



**Bitou Local Municipality
Bitou Plaaslike Munisipaliteit
Umasipala WeBitou**

Agenda

SPECIAL MUNICIPAL COUNCIL MEETING

Venue: Council Chambers, Municipal Offices,
Sewell Street, Plettenberg Bay

DATE: 02 FEBRUARY 2024

Time: 09h00

BITOU LOCAL MUNICIPALITY

25 January 2024

The Executive Mayor
Councillors
Municipal Manager and Directors

SPECIAL COUNCIL MEETING: FRIDAY, 02 FEBRUARY 2024 AT 09H00

NOTICE is hereby given that a Special Council Meeting will be held in the Council Chambers, Municipal Offices, Plettenberg Bay on **FRIDAY, 02 FEBRUARY 2024 AT 9H00** to discuss the business set forth in the Agenda.

Yours faithfully



C N J TERBLANCHE
SPEAKER OF COUNCIL

Constitution of the Council

The Speaker, Councillor C N J Terblanche
The Executive Mayor, Councillor D J Swart

Councillor M P Busakwe
Councillor S E Gcabayi
Councillor J N Kamkam
Councillor N P Kolwapi
Councillor S A Mangxaba
Councillor H Mitchell
Councillor T Mhlana
Councillor N Ndayi
Councillor W J Nel
Councillor A R Olivier
Councillor N T Seti



Bitou Local Municipality

Special Council Agenda:

02 February 2024

Time: 09h00

Order of Business

1. OPENING

2. ATTENDANCE

The attendance registers of members of the Municipal Council, Officials will be circulated for signature.

3. APPLICATION FOR LEAVE OF ABSENCE

Application for leave of absence, if necessary, will be considered.

4. DECLARATION OF INTERESTS

Disclosure of interest by Councillors

5. CONFIRMATION OF MINUTES FOR PREVIOUS MEETINGS (OPEN)

None

6. STATEMENTS AND COMMUNICATIONS BY:

6.1. The Executive Mayor

6.2. The Speaker

7. PRESENTATIONS

None

8. ITEMS FOR INFORMATION, WHICH HAVE BEEN DEALT WITH BY THE EXECUTIVE MAYOR IN TERMS OF DELEGATED AUTHORITY

None



9. NOTING OF OUTSTANDING / PARTIALLY IMPLEMENTED COUNCIL RESOLUTIONS

None

10. CONSIDERATION OF REPORTS (NON- DELEGATED MATTERS)

None

11. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

None received.

12. CONSIDERATION OF NOTICES OF MOTION

- 12.9** Notice of Motion received in terms of section 29 (1) and section 58 of the LG: Municipal Structures Act, No 117 of 1998 read with the rules of order dated 25 January 2024 moved by Councillor S E Gcabayi and seconded by Councillor N P Kolwapi titled: "**NOTICE OF INTENTION TO MOVE A MOTION TO REMOVE THE EXECUTIVE MAYOR OF THE BITOU LOCAL MUNICIPAL COUNCIL**"

Circulated herewith.

- 12.10** Notice of Motion received in terms of section 29 (1) and section 58 of the LG: Municipal Structures Act, No 117 of 1998 read with the rules of order dated 25 January 2024 moved by Councillor S E Gcabayi and seconded by Councillor H Mitchell titled: "**NOTICE OF INTENTION TO MOVE A MOTION TO REMOVE THE DEPUTY EXECUTIVE MAYOR OF THE BITOU LOCAL MUNICIPAL COUNCIL**"

Circulated herewith.

- 12.11** Notice of Motion received in terms of section 29 (1) and section 41(e) of the LG: Municipal Structures Act, No 117 of 1998 read with the rules of order dated 25 January 2024 moved by Councillor S E Gcabayi and seconded by Councillor H Mitchell titled: "**NOTICE OF INTENTION TO MOVE A MOTION TO REMOVE THE WHIP OF THE BITOU LOCAL MUNICIPAL COUNCIL**"

Circulated herewith.

13. CONSIDERATION OF NOTICES OF QUESTION

None received.

