be an assurance that people who will not be paying will not be allowed to trade in the specific area. Here, those who talked about this management were not clear of who or how many traders should be allowed to trade and it appeared to me as if they were only concerned about fairness, to ensure that everyone is put in the same level field opposed to allowing people who do not pay to trade.

The second meeting I attended on the 10 August 2014 which came immediately after the City's consultation process was mainly about reflecting on this process. In this meeting the SANTRA leadership and traders did not talk about the management plan which in the first meeting I attended their leadership remanded members about it. In this meeting the SANTRA leadership talked about the disappointment they had with the consultation process with the City, especially with the process that was followed. This includes the unavailability of precise information to talk about and they suggested that this continues to cause mistrust between them and the City as they believe there was a secrecy going on from the side of the City.

In a meeting held on 15 May 2014 between CUBES, SANTRA and CJP, there were attempts to lower the fee for each trader and this include an uncontested suggestion made by CUBES that property owners in future could be asked to contribute as they will also benefit from this model through improved safety, and cleanliness. Furthermore, it was also suggested by SANTRA that the size of trading stalls should also be used to measure or determine the amount which each trader pay. This means those traders who will be privilege to access greater capital in a form of trading space are not going to pay a similar amount to those who will go for lesser trading space. For example, a trader can be charged based on metres which she/he occupies, for instance R10.00 a day for six square meters and R5.00 for four square metres. The idea to charge traders based on how much they make or according to the space they take can also contribute in making sure that some traders are not pushed out of business by imposing a fee which they cannot afford and which can only be afforded by those who make lager turnovers. Apart from these suggestions CUBES maintained the position, discussed in the previous section, which suggested that by increasing the number of traders in the area this would mean the individual fee will also decrease. For example, by allowing the 411 existing traders the fee required from each trader will drop to R242.00 per month.

For CJP, although they did not have a problem with attempts that seek to lower individual fee required from traders but the argument by CUBES had implications on their interest talked about in

the previous section. CJP was more interested in making sure that it becomes easy for them to manage the area of study as they believe by reducing the number of traders this is possible as it will not infringe the rights of other street users to use the area of study. For SANTRA, it was interesting to observe how the split in leadership mentioned above about this plays out in this principle. Edmund become very supportive of this principle as it was going to allow all traders to be accommodated which was an interest he expressed when the principle of how many traders should be accommodated was discussed. On the other side Livingstone's reluctance to the idea of accommodating all traders, even though it was justified that it will decrease individual fee of traders, made me think that maybe he was attempting to protect only members that belong to SANTRA so that other traders, those who are chased away, can see that SANTRA is doing something for their members and develop a desire to join SANTRA resulting to the organisation growing in its members. There was no consensus about this aspect of the principle, about the fee expected from traders, as it was decided that there should be an urban designer who is to look at how many traders can the area accommodate without infringing the rights of other users to use the street, as discussed in the previous section.

5.3.2.3. How the partnership of the management model is to be arranged?

This question in the negotiations between SANTRA, CJP and CUBES came as result of concerns raised by CUBES on the lack of clarity in how the partnership between SANTRA and CJP is expressed in CJP (2014a). At CUBES we first knew about this 'partnership' when both SANTRA told us about this "marvellous partnership initiative". This created hope for CUBES in the aftermath of Operation Clean Sweep where there were no alternative solutions. A document by CUBES (2014) start by acknowledging that CJP's partnering with SANTRA is beneficiary to both of them as this responds to a criticism around CIDs, of excluding traders in decision making process. Moreover, SANTRA on the other hand aim to responding to international and national criticism towards a trader led management model that usually lead to corruption and enrichment of leaders at the expanse of traders on the ground (*ibid*). In an interview on 22/04/2014 with Anne Steffyn, she said "as part of a long term plan to see traders managing themselves one day", as already talked about elsewhere in this paper, the partnership between them and SANTRA has an empowerment component. This was discussed in a meeting held on 15 May 2014 as result of a request from CUBES that this empowerment should be made explicit with clarification on the roles of each and who should be part of it.

Anne Steffny in attempting to explain the empowerment component to this management plan she said the role of CJP in this partnership is to "incubate the pilot model and hand it over to traders

when institution, capacity, skills are sustainable". She further acknowledges that at the moment, because traders are not aware of various procedures involve, they will stand next to CJP and learn different things involve in management. In this meeting she explained their experience as CJP in CIDs, which excluded traders, suggesting that it should form a foundation for discussion. She said, in the CIDs the management of street traders came as result of difficulties experienced to manage urban environments without getting involved in informal trading management, a responsibility of the City. This according her led to a joint venture with the City to manage informal trading. She said the purpose of the joint venture was for "CJP to administrate rental agreements between traders and the Metropolitan Trading Company (MTC), including rent collection on all trading stalls in the CoJ". To do this according to her a management board is required that is not for profit, which in most CIDs it is predominantly dominated by property owners with also City representation included.

In a meeting held on 26 May 2014 there was an agreement that the pilot should also have a precinct management committee/management board, however, different in terms of its composition. Bénit-Gbaffou (2014b) argues that the latter need not to be rushed and a careful thought on who is on this committee is necessary. This issue during the course of this research was not entirely resolved and in the negotiations it was agreed that it needs further discussions, advice, and understanding of the political, organizational dynamics of the three streets in the precinct (*ibid*). This came after CUBES, who demonstrated earlier on the principles discussed prior to this one that its interest is to protect all traders as this is our commitment to issues of social justice in society, noted that some of the traders in the area of study belong to OVOAHA, perhaps to SAITF and it might be possible that some traders do not belong to any organisation. This for CUBES was to ensure that all traders are represented as to avoid hegemony of one street trader organisation. However, it was agreed in a meeting held on the 26 May 2014 that the participation of both SANTRA and CJP in this committee, but also other forms of traders representation that accommodate traders on the ground, still to be determined, was necessary as co-piloting the project together.

In a draft proposal by Bénit-Gbaffou (2014b) the name of the project was change to Park Station Street Trading Management Pilot instead of the initial name SANTRA-CJP Street Trading Management pilot. This was an attempt to absorb everyone affected by the model which will not only be SANTRA and CJP but other organisations or people and to make it more welcoming to people using the space as for them to feel that they own the model. The proposal calls for a survey of traders and their organizational affiliation to be done in the area of study to better understand which organisations traders trading in the area of study belong to (Bénit-Gbaffou 2014b). Furthermore, the proposal acknowledges that it is not clear if there is a shop keeper organization, or

major property owners interested in the pilot (*ibid*). In this proposal it is suggested that if there are such organizations, they probably should be asked for a financial contribution to the pilot, as they also would benefit from managed streets. The committee will need to accommodate both statutory representatives (of CJP, SANTRA but also perhaps other organizations and local stakeholders), and elected traders representatives (street of block leaders to be elected). This committee would meet regularly (once a month), with reports from the service provider, to monitor and manage the pilot project. It should also regularly provide feedback to the community of traders working in the precinct (once a quarter or a trimester?).

5.3.2.3 A proposed implementation process and expected support from the City

In a proposal by Bénit-Gbaffou (2014b) written after the negotiations between SANTRA, CJP and CUBES, the final section start by talking about the expected support from the City before discussing the implementation process as a suggestion. In this proposal it is noted that there is a need for the City to commit to the principle of allowing "all existing street traders to trade in the precinct, once a design plan has been developed and trading sites are demarcated" (5). Furthermore, Bénit-Gbaffou (2014b) suggest that the City should also support by giving the PSSTMM precinct committee some delegated powers such as raising traders' fee and demarcating trading spaces and this could be in a form of a memorandum of understanding. Bénit-Gbaffou (2014b) further suggests that the City can also support by accepting to be one of the bodies which the precinct committee will account to by presenting an annual report that is to evaluate the progress of the PSSTMM. The City is also expected to support by ensuring that this initiatives talk to other urban regeneration initiatives that are taking place around Park Station (*ibid*). Lastly, the proposal asks the City to support by suspending the fees that traders are to paying to them, as traders will be paying the fee to the precinct committee. For this to happen and for the implementation of the PSSTMM, the proposal suggests that there need to be a presentation of the pilot to CoJ where it can be debated and refined.

In a meeting held on the 26 May 2014 it was suggested by both CUBES and CJP that SANTRA must present this management model to their members, in the meantime, in a way that avoids creating hopes that if it fails, will result to major disappointments. The proposal by Bénit-Gbaffou (2014b) suggests that SANTRA should wait for the City to endorse the model first with its principles agreed upon/clarified/consolidated by SANTRA, CJP and the City. Then after this Bénit-Gbaffou (2014b) suggest that a general meeting with all traders, chaired by CJP and SANTRA, can be called to present the pilot with an objective to get traders buy-in. This, if the buy in of traders happens, should be followed by elections of block leaders, who are also going to form part of the precinct management

committee (*ibid*). Shop keepers and property owners, Bénit-Gbaffou (2014b: 6), suggest that they should also be "approached, to get their buy in and voluntary contribution to the costs of street management" and if they accept this "they should also be represented in the precinct management committee". The role of CUBES at this stage would be to support by helping consolidate the pilot in an advisory capacity through research and possibly drafting an urban design plan for trading sites and designs (*ibid*).

5.3.3. EThekwini expects and their advice on the PSSTMM

The eThekwini (Durban) expects, Pat Horn, Richard Dobson and Patrick Ndlovu, in a meeting held on the 13 August 2014, were all concerned about the 'privatisation' of street trading management through the PSSTMM, taking it away from where it belong as legislated by the Business Act of 1991. They said that they have never been involved in such management and they prefer that the responsibility to manage street traders should remain where it belongs. They further noted that their experience in Durban is one where the local state, the eThekwini municipality, was very supportive and in fact led progressive street trading management by launching an area-based urban renewal initiative in Warwick Junction in 1996. Coming in this discussion this was the kind of experience which the eThekwini expects were exposed to which is very different to the experience of Johannesburg where the private sector is so intensively involved and gaining trust from traders (SANTRA) as a result of the RID experience. In Johannesburg this is in parallel to a situation where mistrust between traders and the City is becoming very strong. It is important to note that the private sector in Johannesburg is also trusted by the City as they, at times, give their responsibility of managing street trading to the private sector. Peyroux (2008) says this is partly because the City was failing to provide adequate management because of its continuing fiscal crisis through which private funding of public services was seen as a solution going forward.

Although, the eThekwini experts did not explicitly suggest, but it was clear with their arguments that the right to trade and that of creating livelihood/life by traders should never be bought. They express their disappointment after it came to their attention that traders are paying an amount of R120.00 to the City, as opposed to rents amounting to R40-R60 in the City of eThekwini which they thought was also ridiculous. Moreover, they were also disappointed by the principle that requires traders to pay in the PSSTMM. Pat went further to suggest that "we must not concern ourselves about revenue generation through street traders levies as this is not what should be happening". If the eThekwini experts indeed believed that traders should not contribute in financing street trading management then I disagree with them as I think traders should, for the most, take the responsibility to cover the costs of some of the services they benefit from especially in a context

where the local state is not responsive to this matter (services that will benefit traders). Moreover, I strongly believe that this should not be for profit rather it should be an attempt to cover costs incurred because once it becomes an activity to make profit we run a risk to have a situation where desires to make profit supersede the desire to provide services which are to grow businesses of traders.

