

Bitou Local Municipality Bitou Plaaslike Munisipaliteit Umasipala WeBitou

Agenda

SPECIAL MUNICIPAL COUNCIL MEETING

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

DATE: 07 FEBRUARY 2024

Time: 11h00

BITOU LOCAL MUNICIPALITY

05 February 2024

The Executive Mayor Councillors Municipal Manager and Directors

SPECIAL COUNCIL MEETING: WEDNESDAY, 07 FEBRUARY 2024 AT 11H00

NOTICE is hereby given that a Special Council Meeting will be held in the Council Chambers, Municipal Offices, Plettenberg Bay on **WEDNESDAY**, 07 **FEBRUARY 2024 AT 11H00** to discuss the business set forth in the Agenda.

Yours faithfully

E GCABAYI

<u>SPEAKER OF COUNCIL</u>

Constitution of the Council

The Speaker, Councillor S E Gcabayi The Executive Mayor, Councillor C N J Terblanche

Councillor M P Busakwe 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 Councillor D J Swart



Bitou Local Municipality Special Council Agenda: 07 February 2024 Time: 11h00 Order of Business

1. <u>OPENING</u>

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. <u>CONFIRMATION OF MINUTES FOR PREVIOUS MEETINGS (OPEN)</u>

None

6. STATEMENTS AND COMMUNICATIONS BY:

- 6.1. The Executive Mayor
- 6.2. The Speaker

7. PRESENTATIONS

None

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

None

9. <u>NOTING OF OUTSTANDING / PARTIALLY IMPLEMENTED COUNCIL</u> <u>RESOLUTIONS</u>

None

10. CONSIDERATION OF REPORTS (NON- DELEGATED MATTERS)

Circulated herewith

11. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

None received

12. CONSIDERATION OF NOTICES OF MOTION

None received

13. CONSIDERATION OF NOTICES OF QUESTION

None received

14. CONSIDERATION OF MOTIONS OF EXIGENCY

None received

15. <u>IN-COMMITTEE MATTERS</u>

15.1 <u>CONFIRMATION OF MINUTES: (IN-COMMITTEE)</u>

None

15.2 <u>CONSIDERATION OF IN-COMMITTEE REPORTS (NON- DELEGATED</u> <u>MATTERS)</u>

None

16. <u>RECORDING OF COUNCILLORS PRESENT</u>

17. <u>CLOSURE</u>

10. CONSIDERATION OF REPORTS (NON-DELEGATED MATTERS)

PORTFOLIO INDEX CONSIDERATION OF REPORTS												
SPECIAL COUNCIL MEETING												
	7 FEBRUARY 2024											
SECTION 1: OFFICE OF THE MUNICIPAL MANAGER												
ITEM NO	SUBJECT	FILE REF	PAGE NO 8 PAGE NO PAGE NO 15									
C/1/195/02/24	APPOINTMENT OF AN ACTING DIRECTOR CORPORATE SERVICES FOR THE PERIODFEBRUARY 2024 UNTIL 31 APRIL 2024	4/3/5/1/3	8									
	SECTION 2: FINANCE											
ITEM NO	SUBJECT	FILE REF	PAGE NO									
	No Items for information											
	SECTION 3: CORPORATE SERVICES											
ITEM NO	SUBJECT	FILE REF	PAGE NO									
C/3/162/02/24	RE-COMPOSITION OF PORTFOLIO COMMITTEES (SECTION 80 COMMITTEES)	3/2/2/2/4	15									
	SECTION 4: COMMUNITY SERVICES											
ITEM NO	SUBJECT	FILE REF	PAGE NO									
	No Items for information											
	SECTION 5: ENGINEERING SERVICES											
ITEM NO	SUBJECT	FILE REF	PAGE NO									
	No Items for information											
	SECTION 6: ECONOMIC DEVELOPMENT & PLANNING	3										
ITEM NO	SUBJECT	FILE REF	PAGE NO									
	No Items for information											