14. CONSIDERATION OF MOTIONS OF EXIGENCY

None received.



15. IN-COMMITTEE MATTERS

15.1 CONFIRMATION OF MINUTES: (IN-COMMITTEE)

None

15.2 CONSIDERATION OF IN-COMMITTEE REPORTS (NON- DELEGATED MATTERS)

None

16. RECORDING OF COUNCILLORS PRESENT

17. CLOSURE

12.

**CONSIDERATION OF NOTICE
OF MOTION**

PRIOR NOTICE OF INTENTION BY BITOU MUNICIPALITY COUNCILLORS TO THE MUNICIPAL MANAGER AND SPEAKER OF BITOU MUNICIPALITY COUNCIL THAT THE UNDERSIGNED COUNCILLORS REQUIRE AN URGENT COUNCIL MEETING IN TERMS OF RULE 9(4) OF THE RULES OF ORDER OF COUNCIL AND SECTION 29(1) OF THE MUNICIPAL STRUCTURES ACT 117 OF 1998 AS AMENDED.

The undersigned majority of councillors require that an urgent special council meeting be convened to commence at 09h00 in the Bitou council chambers or alternatively in a venue determined by the Speaker on Friday 02 February 2024. The majority of councillors further request the municipal manager to notify a council of Bitou Municipal Council accordingly.

ORDER OF BUSINESS

The business to be conducted will include the moving of a motion of No Confidence in the Executive Mayor, the Deputy Executive Mayor as set out in section 58 of the municipal structures Act 117 of 1998 as amended and Whip of the council as set out in section 41E(1) of the municipal structures Act 117 of 1998 as amended.

Thereafter the election of the Executive Mayor, election of the Deputy Executive Mayor according to section 58 of the Municipal structures Act 117 of 1998 as amended and The Whip of Council according to section 41(A)(1) and (2) of the municipal structures Act 117 of 1998 as amended respectively. The relevant motions of No Confidence will be submitted by Cllr S Gcabayi to the Municipal Manager in terms of the Bitou rules of order.

The order of business will further include the filling of any of the vacancies so created immediately in the same meeting.

Thus, done and signed on the 25th day of January 2024.

Cllr S Gcabayi 

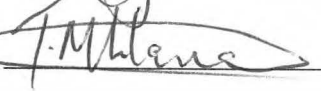
Cllr N P Kolwapi 

Cllr H Mitchell 

Cllr T C Terblanche 

Cllr S Magxaba 

Cllr N Seti 

Cllr Mhlana 

Received: 8:02 am
25/01/2024

NOTICE OF INTENTION TO MOVE A MOTION TO REMOVE THE EXECUTIVE MAYOR OF THE BITOU MUNICIPAL COUNCIL.

TAKE NOTICE that Cllr S Gcabayi hereby give notice of my intention to move a motion no confidence to remove Executive Mayor of the Bitou Municipality from office at the special council meeting requested by the majority councillors for 02 February 2024 at 09h00 in terms of the section 29(1) and section 58 of local government: Municipal Structure Act 117 of 1998 as amended.

Kindly take notice further that this motion is also given in terms of section 36(2) of the by-law relating to the rules of order for the conduct of meetings of the council of bitou local municipality.

MOTIVATION

Most of the councillors which constitutes a majority of councillors of the Bitou municipal council, has lost their confidence in the Executive Mayor of council and no longer supports his leadership and request his immediate removal as the Executive Mayor of Bitou Municipal council.

Thus, it is MOVED in terms of section 58 of the Municipal Structures Act 117 of 1998 as amended.

That the Executive Mayor be removed through a vote of no confidence and that an election to fill the vacancy so created take place at the same council meeting.

Accordingly, you are hereby requested to place this motion of the agenda of the special council meeting petitioned by the majority of councillors in terms of rule 9(4) of the bitou municipal council rules of order for the 02 February 2024 at 09h00 in Council Chambers.