Bénit-Gbaffou (2014a: 43) state that MTC, was "initially supposed to have made enough profit to cover its costs but in fact largely subsidised by state funding and eventually by the CoJ through the transfer of operating funds". Moreover, although, the fees required in the PSSTMM from traders are aimed at covering the cost of cleaners and security, companies which are for profit such as UGM or SAID are involve to the PSSTMM to make profit. In this aspect of the PSSTMM and the management of street trading by the City through the MTC I agree with the eThekwini experts. The eThekwini expects also advised that in a project such as this it is very important to have someone who will be actively involved on the ground driving the project, a person who is to have daily contact with issues on the ground whether they affect traders, management and who can link this knowledge with management. This is a person who is to be very dedicated to this initiative, as opposed to an employee that at times might restrict her/himself to only issues that he/she is required to do base on his/her contract with the service provider. These remarks might have been based on their experience where specific leadership/activists were dedicated in the success of the Durban street trading management approach and it demonstrated that they were not well informed about UGM ways of doing things especially in the RID.

What was also concerning, which I thought was driving this advice was the absence of both SANTRA and CJP in the meeting held on the 13 August 2014 to discuss the PSSTMM. For someone who is a 'foreign' to this management model their absence can give him/her a message that there is no sufficient commitment to this initiative. They warned that the success of the model can never be an absolute solution. The City can at any time demonstrate its power like in eThekwini where after a certain period of time of progressive management the City decided to adopt a restrictive approach to street trading.

The eThekwini expert also talked about the role played by CUBES on street trading, in a meeting held 12 August 2014, a day before that of the PSSTMM, separate from that which was held to discuss the PSSTMM. Here they suggested that at CUBES we need to decide which side are we taking, between working with the City (this came after they became aware of the AFTRAX project) and with traders. It was noted by Sarah Charlton, CUBES director that, although, CUBES is very committed to supporting street traders we battle with issues of funding which at times force CUBES to work with the City and

this makes it impossible to separate between working with the City and traders. The eThekwini experts further suggests that if CUBES commits working with traders we need to ensure that in mediating the diversity of traders and trades organisations on the ground a right process is found and this includes finding a professional conflict resolution facilitator to assist. Another point talked about by the eThekwini experts about the PSSTMM was the fact that, in spite of all these difficulties and challenges, we should continue as one only learns with experimenting and pilots are great ways of experimenting. They understood that in JHB the private management model is perhaps the only counter model that one can envisage for now (in the context of OCS), unless this context changes. They advised that this should be made very clear in the preamble of the project, and also to clarify what CUBES was seeing as the positives of the model (starting from an assessment of traders on the ground, pushing for the principle of accommodating all, setting up accountable precinct institutions)

5.3.4. The role of UGM

Urban Genesis Management (UGM) in this management model was introduced to CUBES and SANTRA by CJP as a possible service provider which was to provide an estimate on the financial cost of management based on their experience in particular in the RID in Johannesburg. The management of street trading by UGM according to Ryan Mathew (head of finance at UGM) in a meeting held on the 15 August 2014 happens not from a legislate point of view as street trading management is legislated to be managed by the City, however, the City was not offering efficient management with regards to street trading management. This was affecting their work on CIDs and this led to them also managing street trading. He noted that UGM is changing to adopt new ways of managing street trading and this include respecting traders with their knowledge on which spaces are good to trade and other challenges which are only best known by traders. This is to say they are beginning to involve traders in management; they have created platforms where they can meet with traders to inform them about new developments listen to their concerns in the RID precinct. Moreover, UGM also proposed that waste recycling should also be an option as a way of developing a financial model for the Park Station Management Model that could be cost effective.

According to Ryan in a meeting held on the 15 August 2014, “in respecting the street traders expertise with regard to management of street trading they have made sure that they maintain strong relations with appointed block leaders”, and built strong lines of communication, that include inviting them to their events to participate and trade. They have even attempted to hire someone with knowledge on the challenges faced by street traders, Abdul Abed who have completed his master in urban design on *design for integrated trading in Yeoville high street*, and who have spent three months as trader (*ibid*). As noted elsewhere in the paper the desire developing from the

private sector to involve traders in management, which is happening in parallel to the deteriorate desire to tolerate traders by the City is one of the reasons traders are beginning to work with the private sector. Through these relations with the private sector, traders, specifically in the RID precinct are directly report to UGM about some of the problems they experience in the area. This shifts the traditional precedent where citizens were reporting to their politicians and hold them accountable, rather than report to people who they have not elected. Furthermore, this phenomena is a shift from depending to people they have elected for services to depending to people they have not, whose mandate is to run a business for profit.

Table 5.2 and 5.3 below are taken from Bénit-Gbaffou (2014c) and they shows the figures which were given by UGM as a financial model used in the Retail Improvement District precinct. It is important to note that table 5.2 and 5.3 do not reflect the financial model to be used in the PSSTMM rather they are used to demonstrate how UGM estimates the total amount required to manage. Table 5.1 was developed by UGM as reflected in CJP (2014a) but during Hans Jooste's tenure and the SANTRA, CJP and CUBES negotiations have come with a resolution that UGM must be asked to redo the financial model for PSSTM and to incorporate the waste recycling idea which they proposed.

Estimated costs for RID management (2014)

	per month	per year
RID administration	R50 000	R600 000
RID cleaning	R150 000	R1,8 mil
RID security	R225000	R2, 7 mil
total	R425000	R5,1 mil

Table 5.2

For 716 traders in the RID (2011 figure) OR 22 blocks

Estimated costs per 100 traders

	per month	per year
RID administration	R7 000	R84 000
RID cleaning	R21 000	R251 400
RID security	R31 500	R377 100
total	R60 000	R712 300

Table 5.3

Table 5.2 (above) and table 5.3 (below table 5.2) taken from Bénit-Gbaffou (2014c) demonstrates how UGM estimates the cost of management and the first table, 5.2 illustrates the costs of management in the RID precinct while the second table illustrates the cost per 100 traders. Although table 5.3 unpack the cost given in table 5.2 based on the number of traders, Ryan, said in an

interview with CUBES on the 15 August 2014 that the number of traders does not have an influence in the cost of management and costs are rather estimated by blocks instead of the number of traders. Furthermore, levels of costs and services are also adapted to the affordability level of the area (Bénit-Gbaffou 2014c). Another important point to consider about table 5.2 and 5.3 is that the cost of management provided excludes capital investment in roads, pavements, streets' maintenance, as well as capital and operational expenditure for facilities and infrastructures for traders (*ibid*). But what is included is the overall street management expenditure which is not focused or limited to the extra cost caused by street traders' presence but reflecting the cost of management as a whole (*ibid*).

The proposed idea by UGM to use waste recycling as a way of making the model cost effective is an attempt to create a source of revenue out of the waste created in the area. This was proposed with hope that it will help in making the area of study clean but at the same time creating revenue through which the PSSTMM can be financed. In a site visit on the 27 August 2014 with UGM deployment and waste management experts (Bilal Patel and Greg Baptist respectively), it was mentioned that for waste recycling they are looking for waste that is recyclable which includes cardboards, plastic bags and bottles. With regards to waste collection it was observed most waste that is generated in the area is in form of organic waste, which is waste that comes from plants or animals that is capable of being decomposed by bacteria or other living organisms. This kind of waste was not of any significance to what they were looking for which was cardboards, plastic bags and bottles and the conclusion was that very limited funds can be raised from the recyclable waste that was present on that day. From what I observed early in this same day this type of waste was collected by people who looked like street adults driving trolleys. I would suggest, instead of only trying to creating funds, which is understandable for UGM as a business, traders should be concerned about developing innovative ways to make the model more cost effective. This includes asking traders to clean their place of trade with the benefit of getting a discount on fee that is expected from them.

With regard to the deployment of urban cleaners and security ambassadors it became evident that UGM when it comes to this aspect give much value to service level agreements (SLA), an agreement stating what level of services the City/the private provider will each provide respectively, which is negotiated by CJP in all CIDs in Johannesburg according to CJP (2014). In a site visit taken with UGM on 27 August 2014 to the area of study the UGM deployment expert noted that the deployment cannot be done until the role of JMPD and Pikitup, a municipal entity responsible for waste management, in the management model is understood. For example, UGM wanted to know

whether UGM security ambassadors and urban cleaners were to work in cooperation with JMPD and Pikitup. If this is the case then they noted that there is a need to know the number of JMPD officers who will visit the area on a daily basis. Furthermore, they noted that there is also a need to understand the extent to which they will go with their work (these are their responsibilities so as to ensure that UGM security ambassadors do not duplicate work that has been done). This was a disappointment to us as it meant a SLA had to be done first before estimations were to be done and this resulted to misunderstandings as UGM thought it was a responsibility of CUBES to do this, as a result asking CUBES to provide this information.

5.4. Concluding remarks

This chapter has demonstrated the changing roles of different stakeholders in the model as negotiations progress, this includes a situation where initially CJP wanted the City to subcontract and pay CJP to manage the model. Then after the first round of negotiations it was traders not the City who were expected to pay, and the role of the City shifted to that which the City is expected to support by tolerating the PSSTMM and accepting that the PSSTMM will 'legalise' all existing traders, if it happens that a design plan allow this to happen. The latter principle is also a result of shifts that have happened over time, initially PSSTMM started with SANTRA legal members only. Furthermore, the composition of the precinct management committee has also shifted; where initially it started with only SANTRA from the side of traders but continued later to acknowledge that are also OVOAHA and perhaps that some traders on the ground belong to SAITF or are not registered. Consequently, this changed the very definition of stakeholders', as the process goes, as knowledge is built. Another principle that has shifted is that of the amount of the fee required from traders as there were attempts to reduce the cost of management and this include the argument by CUBES to accommodate all existing traders as to reduce the fee required from each trader, waste recycling as an initiative by UGM to make the PSSTMM more cost effective, is another attempt.

The principle renegotiation process of the PSSTMM has demonstrates very clear that all the stakeholders involved in the negotiations come from very different background with different interests. CUBES as a platform for academic learning, is concerned with issues of social justice as this is our commitment to society. This has made us side with the most vulnerable in society and in this case traders. The same applies to the eThekwini experts, who come from organisations concerned with protecting street traders. CJP, although it is not for Profit Company, it works with businesses which are concerned about making profit and in the literature review it has been highlighted that the initiatives by this group in the past did not show any sympathy to street trading. UGM is a business concerned with sustaining itself by making profit. In these negotiations compromises for

the sake of progress were required from each stakeholder. It is imperative to note that in most forms of management or negotiations for them to progress compromises are important and through these compromises, although people lose from their original positions but the gain of what could have been lost if other actors decided not to compromise I believe in the PSSTMM are above to what could have been lost.