SECTION 1 OFFICE OF THE MUNICIPAL MANAGER

ITEM C/1/195/02/24

APPOINTMENT OF AN ACTING DIRECTOR CORPORATE SERVICES FOR THE PERIOD FEBRUARY 2024 UNTIL 31 APRIL 2024

Portfolio Comm:Strategic Services & Office of the MMDemarcation:All WardsFile Ref:4/3/5/1/3Delegation:CouncilAttachments:Annexure "A": - Response letter from MEC dated 14 November 2023"Report by:Municipal Manager

Author: Senior Manager Human Resources Management

Date: 06 February 2024

PURPOSE OF THE REPORT

BACKGROUND

The position of Director Corporate Services is vacant at present.

Council at its Special Council meeting of 25 August 2023, resolved under Resolution C/1/162/08/23 to appoint Mrs T Wildeman to act as Director Corporate Services for the period 1 September 2023 to 31 October 2023. The official's acting period was extended by Council at its meeting of 31 October 2023 under resolution C/1/174/10/23;

"

- 1. That Council extends the acting appointment of Mrs. Tanya Wildeman as Director Corporate Services for the period 1 November 2023 to 31 January 2024.
- 2. That Council note that it does not have to apply in writing to the MEC of Local Government for acting period of Mrs Wildeman for the period 1 November 2023 to 30 November 2023, since she has been acting for two (2) months only.
- 3. That Council take note that the Municipal Manager applied in writing to the MEC for Local Government to extend the period of acting of Mrs. TM Wildeman for the period 01 December 2023 until the vacancy is filled, i.e., 31 March 2024, and that Council approves of the action that the Municipal Manager has taken."

An application was submitted to the MEC of Local Government, Environmental Affairs and Development Planning, Minister Bredell, and the response is attached as per annexure A, where the MEC has granted concurrence for Mrs Wildeman to act until 31 January 2024.

Section 56 (1)(a)(ii) of the Local Government Municipal Systems Act, 32 of 2000 states that a Municipal Council, after consultation with the Municipal Manager, must appoint an acting manager directly accountable to the Municipal Manager under circumstances and for a period as prescribed.

Section 1: Office of the Municipal Manager

Section 56 (1)(b) states that a person appointed in terms of 56(1)(a)(ii) must at least have the skills, expertise, competencies and qualifications as prescribed.

Section 56 (1)(c) states that a person appointed in terms of paragraph (a) (ii) may not be appointed to act for a period that exceeds three months: Provided that a Municipal Council may, in special circumstances and on good cause shown, apply in writing to the MEC for local government to extend the period of appointment contemplated in paragraph (a), for a further period that does not exceed three months. A written application has been submitted to the MEC for local government to extend the period of appointment until the vacancy is filled if council approves the extension. (Annexure B)

In terms of the Local Government: Municipal Systems Act: Regulations: Appointment and conditions of employment of senior managers, and in this instance for the Director Corporate Services, an employee must meet the following criteria,

Higher Education Qualifications:	s: Bachelor Degree in Public Administration / Manageme									
	Science / Law; or equivalent (i.e. a NQF 7 and higher)									
Years and type of Experience:	5 years' experience at middle management level									
	Have proven successful management experience in									
	administration.									
MMCL	15 unit standards or attain it within 18 months from date of									
	appointment									

LEGISLATIVE REQUIREMENTS

Municipal Systems Act, Act 32 of 2000 Labour Relations Act, Act 85 of 1993 Regulations 15(6) and 17 of the Regulations on the Appointment and Conditions of Employment of Senior Managers Employment Equity Act, Act

RECOMMENDED BY THE MUNICIPAL MANAGER

- 1. That Council appoint (......) as Acting Director Corporate Services for the period _____February 2024 until 30 April 2024.
- 2. That Council note that it does not have to apply in writing to the MEC of local government for acting period as from _____ February 2024 till 30 April 2024.
- 3. That Council take note that the recruitment process of permanent Director Corporate Services is still underway and not finalised yet.