SIGNED AND DATED AT PLETTENBERG BAY ON THIS THE 25TH OF JANUARY 2024.

| | |
|---|---|
| Cllr S Gcabayi <u><i>S. Gcabayi</i></u> (Mover) | Cllr N P Kolwapi <u><i>N. P. Kolwapi</i></u> (Seconder) |
| Cllr S Mangxaba <u><i>S. Mangxaba</i></u> | Cllr T C Terblanche <u><i>T. C. Terblanche</i></u> |
| Cllr N Seti <u><i>N. Seti</i></u> | Cllr H Mitchell <u><i>H. Mitchell</i></u> |
| Cllr Mhlana <u><i>M. Mhlana</i></u> | |

Received 8:02 am
bitou
 25/01/2024

12.10

NOTICE OF INTENTION TO MOVE A MOTION TO REMOVE THE DEPUTY EXECUTIVE MAYOR OF THE BITOU MUNICIPAL COUNCIL.

TAKE NOTICE that Cllr S Gcabayi hereby gives notice of my intention to move a motion no confidence to remove the Whip of the Bitou Municipality council from office at the special council meeting requested by the majority councillors for 02 February 2024 at 09h00 in terms of the section 29(1) and section 58 of local government: Municipal Structure Act 117 of 1998 as amended.

Kindly take notice further that this motion is also given in terms of section 36(2) of the by-law relating to the rules of order for the conduct of meetings of the council of bitou local municipality.

MOTIVATION

Most of the councillors which constitutes a majority of councilors of Bitou municipal council, has lost their confidence in the Deputy Executive Mayor of council and no longer supports her leadership and request her immediate removal as the Deputy Executive Mayor of Bitou Municipal council.

Thus, it is MOVED in terms of section 58 of the Municipal Structures Act 117 of 1998 as amended.

That the Deputy Executive Mayor be removed through a vote of no confidence and that an election to fill the vacancy so created take place at the same council meeting.


Accordingly, you are hereby requested to place this motion of the agenda of the special council meeting petitioned by the majority of councilors in terms of rule 9(4) of the bitou municipal council rules of order for the 02 February 2024 at 09h00 in Council Chambers.

SIGNED AND DATED AT PLETTENBERG BAY ON THIS THE 25TH OF JANUARY 2024.

Cllr S Gcabayi  (Mover)

Cllr H Mitchell  (Seconder)

Cllr S Mangxaba 

Cllr T C Terblanche 

Cllr N Seti N.T. Seti

Cllr N P Kolwapi 

Cllr Mhlana 

Received 8:02
25/01/2024

12.11

NOTICE OF INTENTION TO MOVE A MOTION TO REMOVE THE WHIP OF THE BITOU MUNICIPAL COUNCIL.

TAKE NOTICE that Cllr S Gcabayi hereby gives notice of my intention to move a motion no confidence to remove the Whip of the Bitou Municipality council from office at the special council meeting requested by the majority councillors for 02 February 2024 at 09h00 in terms of the section 29(1) and section 41E(1) of local government: Municipal Structure Act 117 of 1998 as amended.

Kindly take notice further that this motion is also given in terms of section 136(2) of the by-law relating to the rules of order for the conduct of meetings of the council of bitou local municipality.

MOTIVATION

Most of the councillors which constitutes a majority of council of Bitou Municipal council, has lost their confidence in the Whip of council and no longer supports her leadership and request her immediate removal as the Whip of Bitou Municipal council.

Thus, it is MOVED in terms of section 41E(1) of the Municipal Structures Act 117 of 1998 as amended.

That the Whip of council be removed through a vote of no confidence and that an election to fill the vacancy so created take place at the same council meeting.

Accordingly, you are hereby requested to place this motion of the agenda of the special council meeting petitioned by the majority of councilors in terms of rule 9(4) of the bitou municipal council rules of order for the 02 February 2024 at 09h00 in Council Chambers.

SIGNED AND DATED AT PLETTENBERG BAY ON THIS THE 25TH OF JANUARY 2024.

Cllr S Gcabayi  (Mover)

Cllr H Mitchell  (Seconder)

Cllr S Mangxaba 

Cllr T C Terblanche 

Cllr N Seti 

Cllr N P Kolwapi 

Cllr Mhlana 

*Received 8:02
6/1/25
25/01/2025*