CUBES which is not really sympathetic to private management of street trading or to supporting CIDs and CJP as central broker between traders and the state compromised this position. But In this context where there was no alternative in sight, CJP being recognised as progressive by traders compared to the City; the growing restrictive stance of the City on pavement trading, this model was seen as an opportunity by CUBES to push some principles and exploring ideas. This include the idea of starting from the ground (accommodating all traders) and designing models of street trading management (design, structure) – rather than the reverse. Moreover, this model was seen by CUBES as an initiative to build a precinct based committee that is inclusive and perhaps even centred on street traders, and doing away with restrictive approach. As noted in the literature review CJP have in the past adopted a zero tolerance position towards street trading. In this position they have not only prevented street traders from participating in management of CIDs but also they have lobbied the City Council to extend street trading prohibition to the City Improvement Districts (Bénit-Gbaffou 2014a). Moreover, Bénit-Gbaffou (2014a) notes that the CJP have supported the City's intentions of locating all street traders in markets (or later linear market) and prohibit other pavement for trading.

In the PSSTMM negotiations, CJP was compromising on their position and Bénit-Gbaffou (2014a) note that its members might have possibly been divided on this issue. As noted elsewhere in this paper CJP saw this as an opportunity to respond to criticism around CIDs, of excluding traders in decision making process and allowing them to trade in CID territories. Furthermore, this for CJP is an attempt to obtain both academic and street trader's legitimacy as traders, apart, from the RID are very critical of CJP''s management approach. SANTRA in the PSSTMM is compromising to include CJP so as it will teach them to manage, something which they can use in the future without CJP. But also they want to respond to international and national criticism towards a trader led management model that usually lead to corruption and enrichment of leaders at the expanse of traders on the ground (ibid). In this pilot project these stakeholders have placed themselves in a possible uncomfortable position to embrace something which they do not support.

The understanding of the stakes of different stakeholders and the principles of the PSSTMM with shifts to them allows this research to answer the research question but first I want to remind the

reader about the key question that need to be considered to determine if the PSSTMM is progressive or not. This paper considers whether the PSSTMM supports street traders in their endeavours to make a living by accommodating or giving permission to majority, if not all, existing street traders to trade and giving support to traders in a form of services. Here we need to look at the proportion of existing traders that a management model has given permission to trade and, at principles that prevents traders an opportunity to trade. For example, the amount of the fee (if any) requested for trading, to tell if a management is inclusive or not. The PSSTMM has shifted from only accommodating SANTRA members to attempts to accommodate all existing traders, if it happens that a design plan allow this to happen. The PSSTMM also provide support in a form cleaning and security, this is good for their businesses as it means more potential customers will visit the area because of improved safety and cleanliness.

However, despite that I feel it is necessary for traders to at most contribute financially or in any other form to services that support them in context where the City is not being responsive to this matter. I feel the contribution asked in the PSSTMM is too high and it might result to other traders being prevented to trade. Based on these perspectives it can be argued that the PSSTMM is progressive in providing support in the form of providing services talked about above, and in making it clear that its intention is to try and accommodate every trader. Moreover, it is progressive in allowing traders, amongst other stakeholders, to be part of the policy formulation process. In this process, involved stakeholders through compromises have developed a plan agreed to by all. But this is undermined by the fee asked from traders and I suggest that to further make the PSSTMM progressive, participants of the PSSTMM need to focus on improving this principle. I have suggested elsewhere in this paper that instead of only focussing on waste recycle in a form of cardboard, plastic bottles and increasing the number of traders to try to lower this fee traders need to be asked to clean their place of trade with the benefit of getting a discount on fee that is expected from them. This will lower the cost as there will be few money spent on hiring cleaners but at the sometime allowing traders who cannot afford to access trading spaces by dedicating themselves to cleaning. Furthermore, if traders are very eager about being part of management they should volunteer to participate in cleaning amongst others, to compliment the efforts of the City or of the private sector.

Chapter six: The role of a planner (CUBES) in intervening to facilitate the Park Station Street Trading Management Model principle renegotiation process

6.1. Introduction

One of the important themes that dominates in the planning literature about state organised participatory processes on public affairs is that there is a qualitative difference between "genuine, bottom-up public engagement that informs a planning process, and the mere façade of participation in the face of continued top-down decision-making" (Sokol 2012: 16). The engagement about the Park Station Street Trading Management Model (PSSTMM) does not fall within the above range because the council has not started a process of genuine consultation with regard to this initiative. Consequently, the PSSTMM is understood to be an invented space of participation, an initiative taken by SANTRA and CJP that might (or might not) be taken into consideration by the City. The position of the PSSTMM is to try and contest (in polite and constructive ways) the way the Council has managed street trading so far. Thus this form of planning has been identified as an invented space of participation because it is challenging the status quo. In light of this, it is important to note that when people come together to negotiate, in whatever context, there will be varying interests presented and everyone will push for his/her interests to prevail. This could lead to increased levels of contestation and conflict, however, facilitation is necessary to ensure that everyone is heard and some needs are met through compromise. This chapter adopts the details discussed in this research on the role played by CUBES, as a planner that facilitated the negotiations between stakeholders involved in the PSSTMM principle construction process, to understand how this role fit to planning.

This chapter start by unpacking the notion of invented spaces of participation, understanding how it is different to invited spaces of participation where non state actors are afforded space by the state to voice their needs. This is followed by a discussion that attempts to unpack how the PSSTMM renegotiation process relates to planning. One of the noticeable relations to planning in this process is collaboration that exists between SANTRA and CJP, which might be collaborative planning between these two groups, perhaps with also the CoJ in future. This planning approach, collaborative planning, is discussed in this chapter from its theoretical perspective, where its main tenets are used to evaluate the extent to which the PSSTMM principle renegotiation process can be said to be collaborative planning. My interest in this chapter are inspired by J.A. Throgmorton's cases study "On the Virtues of Skillful Meandering" (2000) cited in (Sokol 2012) who writes about a contradictory role he experienced while promoting communicative and advocacy planning. This case study is discussed in this chapter and I find it being similar to some of the actions by CUBES on the PSSTMM. In particular, the contradictory role which CUBES also faced in the PSSTMM principle

renegotiation process. Lastly this chapter will discuss and look at how CUBES has navigated this contradictory role.

6.2. Unravelling the notion of invented spaces of participation

Miraftab (2009) notes that there exist spaces which are claimed by disadvantaged/marginalised members of society from or against the power holders/authorities, or created more autonomously by them. She further states that these spaces are different from those which are created or made available to non-state actors to voice out their interests, "invited" spaces of participation. According to Miraftab (2004: 1), "invited" spaces of participation are spaces occupied by "grassroots and their allied non-governmental organizations that are legitimised by donors and government interventions". Miraftab (2009) believes that the ineffectiveness or lack of positive outcomes in invited spaces to those that participate is a consequence or a result in participants creating "invented" spaces of participation as a response. Miraftab (2004: 1) defines invented spaces of participation as being participatory spaces that are "occupied by the grassroots and claimed by their collective action which directly confront the authorities and the status quo" as opposed to invited spaces. Gaventa (2006) says invented spaces range from those which are created by members of society who meet to debate, discuss and resist the status quo outside the institutionalised policy arenas, to spaces created by social movements and community associations.

Miraftab (2004) argue that the two spaces of participation discussed above are not "mutually exclusive" because at times grassroots in advancing their course move between the two spaces trying to take advantage of different aspects presented in both spaces. Miraftab (2004: 3) further note that in most cases such practices "follow no blueprint, but are situated in their specific contexts" as grassroots make use of what is appropriate and effective for them in a specific time and place. For example, grassroots might use 'formal' cooperative space such as attending consultation meetings organised by authorities where they feel they will obtain a positive response to their demands. Where they feel their demands can be meet through the use of 'informal' oppositional/antagonistic forms such as rallies, demonstrations they use them. Consequently, invented spaces of participation according to Miraftab (2004) cannot necessarily be distinguished from invited based on their affiliation with fixed groups as grassroots may move across or occupy both kinds of spaces. However, disobedience to institutionalised procedures of the state by grassroots actions experienced on invented spaces of participation which directly challenges the status quo is what distinguishes this space from invited space of participation.

6.3. Park Station Street Trading Management Model (PSSTMM) principle renegotiation process as collaborative planning

Healy (1996) argues that the discourse in the planning literature on alternative models of public participation/engagement reflects the "communicative turn" in planning theory towards a collaborative consensus building approach. The essence of this change in direction is understood as a reorientation towards an interactive planning process where societies, citizens assemble to engage, before coming up with a collective consensus on their affairs, as opposed to competitive interest bargaining (Healey 2003 in Sokol 2012). Harris in Allmendinger and Tewdwr-Jones (2002: 24) notes that, although, advocates of collaborative planning, "have not presented it as a theory rather as a form of practice, this approach is a product of the complex interweaving together of two distinct bodies of theoretical work". This is communicative approach to planning theory and institutionalist sociology and regional economic geography (*ibid*). However, it is "communicative planning theory that provides the essential foundations and underlying principles to collaborative planning in the sense of devising preferred styles and approaches to planning" (*bid*: 24).

The main theoretical resource behind communicative planning theory is the theory of communicative action, presented by Jürgen Habermas in his 1984 publication, *The Theory of Communicative Action*. Huxley (2000) writes that Habermas in his publication connects communicative action to the lifeworld. This is "the world of everyday life outside the system, the formal economy, and the state-and free from the media of money and politics" (Huxley 2000: 370). In contrast, Habermas identifies the other space of engagement separated from the lifeworld, as comprising of business interests, power, media, and the state where decisions are taken on bases of technical and purposive calculations (ibid). The position of planners in his theory is understood to be limited as a "state-organised" activity which supports the status quo and forces of capital and thus whose penetration into the lifeworld is seen as an invasion (Mkhize 2012).

Ideally then, for Habermas, communicative rationality is when all those who are concerned take part freely and equally, in a cooperative search for truth where nothing coerces anyone except the force of better argument (*ibid*). He further suggests that the search for the truth and better argument will lead to the rational decision being made (*ibid*). This is one of the main focuses of communicative theory, an attempt to ensure that the process of reaching consensus and a rational decision is fair, by making sure that it is not influenced by things existing outside the 'lifeworld'. This includes power, which can prevent an opportunity for people to participate equally. Some of these elements are noticeable in the PSSTMM principle renegotiation process, for example, that which advocates for inclusiveness of all those who are concerned. The process, although it was between SANTRA and

CJP, there was consensus that going forward other street traders organisation who are also affected and the CoJ should be brought to this development.