Ministry of Local Government, Environmental Affairs & Development Planning

Tel: +27 21 483 3915 Fax: +27 21 483 6081

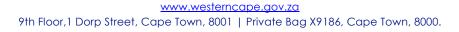
REFERENCE: 13/3/1/2/K19 (3/11/2/3 - 2023/186)

The Executive Mayor Bitou Municipality Private Bag X 1002 **PLETTENBERG BAY** 6600 Per email: dswart@plett.gov.za / lsmiler@plett.gov.za / mmemani@plett.gov.za

Dear Councillor Swart

APPLICATION TO EXTEND THE ACTING PERIODS OF A PERSON ACTING IN THE POSITION OF A SENIOR MANAGER IN TERMS OF SECTION 56(1)(C) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT 32 OF 2000, AS AMENDED

- 1. I refer to the above, as well as the correspondence dated 20 October 2023 from the Municipal Manager regarding the abovementioned matter. I note that I am requested to grant concurrence in relation to the mentioned candidates, that they continue acting in those respective senior manager positions respectively, for the periods mentioned in the said letter, i.e. from 1 November 2023 until 31 March 2024 in relation to the first candidate, and from 1 December 2023 until 31 March 2024 for the other two candidates. The reasons for this request are advanced in the letter. For ease of reference, I have attached the letter, marked **Annexure A**.
- 2. It is imperative to bring to your attention the provisions of section 56(1)(c) of the Municipal Systems Act, 32 of 2000 (the Act) which stipulates that a person appointed in terms of paragraph 56(1)(a)(ii) may not be appointed to act for a period that exceeds three months: provided that a municipal council may, in special circumstances and on good cause shown, apply in writing to the MEC for local government to extend the period of appointment contemplated in paragraph (a), for a further period that does not exceed three months.



DIRECTOR FINANCIAL SERVICES

- 3. It is trite law that Council need not request the MEC for concurrence to appoint a candidate to act in a senior manager position, provided that the acting period does not exceed a period of three months. Any further period beyond the three months as contemplated in section 56(1)(c) of the Act requires my concurrence in order for such candidate to act in the extended period.
- 4. Based on further communique from the Manager: Human Resources Administration, it was indicated that Mr Lötter, has been the acting Chief Financial Officer to date, since the lapsing of his acting period, which said period ended on 30 June 2023. The email further states that it was an oversight not to request Council to consider the continued acting of Mr Lötter as Chief Financial Officer for the subsequent period, starting from 01 July 2023 until 31 October 2023, whilst the Municipality was awaiting a response on the waiver application advanced to myself. In addition, she expands further that an item would serve before Council on the 31 October 2023 where Council will be requested to condone the appointment of Mr Lötter as Acting Chief Financial Officer with retrospective effect from 1 July 2023 to 31 October 2023, and to further request that Council extends his acting appointment to include the period:1 November 2023 until 31 March 2024. See the email correspondence attached marked Annexure B1.
- 5. Notwithstanding the correspondence dated 2 November 2023, whereby I am informed that the acting application for the Chief Financial Officer has been withdrawn, I am seriously concerned that Mr Lötter has been acting as Chief Financial Officer without Council approval, which may constitute unauthorised and irregular expenditure. Furthermore, section 56(1)(a)(ii) read with section 56(1)(c) of the Act expressly provide the prescribed period for which candidates should be acting. In addition, section 56(1)(c) peremptorily states that any further period exceeding the three months can only be extended upon application in writing to the MEC for Local Government. It is imperative that the Municipality take cognisance of the prescripts as outlined, and any contravention thereof will be construed as unauthorised and irregular expenditure.

DIRECTOR PLANNING AND DEVELOPMENT

6. In relation to Mr Schliemann, based on our records, as well as correspondence received from the Municipality, it appears that Mr Schlieman has been Acting Director Planning and Development for a period that amounts to five (5) months. It is evident that upon the lapsing of his initial acting period, from 1 June 2023 to 30 June 2023, which acting I noted in my letter

sent to the Municipality dated 29 June 2023, Mr Schliemann continued to act in this position from 1 July 2023 until 31 August 2023. This is evident from the extract of a Council resolution of a meeting of 25 August 2023 provided by the Municipality to my Department, wherein it is stated that Council resolved to "extend" the acting appointment of Mr Schliemann to include 1 September 2023 until 30 November 2023. For ease of reference, I have attached the extract of the council resolution of 25 August 2023, marked as **Annexure C**, as well as my letter dated 29 June 2023, marked **Annexure D**.