Although, this theory (communicative action) has played a significant role in the development of communicative planning theory, it has received criticism in planning and some of the arguments debunking this theory are presented below. Communicative planning has been criticised for failing to address issues of power in spaces of citizenry participation (Huxley 2000, Innes and Booher 2002). Another critic directed to Habermas's theory of communicative action, is its denial and suppression of difference in favour of unity" (Harris in Allmendinger and Tewdwr-Jones 2002). Figure 6.1 below illustrates the key dimensions to communicative planning theory. It is important to note that communicative planning theory in practice manifest itself in different forms and collaborative planning is one of those, however, the key dimensions provided in figure 6.1 represent those elements which are common to all practices which manifest as a result of communicative planning (*ibid*).

- "Recognition of the social construction of knowledge and the exercise of both practical reason and scientific knowledge".
- "Internal within social contexts acknowledged as of importance".
- "Identification of diverse interests and the subordination of interests through relations of power".
- "The concept of stakeholding, spreading ownership and the range of knowledge and reasoning".
- "A shift from competitive interest bargaining to collaborative consensus building".
- "Recognition of planning activity as being embedded in day-to-day relations; the linking of practice and context".

Figure 6.1 (above) original coined by Healy 1997, taken from Harris in Allmendinger and Tewdwr-Jones (2002: 26) illustrates key dimensions to communicative planning theory.

Innes and Booher (2004) made observations which were also made during the PSSTMM principle renegotiation process. They note that one of the key underpinnings of the collaborative process of planning, which derives from communicative planning, is that it empowers participants through mutual learning. The PSSTMM principle renegotiation process has given different stakeholders an opportunity to learn from each other. One example to this is that participants in the PSSTMM principle renegotiation process had an opportunity to learn about some of the management models

used elsewhere in the world as CUBES provided this information, including inviting the Durban experts to share their experience on street trading management. In return, CUBES and other participants were presented with an opportunity to learn about the contextual intelligence that only street traders knew about. This includes their ability to identify areas which are profitable for street trading. The area of study was identified as one of the most profitable areas in Johannesburg for SANTRA members; this area is identified by SANTRA as an area that host traders who might be capable to pay for their own management.

Corburn (2003) cited in Sokol (2012) argues that the concept of mutual learning or two-way education amounts to co-production of community knowledge. This tenet forms part of the underpinning principles of collaborative planning derived from communicative planning. Corburn (2003) in Sokol (2012) suggests that the co-production model of community knowledge is a result of combining expertise of professional practitioners with the contextual intelligence that only local residents possess. The professional practitioners on management in the PSSTMM principle construction process have been identified as CJP with street traders being identified as possessing contextual intelligence. In Johannesburg, the coming together of private sector business coalition, academic platform CUBES, and a street trader organisation to attempt developing a solution in a consensus manner is something rare, which generates knowledge at least for planning.

This knowledge can be characterised as a mixture of expert understanding of management and local knowledge or understanding of the local context through which traders work in. Furthermore, this knowledge can also be understood as being shaped by different interests, world view and practical compromises. CJP focused its research into the North American experience of curbing Inner city decay as noted in the literature review and the entire CID package was imported to Johannesburg with less consideration of contextual knowledge especially of street traders as they were prevented a voice in decision making. The combination of the CJP management approach which in this research is labelled as ‘expertise of professional practitioners’ with street traders contextual intelligence is a generation of new knowledge in the context of private sector led urban management.

Healey (1997) identifies the concept of stake-holding as one of the important concepts in the model of collaborative planning which is also identified in figure 6.1 as forming one of the key dimensions to communicative planning. Harris in Allmendinger and Tewdwr-Jones (2002) explains that this concept is interpreted in the work of Healey (1997) as simply referring to all those who have a stake/interest in a particular place. Moreover, the nature of these stakes/interests is acknowledged by Healey (1997) as being diverse and because of diversity these interests conflict with each other at times. This requires stakeholders to compromise to reach a consensus for the sake of progress. It is

important to note that the concept of diversity in collaborative planning does not extend to an extent of 'radically' giving 'voice' to poor and marginalised groups as advocated by Sandercock, (1995), rather, it is more concerned about giving the 'voice' to diverse groups. The tenet of diverse stakeholders in collaborative planning is also evident in the PSSTMM principle construction process where all stakeholder involved had a stake/interest different from the other. However, through compromises, the following discussion briefly demonstrates how a consensus was reached in one of the principles discussed in the PSSTMM renegotiation process.

In the negotiations between SANTRA, CJP and CUBES, CJP believed that the area of study is not properly managed and this contributes in creating some of the urban management issues experienced in the RID precinct an area which they manage. Their interests in the PSSTMM principle renegotiation process included getting the area of study under adequate management and decreasing the number of traders that are currently trading in the area. As noted in CUBES (2014) CJP has been calling for the study area to be regulated because of its proximity to the RID territory shown in Map 1.1 and affecting it. In a meeting held on the 26 May 2014 CJP expressed its concerned about the negative urban environment impact accommodating all traders will have in the precinct. On the other side CUBES was concerned about protecting all traders, with SANTRA being divided between protecting their members and all traders (this is discussed in chapter five in detail). CUBES, which its role and interest is discussed further in the section that follows, proposed that an urban designer should be asked to investigate the number of traders that can be accommodated in the area without infringing the rights of other users to use the street and this resulted in compromises being made to reach a consensus allowing such study to occur before the number to be accommodated is decided.

The institutionalist and regional dimensions identified above are regarded by Harris as an analytic complement to the normative framework provided by communicative planning theory, and they draw heavily on Giddens' theory of structuration (Healey 1997). Giddens's theory of structuration argues that social life is more than random individual acts; moreover, it is not merely determined by social forces (ibid). Instead, according to Giddens, human agency and social structure are in a relationship with each other, and it is the repetition of these acts, which are influenced by social structures, which reproduces social structures (ibid). Healey (1998) cited in Harris note that one of the significant concepts of institutionalist and regional dimensions to collaborative planning is that of "place", which is understood as a social construct (Harris in Allmendinger and Tewdwr-Jones 2002). This means places are no longer simply assumed to have the same meaning of just being a physical space; as a result places have become subjected to competing definitions between different

groups (*ibid*). In addition, Healey (1998) notes that places are becoming the product of competing and collaborating groupings in space, and "may sustain multiple meanings and references contemporaneously" (*ibid*: 34).

The PSSTMM principle renegotiation process also demonstrates the above observation and argument about the concept of place. In this process the varying definitions coming from different participants of what should the area of study look like were very obvious. One example amongst many was that of defining the number of street traders which should be accommodated as different participants had different ideas and justification on how the place should look like with regards to accommodating street traders. CJP was very concerned about the negative impact 411 street traders will have on the environment and advocating that only half of this number should be accommodated. Whereas CUBES argued that if everything can be done in a correct way 411 traders can be accommodated in the area. SANTRA's leadership was divided between accommodating all traders and only accommodating half of them.

6.4. The contradictory role of a planner: the communicative and advocate planner

Forester (1999) cited in Sokol (2012) adopts the process-oriented focus of communicative theory, as also adopted by Healey (1997) on collaborative planning, by arguing that planners are "deliberative practitioners". Forester meant that, planners as deliberative practitioners, their work revolves around attempts taken collaboratively to investigate how participants can live together (*ibid*). Furthermore, Forester (1999) cited in Sokol (2012) argues that the primary goal of a deliberative practitioner should be about ensuring that the ideals attached to communicative planning theory becomes a pragmatic reality rather than an empty promise. Communicative planning theory is criticised by Beauregard (1984) cited in Sokol (2012: 18) for focusing too much on the process of engaging and "the corresponding understatement of substance and outcome". For example, Beauregard notes that communicative planning theory is "devoid of any substantive consideration of the actual consequences that planners produce through their work" (*ibid*). Moreover, similar comments are made by Fainstein (2000) in Sokol (2012: 19) who writes that communicative planning is "a procedural ethic without substantive content". Healey (2003) cited in (Sokol 2012: 18) response to this criticism by arguing that substance and process should not be seen as separated, as criticism assume the latter, rather, "substance and process are co-constituted".

A cases study by J.A. Throgmorton "On the Virtues of Skillful Meandering" (2000) where he talks about his experience while serving his first term on the Iowa City Council, United States of America demonstrates the integration of process and substance (Sokol 2012). Throgmorton, a planning

professor and local politician in Iowa shares both procedural and substantive lessons he learned from 1993 to 1995 where he had to advocate for compact, mixed-use development in the suburb of Long Island through a communicative planning approach. In his article, Throgmoton blends new urbanism and communicative planning theories, as he "combines a discussion of his goals to promote compact, mixed-use development, with recognition of contestable meanings of key concepts, such as residential density, among members of the public" (Sokol 2012: 19). Throgmorton talks about the difficulties he experienced in trying to convince the public that "there is a qualitative difference between simply "packing more dwelling units together" and promoting the new urbanist vision of pedestrian-friendly neighbourhoods. The difficulties from the public were driven by the NIMBYism (Not In My Back Yard) attitude amongst the people of Long Island who wanted to preserve the status quo by rejecting this development. This attitude in the case of Long Island was driven by scepticism based on knowledge obtained from past experiences, where some people in the suburb were displaced in their previous homes because of urban renewal. The process of communication, transparency over the compact, mixed-use development became important for both officials and citizens in minimise negatives as it managed to alter some of the pre-conceptions and fears.

Sokol (2012) argue that this case study demonstrates a conflict between the desire to advocate for mixed - compact development, and communicative theories regarding the appropriate role to be played by professional planners. Forester (1999) cited in Sokol (2012: 19) explains that the role of a communicative planer is to "act as both a negotiator seeking to maintain a fair process and mediators managing the conflictual planning or design process itself…interestedness of a negotiating role threatens the independence and presumed neutrality of a mediating role". Here, Forester suggests that instead of planners setting the terms of debate or monitoring a course of action, planners now should be comfortable as facilitators to a process that promotes inclusiveness with regard to those who are concern to take part freely and equally (*ibid*). Planners should be "mere absorbers of public opinion, waiting for consensus to build" [Sokol 2012: 20). Forester (1999) cited in Sokol (2012: 20) note that, from this approach, communicative "mediator-facilitators" are "allegedly, at least in theory, have no interests of their own, no commitments to anything but the processes" of finding rational decisions though collective engagement as opposed to decisions taken on bases of technical and purposive calculations (*ibid* 20).

The role of the new urbanist planner in the case of Long Island, however, invokes the thoughts of Paul Davidoff, who argues that an, "appropriate planning action cannot be prescribed from a position of value neutrality, for prescriptions are based on desired objectives" (Sokol 2012: 20).

Davidoff (1965) argues that a planner is not solely a "value-neutral" technician; but instead, the planner's values are part of every planning process. He further notes that the role of an advocate planner is to be a representative for the marginalised groups and to advocate on their behalf. Moreover, Davidoff (1965) suggests that advocate planners are providers of information and analysts of current trends that are taking place to better inform the groups they represent. This is to say advocate planners are simulators of future conditions and they are responsible for expressing the interests of their 'clients'. Most often, Davidoff (1965) argues that advocate planners should attempt to merge their values with that of their clients (marginalised groups).

This conflict (neutral/impartial mediator/facilitator and advocating for certain interests) between the two theories when applied simultaneously exposes a planning process that attempts to build consensus to possible acts that undermines the consensus building process. For example, planners might use their positions as facilitators to 'strategically' supress interests of other stakeholders over those that they advocate for. The following section seeks to understand how CUBES have navigated this conflict. It is important to note that it might be possible that CUBES's action in the PSSTMM principle renegotiation process have taken other forms of planning approaches but in this chapter I am interested in the two discussed above. CUBES was a communicative planners as our role was to mediate/facilitate the collaboration between SANTRA and CJP to maintain a fair process where participants equally treat each other. On the other hand CUBES also feed in information in a form of conducting research (including that of provide the number of traders on the ground) to be used in the negotiations. Furthermore, CUBES was more than a neutral mediator/impartial as we demonstrated our interests in the negotiations which one of them is discussed in detail in the section below.

6.5. The collaborative-advocate planner in the Park Station Street Trading Management Model (PSSTMM)

The role played by CUBES in the PSSTMM principle renegotiation process was to facilitate-mediate between different interests to ensure that consensus is achieved, however, as highlighted in chapter five CUBES was more than a neutral mediator/facilitator in this processes. CUBES was also advocating for certain interests, discussed in chapter five, as with the other groups that were involve in the PSSTMM principle renegotiation process. Furthermore, it should be noted that CUBES's stakes which were advocated in the PSSTMM principle renegotiation process go beyond the area of study. They exist to test principles of action and demonstrate to the City and to also CJP that this bottom up approach, negotiating plans based on what is happening on the ground, could work (including design-wise). The interest held by CUBES, amongst many interest discussed in chapter five, was to

see all street traders who are currently trading in the area of study being accommodated. It has been noted in chapter five that this interest by CUBES exists because of our commitment to issues of social justice. Here, social justice is understood as being the protection of equal access to opportunities, as well as siding or defending the least advantaged members of society, particularly the urban poor who at most times receive a weaker 'voice' in society.

This interest held by CUBES is also evident in many of the engagement platforms where CUBES was given a privilege to express its interest on street trading management/issues in Johannesburg. This includes the invitation by the CoJ, amongst many other stakeholders (informal traders, corporate business/formal traders, residents, public transport operators, courts and security cluster, NGOs and academics) to participate on consultation about the "Inner city promulgation and designation of trading areas". Here, CUBES (2014) in a submission to the CoJ, made it clear that the restrictive approach taken by the CoJ towards the number of traders it accommodate will cost the City more, opposed to developing innovative ways of managing all traders.

Another platform where the above interest was expressed by CUBES is in a workshop held on the 25 September 2014. This workshop forms a series of workshops organised by CUBES as a way of providing research support to street traders' organisations as asked by SANTRA, but with all other street traders being invited to discuss various issues affecting the sector. In this workshop on the 25 September 2014, SANTRA mentioned that they want to take the CoJ to court because of harassment and eviction done by City officials. SANTRA argued that these actions are contradicting the ruling of the Constitutional court which asked the City to allow traders to trade while the City was still developing a management plan based on the Business Act of 1991. CUBES advised that SANTRA should not rush into taking the CoJ to court because such legal actions against the City might be helpful in protecting traders which are registered to trade in the City but these actions are not helpful to those who are not registered. However, CUBES noted that such a legal action against the City can be used to threaten the City as a way of forcing them into entering to negotiations that might result into every street trader being accommodated. This advice clearly shows the interest by CUBES of accommodating all street traders in Johannesburg.

The interest of accommodating all current traders in Johannesburg by CUBES also became evident when CUBES was expressing its concern about the amount of payment required from traders during the PSSTMM principle renegotiation process. Especially the initial amount as it was argued that this amount will push traders out of business. As an advocate, CUBES pushed for the above argument to be negotiated, putting forward an argument suggesting that by accommodating all traders the financial burden to traders will decrease, as the total required money to sustain the model will be

shared by many people resulting in a decrease of a fee to be required from individual traders. CUBES also advised that the precinct management committee/management board should not only be made up by SANTRA from the side of traders rather other organisations who might have members in the area of study should also be involved. This further demonstrates the interest of inclusiveness by CUBES. The 'dual' role by CUBES begs the questions, how did CUBES managed to balance advocacy interests with their mandate to facilitate impartial a collaborative planning process?

Firstly I want to argue that if parochial interests are put ahead of broader public interests there are limited chances that social justice is to be achieved. The support for the broader public interest by CUBES that aims at protecting every street trader to be accommodated in the PSSTMM is viewed as a commitment to issues of social justice. It has been suggested in this research that the move as noted in CJP (2014a) to accommodate only SANTRA members which are licenced traders in the area of study which is supported by these traders according to Norman Maluleka (interviewed on 03/04/2014) could be driven by motives of protecting parochial interests. The licenced traders according to Makhetha (2010) are losing the competition of attracting customers to unlicensed traders. In such cases where the general debate is dominated by parochial local interests it is important for the planner to advocate principles that are based on social justice to ensure 'good' planning. However, the dangers of this is that the planner can be immersed in the negotiations to an extent where he/she might end up using his/her position of facilitating to further his/her interest and forget that the collaborative process is about compromises. CUBES, although advocating for certain interests, managed to allow the process to build a consensus as with the principle discussed above where it was agree that the number of traders to be accommodated need to be determined after an urban designer has investigated how many traders in the area of study can be accommodated without infringing on other street users right to use the street. CUBES navigated the contradictory role by understanding different contexts - in cases where narrow/unjust interests were prevailing CUBES intervene to protect the idea of social justice – once this is achieve CUBES took a step back to be impartial.

6.6. Concluding remarks

The planning approach adopted in the PSSTMM principle renegotiation process espouses some tenets of collaborative planning approach; as a result, it has been argued that the renegotiation process can be understood as collaborative planning. In addition, the case of PSSTMM has been used as a laboratory to investigate the role of a planner in collaborative planning. This chapter has talked about the tension between communicative planning's idea that position the planner as a neutral mediator and advocate planner that have certain interest in a planning process. I want to argue that

it is possible to reconcile this tension in practice. This is to say, although, these two planning theories seemingly offer competing views of the appropriate role for professional planners, in practice, facilitation or mediating and advocacy are not mutually exclusive. These two theories if used for the purpose of social justice to achieve public interest they can yield to pleasing consensus agreements. However, this chapter has also talked about the dangers of facilitating-mediating and advocating at the same time, where in cases if this is not done correct it can impact the progress of building a consensus amongst stakeholders. Planners as facilitators can be tempted to use their position to cheat the process which requires compromises and advance their interests. In addition, the interests held by different planners will not always be about deliberately or undeliberate advocating for social justice or public interest; at times planners can see themselves advocating narrow interests because of various reasons. This requires a strong system that would install and enforces ethical behaviour amongst planners, planners that are to serve with integrity.

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SANTRA meeting held on the 10 August 2014 at the City of Johannesburg civic centre

Street trader workshop held on 25 September 2014 at WITS University, hosted by CUBES.

ANNEXURE

Consolidating the Park Station street management model – suggestions

CUBES - Draft 06052014

The street trading management model around Park Station[1], submitted by CJP with SANTRA support to the City on the 3 January 2014 (INFORMAL TRADERS AMENDED SUSTAINABLE MANAGEMENT PROPOSAL RELATING TO SOME TRADING AREAS WITHIN THE JOHANNESBURG INNER CITY) has reference. It is an innovative and promising proposal for sustainable street trading management in inner city Johannesburg, in the current context where municipal capacity is limited.
Three elements in the proposal could be consolidated to make the model more sustainable: financial sustainability, nature of the partnership between SANTRA and CJP, and process of implementation. The purpose of this brief is to initiate a discussion around these three elements.

1) Financial sustainability

1.1. Lack of clarity on the financial model

As currently expressed in the document,

> "It is proposed that the City pays the amount, if approved, to CJP.CJP will release funds to UGM on completion of work and if work has been done satisfactory [...].
> CJP to assist in putting in place a finance system to ensure effective monthly collection from the Informal Traders operating within the public space. [...] The monthly fee has to include the funds due to the City and the financing of all (if any) additional cost incurred to ensure a sustainable managed area .Monthly collections to be reported to the City.

It is unclear for how long this payment from the City to CJP might occur
It is unclear whether the intention is that traders will carry the whole cost so that the management model won't cost the City (if traders fees collection is sustained)
It is unclear which services will be considered a normal part of City responsibility and which additional are to be covered by this fee structure
It is probably against City by-law to pay any service provided (such as CJP) without going to tender.
Lastly the City has not shown willingness nor interest to make this model work. Can we do without this? (see part 3 below)

Suggested:
Clarify the financial model, for instance along the following lines:

[1] The Pilot Project covers the following area - 1. Hoek Street between Park Station and De Villiers Street. 2. Noord Street between Park Station and Wanderers Street. 3.Wanderers Street between De Villiers Street and Wolmarans Street.

"It is proposed that traders contribute a monthly fee to management costs. This fee to be collected by SANTRA and put into *xxx* bank account *(CJP? UG? Special Park Station bank account with CJP-SANTRA as signatories?)*. This fee to be managed by a SANTRA-CJP Park Station board, and to be used to hire relevant service providers to ensue cleanliness, security and administration of the precinct. The service provider to report monthly (?) to the CJP-SANTRA board. *Add necessary auditing and reporting processes.*

NB:

- There is a need to include a proportion of the fee collected through traders to be paid to the City for general inner city management (as is the case in all traders-managed markets around the world). The exact amount must be clarified.
- Whether the amounts collected can, beyond the overall urban management amount, be ring-fenced for these trading areas must be clarified. Will the SPV allow for this, which is usually not permissible in terms of the MFMA?
- Will CJP require a fee for its support? What is that fee?

1.2. Overall cost, traders' fee and financial sustainability

Traders have concerns about the financial sustainability of the model as proposed in the document: A fee of R100 000 per month for 221 traders, which translates into R450 per trader per month, or R23 a day.

Whilst some existing traders may well be able to afford this rate, others will not. To start the model, it is important to attempt to reach existing traders' agreement and conceptualise a sustainable and inclusive model. Furthermore, default in payment will jeopardise the sustainability of the management model and create local conflict: it is better to aim from the start at an affordable fee.

The level of the fee can be negotiated locally when traders are on board – according to what they can afford and the services they will want to add (storage; additional cleaning or security; training; low interest loan; etc.). Best practice shows that engagement with traders on a reasonable fee negotiated against levels of services works better than imposing a fee that might be unaffordable for some. Best practice also shows that a simple differentiated rate is possible. And a differentiated rate - according to the level of service or location or size of the stall - is appropriate when considering trading areas as outdoor retail spaces. This could be an important precedent for other inner city trading areas.

Suggested:

- Ask Urban Genesis for a revised quote (clarify on their administration fee and overheads; security agents' salary – which seems overstated compared to market prices, at R9500 per month). AND/OR obtain additional quote from other service providers.
- Increase the number of trading sites on offer, from 221 (SANTRA members) to about 400. It is estimated that there are 411 traders currently trading around Park Station (02/05/2014). It should be a principle to try to accommodate as many existing traders as possible (see point 3), as long as it is not detrimental to management and business. If there were 400 traders contributing, even if the monthly cost remains at R100 000 per month, the fee would reduce to R200 a month (R10 a day), which is acknowledged as affordable for a wider variety of traders.

- Consider the outdoor trading area as a retail space that is holistic and includes the activity on street and the activity that faces the street. This means bringing the adjoining property owners and shop keepers on board. In the long run, they should be asked to contribute to the management costs (as their property benefits too). In the short run, they could be offered a trading stall in the street to supplement their store, at a higher level fee, to contribute to the management cost.
- Develop a range of rents according to stall size, facilities, and location. A simple typology can be developed with traders themselves – this will increase viability, will be in line with competitive advantage principles of varied retail space and this process will provide the traders with greater agency.
- Traders and traders organisation could also provide their own cleaning and security – or at the very least offer part-time assistance (for payment) for some of these services. This will allow for traders' incomes to be supplemented, ownership to be taken of these processes and buy-in of traders – rather than establishing an "us" versus "them" relationship between security/cleaners and traders.

2) SANTRA-CJP: a partnership with an empowerment component

In the current document, the partnership between SANTRA and CJP in testing and consolidating the model is implicit (SANTRA as a member of CJP) rather than explicit. It would be important to be more explicit about the partnership, and to consolidate what this partnership consists of. It is an important pilot for the inner city.

This must be extended to explore how t he management model can include a traders' empowerment component, and how the ultimate objective (not explicitly expressed in the existing document) of a traders-led management model could be reached.

An actual partnership between CJP and SANTRA (with an empowerment component) to run the street management of Park Station would respond both to criticism towards the CID model (where traders' representatives are not part of management and boards and have no decision-making power); and to (international and national) criticism towards traders-led management (generally leading to corruption and enrichment of the traders leaders at the expense of their constituency).

NB probably this section would require business and legal expertise. Only principles and general ideas are raised here.

2.1. Being more explicit about the partnership and casting it in the model governance system

1) Casting the model as a **SANTRA-CJP partnership**, that builds on (but is different from) experience of street trading management in the Retail Improvement District, and the relationship of mutual trust and understanding that this experience created.

2) Clarify the **role and the functions of each partner**:
CJP: main strengths are its experience in urban management (what it takes, administration); business expertise; networks and lobbying power within the City, with various departments (practical partnerships and perhaps institutionalised ones in the medium run: Joint Venture, MoU), ability to get speedy response from private property owners, history of negotiating

with City, history of urban regeneration initiatives both in partnership with City and individually initiated by private sector, ability to manage funds additional to City services. TO BE COMPLEMENTED

SANTRA: main strengths are its understanding of the sector's need; ability to mobilise and to organise (to be strengthened: election of local representatives for each precinct; accountability of leadership, regular meetings; organisational administration – membership etc.); ability to report events on the street (eyes on the street); vision for the sector's development; links with other trader organisations, history of negotiating with the City. TO BE COMPLEMENTED

3) Agree on a governance model that would entail in particular:

CJP-SANTRA to set up a board (structure of the board to be thought in more details). The responsibilities of the Board would include but not limited to:

- Establishing a joint bank account where traders' fees will be paid directly by traders on a weekly basis

- The CJP-SANTRA board to appoint a service provider to administer the fund, hire cleaning and security services, as well as an on-site coordinator who could be located in SANTRA's office (see section 4 below)

The service provider to report monthly to the CJP-SANTRA Board on their budget and activities, challenges and progress

The CJP-SANTRA Board (and service provider) to hold regular meetings with Park Station representatives (block or street leaders to be elected), and at least an annual meeting with all traders, to present activities and results.

All finances should be transparent and accountable of traders.

The fund to be audited regularly by an external auditor (?)

The Board will also act as a dispute resolution committee and will resolve issues between traders; traders and service providers etc. It will in particular hear appeals from traders who have not paid their fees and consider the merits of each case.

The Board will take up matters of maintenance and urban management with the CoJ that the service provider has been unable to resolve

4) Service provider's functions:

- To appoint a coordinator for the precinct
- - to appoint and coordinate a team of cleaners for the Precinct
  - to appoint and coordinate a team of security agents for the Precinct
  - to solve issues and conflict on a daily basis
  - to weekly check payment of traders' fees
  - to keep track of urban maintenance, management and safety issues and report to relevant city entities or departments,
  - to liaise with relevant city departments on a regular basis

- to facilitate regular meetings with traders leaders
- to prepare monthly report to the CJP-SANTRA board (finances, management, challenges, resolutions)

5) Consolidating links with the CoJ

CJP-SANTRA board to try and establish regular meetings with relevant city departments, and coordinate urban services, in particular to try and institutionalise agreement with relevant city departments (JV, MoU), as has been done in the Retail Improvement District. The model requires in the medium term that the City make an institutional commitment to this precinct with dedicated personnel who can be the link point for matters that arise and with funding for urgent and rapid urban management repairs, as proposed in the Inner City Roadmap.

Key to this model will be institutionalising relations and meetings with the JMPD.

2.2. Ideas for street traders' and their organisations' empowerment

The CJP-SANTRA board and partnership should be in existence for a set time (two or three years), after which SANTRA should be able to manage the precinct on its own. For this, SANTRA needs
- to be trained to understand administration and budgeting (so as to be able to check and control service provider's practice)
- to strengthen mechanisms of accountability, to prevent corruption and capture:
  reinforce internal democracy in the organisation (meetings, elections, formalisation?);
  establish a board of trustees;
  establish a cooperative or a traders' foundation or trust, with traders' share in it.

For each of these dimensions there is a need for some specialised training and facilitation.

An external monitoring of the model, to be conducted under the auspices of the City (DED) could help tracking success or failure, reacting to problems and holding all parties accountable.

3) Kick-starting the model: a process of implementation

3.1. Importance of kick-starting the process even without City participation

In the absence of sustained and constructive engagement with the City of Johannesburg at this stage (in the hope that the model will be in the medium term presented, negotiated and supported by the City so that it can be institutionalised) and in the context where new street trading policies or by-laws will be proposed by the City and opened for public debate,

It seems important and strategic to kick-start the model, to test whether it is sustainable and efficient for street trading management, and possibly to demonstrate, along the lines of the Business Act of 1991, that a managed solution (alternative to prohibition) is working.

3.2. Proposed process

- Financial model and partnership institutions to be clarified
- SANTRA-CJP to call for a meeting of all Park Station street traders (pamphlets, loud hailer), possibly at SANTRA's offices. Shop traders to be invited as well?
- SANTRA-CJP as well as service provider, to present the model to all traders, including governance and accountability measures (regular meetings for Park station traders)

Pending questions:

- Only half of the traders in Park station have smart cards (221 out of 411, perhaps a little more). In principle as well as for pragmatic reasons, the management model should attempt to accommodate as many existing traders as possible (all if possible)
    - Are all existing traders able to apply for a trading site provided they pay the fee? CJP-SANTRA will have to make the case for granting more trading rights to existing traders;
    - What to do with traders who do not accept/are unable to pay the fee?
- There are downsides in starting without City's explicit support:
    - How can CJP-SANTRA ensure that there is no police harassment of street traders paying their fees within the Park station precinct?
        - Involve the media?
        - Constitutional court protection for now (involve lawyers)
    - Suggestion: contact Head of DED Ravi Naidoo to discuss the consolidated model – it its new version it is self-funding (not requiring City's financial support) and not infringing by-laws – limited reasons for opposition).
- Formalising trading spaces within the precinct (even only through demarcated sites) seems necessary for the purpose of management, but difficult not to say impossible without the city's agreement. (How did it happen in the RID?)
- Timelines?

20 December 2013

South African National Retailers Association (SANTRA)
Johannesburg
2000

INFORMAL TRADERS SUSTAINABLE MANAGEMENT PROPOSAL RELATING TO SOME TRADING AREAS OF SANTRA WITHIN THE JOHANNESBURG INNER CITY

Our previous discussions and meeting on 12 December 2013 regarding the above refers.

PURPOSE

The purpose of the proposal is for CJP to assist and advise SANTRA regarding the sustainable management of their members and informal trading within certain areas of the Johannesburg Inner City.

PROPOSAL

Informal Trading areas involved

1. Hoek Street between Park Station and De Villiers Street.
2. Noord Street between Park Station and Wanderers Street.
3. Wanderers Street between De Villiers Street and Wolmarans Street.

Matters of Concern

1. Areas are very busy (pedestrian and vehicle volumes).
2. Placing done of Informal Traders is not logical or coordinated.
3. Informal Traders structures are of a sub standard and create the impression of an unmanaged unhealthy environment.
4. Goods made available by Informal Traders are not logically grouped and will result in health risk (cooked food, fresh food, dry goods, non food items all mixed within small areas /close proximity).
5. Cleanliness of area is poor.
6. Security of area is poor.
7. City infrastructure poor and requires urgent attention (paving, water leaks, potholes and signage).
8. City cleaning and Pikitup services are poor (overflowing refuse bins, containers and dumped refuse on corners).

9. Actual management of Informal Traders in area is poor (SANTRA responsibility).
10. SANTRA corporate governance and management infrastructure to be improved to ensure proper management and management of collected funds. SANTRA has assured that all the members are legally registered with the City.
11. SANTRA Informal Traders members monthly trading fee collection needs to be improved.
12. SANTRA Informal Trading members monthly trading fee has to include the monthly fee due to the City. SANTRA to be able to pay this over to the City monthly and be able to efficiently prove funds collected (bank statements, financial reports and reconciliations).

Matters of concern to be addressed as soon as possible

1. **Cleanliness of area is poor**
   The attached proposal by Urban Genesis Management (UGM) to be implemented as soon as possible.

2. **Security of area is poor**
   The attached proposal by Urban Genesis Management (UGM) to be implemented as soon as possible.

3. **City infrastructure poor and requires urgent attention(paving, water leaks, potholes and signage)**
   CJP to assist in coordinating meetings with City Utilities to address issues.

4. **City cleaning and Pikitup services are poor(overflowing refuse bins, containers and dumped refuse on corners)**
   CJP to assist in coordinating meetings with City Utilities to address issues.

5. **Meeting with related City Departments**
   CJP to assist in convening meetings between the effected City departments responsible for the management of Informal Traders(JPC, DED, Region F, Environmental Health, EMS, JMPD).

6. **SANTRA corporate governance and management infrastructure to be improved to ensure proper management and management of collected funds.**
   CJP to have one on one session with SANTRA to assist them in ensuring that their corporate governance and financial management is compliant. **SANTRA will be responsible for the actual implementation and management of these functions.**

Note that SANTRA will have to become a CJP member to be able to give effect to the above. SANTRA to be responsible for the agreed annual subscription fee.

Please advise soonest if SANTRA accepts the proposal.
SANTRA must advise on intended date of commencement.

Yours sincerely.

Hans Jooste (on behalf of) **Anne Steffny,** Director CJP.
(Sent via electronic mail)

CENTRAL JOHANNESBURG PARTNERSHIP REG NO. (1996/001262/08)

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Directors: I. Mkhabela (Chairperson) · GA Steffny* (V. Chairperson) · C. Lund · K.Nieuwenhuis · A. Szalavicz L.Mashego

*British

3 January 2014

Johannesburg City Council
P.O.Box 1049
Johannesburg
2000

INFORMAL TRADERS AMENDED SUSTAINABLE MANAGEMENT PROPOSAL RELATING TO SOME TRADING AREAS WITHIN THE JOHANNESBURG INNER CITY

Our meeting held on 30 December 2013 refers

Attached previous proposal to SANTRA dated 20 December 2013.

PURPOSE

The purpose of the proposal is for CJP to assist and advise the Johannesburg City regarding sustainable management of informal trading within Johannesburg.
This wil commence with a "Pilot Project" with SANTRA, a member of the CJP, within an agreed area in the Inner City.
The intention is to develop methodology, policy and structure to effectively manage the Third Sector Economy (Informal Traders) within the Greater Johannesburg area which comply with all applicable Legislation and By-Laws.
The process has to benefit and assist the City as well as the Informal Trader Sector.
A Joint Venture (JV) to be drafted between CJP and the City to be a "Special Purpose Vehicle(SPV)" to assist in the management of the Informal Traders.

Participants

The participants will be the Johannesburg City Council (Joburg City) and the Central Johannesburg Partnership (CJP).

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PILOT PROJECT PROPOSAL

The following should be noted regarding the **Pilot Project** –

1. The agreed on geographic area as noted below.
2. The informal traders initially participating are the members of the South African National Traders Retail Association (SANTRA).Future areas will include **all** Informal Traders.
3. The quoted cost applies to security and cleaning only and **not** the CJP work.
4. Future work and areas will be quoted on separately.

Geographic Area Involved

The **Pilot Project** will cover the following area -

1. Hoek Street between Park Station and De Villiers Street.
2. Noord Street between Park Station and Wanderers Street.
3. Wanderers Street between De Villiers Street and Wolmarans Street.

Matters of concern and proposed solutions relating to the Pilot Project area

The following are the most obvious matters which have to be resolved as well as the proposed interim solution within the **Pilot Project** -

1. ***Problem*** - Areas are very busy (pedestrian and vehicle volumes).
   Solution – Interaction with JRA,JMPD and SAPS.
2. ***Problem*** - Placing done of Informal Traders is not logical or coordinated.
   Solution – JPC, DED, JMPD and CJP to plot/demarcate area/stands for traders to operate from. Stands to be numbered, allocated and properly listed / documented.
3. ***Problem*** - Informal Traders structures are of a sub standard and create the impression of an unmanaged unhealthy environment.
   Solution – JPC, DED, JRA, JMPD, Environmental Health and CJP to revisit previous work done regarding practical, aesthetical acceptable structures.
4. ***Problem*** - Goods made available by Informal Traders are not logically grouped and will result in health risk (cooked food, fresh food, dry goods, non food items all mixed within small areas /close proximity).
   Solution – JPC, DED, JMPD, JRA, Environmental Health and CJP to develop a policy on the placing of grouped goods as not to cause a health problem.
5. ***Problem*** - Cleanliness of area is poor.
   Solution – Pikitup and CJP to propose coordinate and implement an interim plan **(quote attached).**
6. ***Problem*** - Security of area is poor.
   Solution – CJP, JMPD and SAPS to propose, coordinate and implement an interim plan **(quote attached).**
7. ***Problem*** - City infrastructure poor and requires urgent attention (paving, water leaks, potholes and signage).
   Solution – CJP, JRA, Joburg Water, City Power and JDA to propose, coordinate and implement an interim plan.
8. ***Problem*** - Actual management of Informal Traders in area is poor.
   Solution – *CJP, SANTRA, DED and JPC to* propose, coordinate and implement an interim plan.
9. ***Problem*** – Collection of monthly levies due by Traders operating within the public space –
   Solution – CJP, JPC, DED and SANTRA to propose, coordinate and implement an interim plan. Has to comply with all applicable legislation, corporate governance and financial control. Has to include the funds due to the City and the paying over thereof.

Proposed interventions during Pilot Project

1. **Cleanliness (Quote attached)**
   The attached proposal by Urban Genesis Management (UGM) to be implemented as soon as possible. It is proposed that the City pays the amount, if approved, to CJP.CJP will release funds to UGM on completion of work and if work has been done satisfactory.
   CJP will coordinate meetings and site visits with UGM and Pikitup to ensure quality cleaning.
   Weekly reporting to be done on process and quantity refuse removed.

2. **Security (Quote attached)**
   The attached proposal by Urban Genesis Management (UGM) to be implemented as soon as possible. It is proposed that the City pays the amount, if approved, to CJP.CJP will release funds to UGM on completion of work and if work has been done satisfactory.
   CJP will coordinate meetings and site visits with UGM and JMPD to ensure quality of service.
   On site security (Public Safety Ambassadors/PSA) to inter act with traders and report incidents immediately to ensure quick and effective response. Response to be done by UGM and JMPD.
   This will ensure a cohesive safe and secure environment.
   Weekly reporting to be done on process and incidents.

3. **City infrastructure poor and requires urgent attention(paving, water leaks, potholes and signage)**
   CJP to assist in coordinating meetings with City Utilities to address issues.

4. **City cleaning and Pikitup services are poor(overflowing refuse bins, containers and dumped refuse on corners)**
   CJP to assist in coordinating meetings with City Utilities to address issues.

5. **Meeting with related City Departments**
   CJP to assist in convening meetings between the effected City departments responsible for the management of Informal Traders(JPC, DED, Region F, Environmental Health, EMS, JMPD).

6. **Collection of monthly levies from Traders**
   CJP to assist in putting in place a finance system to ensure effective monthly collection from the Informal Traders operating within the public space . The process and system to comply with all applicable legislation, corporate governance and financial control . The monthly fee has to include the funds due to the City and the financing of all (if any) additional cost incurred to ensure a sustainable managed area .Monthly collections to be reported to the City.
   Collection must be annually audited and reported to the City.

CENTRAL JOHANNESBURG PARTNERSHIP

As stated above, the work to be done by the CJP has not been costed and is not included in attached UGM quotes.
If the proposal is accepted the CJP will meet with the City to discuss its cost.

Yours sincerely.

Hans Jooste (on behalf of) **Anne Steffny,** Director CJP.
(Sent via electronic mail)

Interview guideline

These questions serve as a guideline that extends to my research sub questions and they attempt to guide a conversation between the interviewer and interviewee with the aim of answering my research question. The aim here is to ask a question labelled 1-5 below. The answer to be provided by the respondents will be shaped to answer the sub questions of the questions below. This is to say I will only interfere to the respondents answer only in cases where her or his answer diverts from these questions.

1) Can you please talk with me about the stakeholders involved in the 'model' how they have come together including how often they meet?
    a. Who,
    b. The type of relationship (personal, professional)
    c. Meetings
    d. Role of each
    e. Issues
2) What is the model regulating or entailing?
    a. Cleanliness
    b. Security
    c. Traders issues (conflict / relationship with city)
    d. The provision of Infrastructure and what kind?
    e. Training?
3) Financing the model- How is the model going to financially sustain itself?
    a. Costs of regulation/ service provision expected
    b. Who is expected to contribute
    c. Traders fees – how is it determined? Affordable? Sufficient? Flat rate?
4) Can you kindly talk about the structure of accountability
    a. Who report to whom for what purpose
    b. How and what happens if people do not 'comply'?
    c. The place of traders in the model – elections?
    d. Allocation of trading spaces- how does it work
    e. Sanctions if non payment
5) What are processes in place for implementing the model and what are challenges affecting these processes?
    a. The way forward and targets which are aimed to be achieved in what time?

b. The challenges that have been faced with and the projected challenge?
c. How do you convince traders?
d. City's openness to this

Parktown Street Trading Management Pilot

Draft 20 June 2014

This pilot is proposed by Central Johannesburg and SANTRA, in alliance with the City of Johannesburg. It is a development of the proposal sent by CJP to CoJ (CJP 2014), further refined by discussions between CJP and SANTRA representatives, facilitated by CUBES (Bénit-Gbaffou 2014).

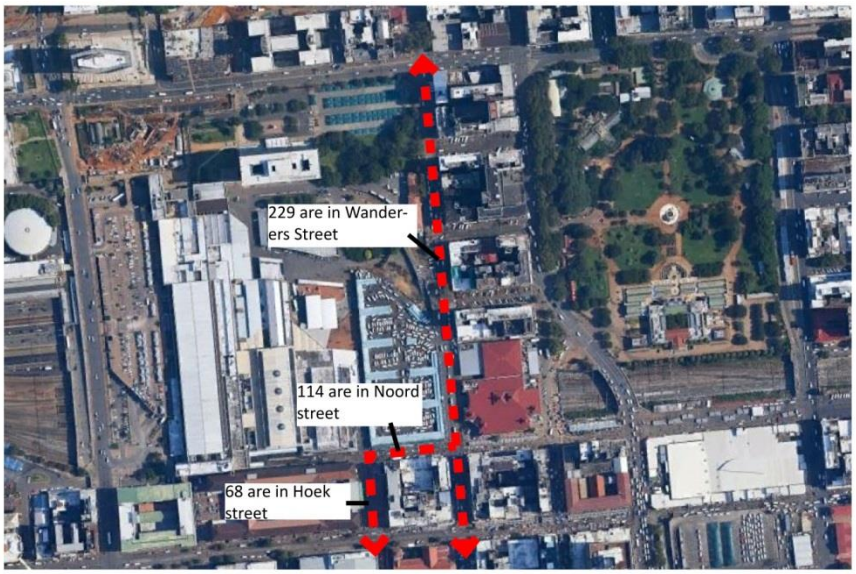
Why Park Station?

The choice of Park Station as a pilot area for street trading management makes sense for both leading organizations, CJP and SANTRA. CJP has been trying for some time to have Hoek street traders managed, in the vicinity of the well managed RID (CJP 2006). A number of SANTRA members trade around the station – and it therefore seemed a good space to try and implement the model for the trader organisation.

Furthermore, the City is involved in a major redevelopment of Park station since the mid 2000s (JDA 2006). The 2010 City Traffic and Transportation Study (JDA 2010: 16) has been calling for the establishment of a CID or management precinct around Park Station to manage public space and the diverse and intense flows of pedestrians and goods. Current design plans for Park Stations however show limited interest and attention to the issue of street trading (Ikemeleng 2011)

Both CJP and SANTRA stated that if the management model could work in an area as busy and 'chaotic' as Park Station, there would be scope for expanding the model in less congested areas. This argument makes sense in attempting to manage a busy and congested area – where traders congregate (in what Indian legislation would call a 'natural market'), should be allowed to trade conditional to an extra management effort to be provided.

The pilot model covers three streets surrounding Park Station: Wanderers, Noord and Hoek. It currently comprises about 410 street traders, 221 of which are legal traders (Lande 2104).



Source: Lande 2014.



© Benit-Gbaffou 2014. A View from Hoek Street. Lack of municipal maintenance of pavements in this dense thoroughfare seems a bigger impediment to a good street life and easy pedestrian flow, than the presence of street traders.



© Bénit-Gbaffou 2104. Lack of designated trading sites renders public space difficult to navigate – perhaps more than the sheer number of traders.

The management model

The proposed model relies on similar principles to the RID model (Benit-Gbaffou 2014):

- A precinct management board or committee (in the RID, this is CJP/ RID property owners board) frames the model and monitors its implementation in the precinct.
- It raises a monthly levy from private users (in the RID, property owners), that funds extra street management capacity – mainly cleaning and security personnel, and a precinct coordinator.
- This fund is used to hire a service provider (in the RID case, Urban Genesis), that manages these extra services on a daily basis, and coordinate these with municipal services (Pikitup and JMPD in particular). Its grounded administration capacity guarantees a quick and flexible response to issues arising from everyday activities, as well as the capacity to alert relevant city departments in case of longer standing, structural or capital investment-related issues.
- The precinct management board or committee receives reports from the service provider; works as a link with City officials at a more strategic level (or in case the service provider is unable to get a response from the City); and works towards the institutionalization of the model with relevant city departments (such as through the Joint Venture between CJP and MTC, 2005-2007 in the RID).
- Traders are secure in their trading sites (a variety of which is provided to accommodate different types of trades and traders). They are eyes on the street (avoiding for instance the coming of additional street traders) and report issues to the service provider, with which they meet regularly. Both security agents and the service provider are a first call to solve traders conflicts or issues – if not solved JMPD will be called.

- Newcomers wishing to trade in the area need to apply to a database of traders, administered by the service provider. Allocation of trading spaces (in case a trader ceases to use his/her trading site) is supervised by the precinct management committee on a regular basis.

The main difference between Park Station pilot and the RID street trading management model, is that the Park station pilot operates outside of a CID – therefore, without the levy raised on property owners. This has financial implications: the cost of the extra services is to be borne by traders through a regular fee. It has also political implications. The traders might be able to be more implicated in the management of their own space.

Financial sustainability of the model

One quote from Urban Genesis (2014) unfolds as follows:

Security Personnel	**Work days**	**Number of people**	**Monthly cost**	**Cost per year**
Control room operator (supervisor)	Monday-Sunday	1	R9, 850.00	R118, 200.00
Security ambassadors	Monday-Sunday	6	R9, 550.00	R687.600.00
Total		7	R67, 150.00	R805, 800.00
Cleaning Personnel	**Work days**	**Number of people**	**Monthly cost**	**Cost per year**
Urban cleaners	Monday- Sunday	5	R4, 000.00	R240, 000.00
Cleaning Truck and crewmen	Monday- Sunday	1	R3, 750.00	R45, 000.00
Total		6	R23, 750.00	R285,000.00
Equipment			R8, 472.83	R101674.00
FINAL total			**R 99, 372.83**	**R1, 192,473.96**

Source: CJP 2014

This quote does not include a precinct coordinator; nor does it include the service provider's fee; nor does it include a possible levy to be paid to the City (for the use of public space / to help fund the extra cost of waste removal for instance). Perhaps this levy to the City could be suspended in the first year of implementation of the model, and could be incorporated gradually.

But this quote also had not explored ways of reducing the costs of cleaning, for instance by offering traders the possibility of participating in the cleaning of their area, in exchange for instance for a reduced trading fee – which might lower the overall cost. An alternative quote from another service provider (SAID) is to be seeked.

The pilot may only be sustainable if

- Traders are asked for an affordable fee. If the fee requested is too high, the likelihood of default increases. If the fee is too low compared to the level of business around Park station, it still can be increased to provide for a higher level of services or other types of services (storage space, ablution facilities, crèche, other social services).

- There is proper enforcement of the precinct rule – traders not paying the fee on a regular basis will lose their trading space. The existence of a grounded administrative personnel (who can follow up on payment levels), as well as traders mutual surveillance, can in our view make enforcement implementable. What is needed though is a set of very clear and simple rules, ways of curbing risks of corruption[21], and official backing from the City[22].

The case for trying to accommodate all existing street traders

Currently it seems only half of the street traders have a legal right to trade. Allocation of smart cards has been suspended, in the context of Operation Clean Sweep and the new resolution passed by Council (CoJ 2014).

►The pilot model intends, provided the City agrees to this experiment, to try and accommodate (legalise) all existing traders[23], for the following reasons:

- the model can only work if there is traders buy-in. Whilst some traders certainly would welcome a limitation of the number of traders (seen as competition), starting the process of interaction with traders on the basis that almost half of them would be removed is not a very positive beginning. Starting with an all inclusive approach (provided respect for other street uses is guaranteed) seems a better idea.

- the model is financially sustainable if it relies on affordable fees for traders. A monthly cost of R100.000 for the management of the 3 streets requires traders to pay R500 per month if the streets only accommodate 200 traders. If the 400 street traders are accommodated, the individual fee per traders is at R250 per month (more affordable, even if still significantly higher than the average fee claimed by MTC, R120).

- the pilot model also wants to test what spatial arrangements, urban designs and local negotiation can lead to, if one attempts at adopting an all inclusive approach. The condition for this inclusive attempt is not to jeopardize pedestrian flows and other competing uses of the street. A team of urban designers (related to CUBES) is committed to look for design solutions to try and accommodate all street traders in the managed precinct.

► In a similar way as the RID, the Park Station pilot needs to accommodate the traders in their diversity (with different levels of capital and entrepreneurship). One can elaborate a number of different types of trading sites, with different amenities, different sizes, different locations – with differences in the trading fee, to be debated locally (what are the best locations; the adapted sizes and types of stalls).

[21] For instance, cash circulation might be avoided through traders' fees being paid directly into a bank account on a weekly basis; service provider administrator to monitor payment on a weekly basis.

[22] Traders' payment of fees has been erratic in the RID. It has been explained by two factors. CJP argues that the lack of official recognition from the City (with the non-renewal of the Joint Venture in 2007) led to fuzziness in the rules, where CJP was no longer officially endorsed with the right to collect traders' fees. SANTRA argues that an additional factor has been the financial sustainability of the RID without traders' fees – as it relied on property owners levy. Hence the limited incentive to track payment and carry out traders fees collection.

[23] Except those selling counterfeit or illegal goods – an issue that should be dealt with by SAPS.

For instance, traders with a bigger trading site will pay and afford a higher fee. One could imagine a minimum fee of R10/day per square meter (R50 a week, R200 a month) in the less congested areas.

The model intends to include shop and property owners. Shop owners might for instance hire a street stall at higher price – but cannot take precedence over existing traders. Or they could be asked for a voluntary contribution to managed street trading – when levels of trusts have been estabslihed and visible efficiency has been demonstrated.

Governance of the Park Station Precinct Management Committee

The composition of the precinct management committee, driving the conception and implementation of the street management pilot around Park Station, needs to be carefully thought through. It is not yet entirely resolved, and requires further discussions, advice, and understanding of the political, organizational dynamics of the three streets in the precinct.

The participation of CJP and SANTRA in the committee is essential – as co-piloting the project together. The presence of CJP serves both a watchdog (against traders organization corruption or hegemony), as a mentor (training traders organizations in corporate governance principles), and as a lobby support –due to its long standing relationship with / knowledge of local government). SANTRA is equally essential as the driver of the pilot.

A proper survey of traders and their organizational affiliation needs to be carried, once engagement with traders has started. Although SANTRA is clearly dominant, there is evidence of the presence of members of One Voice, and perhaps of SAITF. It is also possible many traders are not affiliated to any organizations.

It is not clear if there is a shop keeper organization, or major property owners interested in the pilot. If there are such organizations, they probably should be asked for a financial contribution to the pilot, as they also would benefit from managed streets.

The committee will need to accommodate both statutory representatives (of CJP, SANTRA but also perhaps other organizations and local stakeholders), and elected traders representatives (street of block leaders to be elected).

This committee would meet regularly (once a month), with reports from the service provider, to monitor and manage the pilot project. It should also regularly provide feedback to the community of traders working in the precinct (once a quarter or a trimester?).

What support is needed from the City

- An acceptance that all existing street traders are allowed to trade in the precinct, once a design plan has been developed and trading sites are demarcated. This means no harassment of street traders in the precinct by JMPD – unless called by the precinct management committee in case of an unsolvable issue.

- A formal endorsement of the pilot project by the City. This can take the form of a memorandum of understanding, giving the precinct committee some delegated powers (or formalizing a partnership for the precinct committee to participate in specific municipal prerogatives): raising traders fee (en

lieu of MTC fee?); demarcating trading stalls (along a process of professional design and local negotiations); coordinating service provision with the relevant MoEs.

- Financial initial support in the form of suspending the fees traders are to pay to MTC for trading spaces, as traders will be paying the fee to the precinct committee. In the medium term, and along international experience, a proportion of the fees raised by the precinct committee could be paid to the City – depending on its financial sustainability. It might also be that the City needs to indirectly subsidise precinct based management by lifting the trading fee completely.

- It is not clear at this stage how the pilot can / should be integrated in the designs and plans for urban regeneration around Park Station. The City could help ensuring that the two initiatives (of different scales) talk to one another, and perhaps that the committee is included in discussions on public investment and refurbishment of the area.

- Monitoring and evaluation. The pilot should be evaluated annually, where the precinct management committee presents a report to the CoJ/ DED, and incrementally adapts its features, principles and regulations to emerging issues, through a trial and error process. After three years lessons on the success or failure of the model should be consolidated.

Proposed process

- Presentation of the pilot to CoJ/ DED: debating and refining the pilot model.

- If the City/DED endorses the model and once principles are agreed upon/ clarified/ consolidated, a general meeting with all traders, chaired by CJP and SANTRA, should be called to present the pilot, its principles, and debate some of its features. The objective is to get traders buy-in, and agreement on a number of house rules.

- Elections of block leaders should be organized (on a different day), to establish the precinct management committee.

- Other local stakeholders (shop keepers and property owners) should be approached, to get their buy in and voluntary contribution to the costs of street management. Depending on this (?) they should have representation in the precinct management committee.

- CUBES support: facilitating discussions between CJP and SANTRA; helping consolidate the pilot in an advisory capacity; conducting some (limited) research on existing stakeholders and conditions; possibly drafting an urban design plan for trading sites and designs.

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