APPLICATION TO EXTEND THE ACTING PERIODS OF A PERSON ACTING IN THE POSITION OF A SENIOR MANAGER IN TERMS OF SECTION 56(1)(C) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT 32 OF 2000, AS AMENDED

- 7. Council was not permitted to appoint Mr Schliemann as Acting Director Planning and Development, for a period that exceeds three months. Any further acting period in excess of that, required my concurrence. Therefore, the permissible acting period through which council could appoint Mr Schliemann to act in this post, without requiring my concurrence, is from 1 June 2023 until 31 August 2023, bearing in mind that I had already noted his acting period of 1 June 2023 to 30 June 2023. Any further acting period from 1 September 2023 up to 30 November 2023 required my concurrence, in terms of section 56(1)(c) of the Act. Council is well aware of this, as same was also noted in the council resolution of 25 August 2023. Such request for concurrence was never received by my office. See extract referred to, marked **Annexure C**.
- 8. Consequently, the further appointment of Mr Schliemann as Acting Director Planning and Development, from 1 September 2023 to 30 November 2023 is an irregular appointment as no concurrence was granted for him to act for that further period, in terms of section 56(1)(c) of the Act. Any payments in lieu thereof constitutes unauthorised and irregular expenditure. Furthermore, the request to me to grant concurrence for the extended period from 1 December 2023 until 31 March 2024, a period of four (4) months, is declined as I do not have the powers to grant concurrence for a further period that exceeds three months, in terms of section 56(1)(c) of the Act.

DIRECTOR CORPORATE SERVICES

- 9. I note the Curriculum Vitae of Mrs T Wildeman as provided by the Municipality, marked herein as Annexure E. Section 56(1)(b) of the Act stipulates that a person appointed in terms of paragraph (a)(i) or (ii) must at least have the skills, expertise, competencies, and qualifications as prescribed; read with the Municipal Regulations on Minimum Competency Levels¹, and the Regulations on Appointment and Conditions of Employment of Senior Managers².
- 10. In respect of a Director Corporate Services, Regulation 7 of the Municipal Regulations on Minimum Competency levels, read with Item 7 of Annexure B of the Appointment Regulations, prescribes the following requirements:
 - i. Bachelor's degree in Public Administration / Management Sciences / Law or equivalent.
 - ii. Minimum of 5 years' experience at middle management level
- 11. After a careful assessment of Mrs Wildeman's appointment as Director Corporate Services and based on the application of the prescribed minimum requirements as statutorily provided, Mrs Wildeman meets the minimum requirements to act in the post of Director Corporate Services.
- 12. Furthermore, I note the acting period of Mrs Wildeman, for the period 1 September 2023 until 31 October 2023, as resolved by Council on 25 August 2023, as contained in **Annexure C.**

¹ Regulation 7 of GNR 493, published in GG 29967 dated 15 June 2007 and amended by GNR 1146, GG 41996 dated 26 October 2018

² Regulation 9(2) and Item 7 of Annexure B of GN.R 21, published in GG 37245 dated 17 January 2014 APPLICATION TO EXTEND THE ACTING PERIODS OF A PERSON ACTING IN THE POSITION OF A SENIOR MANAGER IN TERMS OF SECTION 56(1)(C) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT 32 OF 2000, AS AMENDED

- 13. In relation to the request for concurrency with this acting as stipulated in your letter, I hereby grant concurrency for Mrs Wildeman to further act in the post of Director Corporate Services, with effect from 1 November 2023 until 31 January 2024, being a further period not exceeding three months, in terms of section 56(1)(c) of the Act. This provision does not empower me to grant any further acting period that exceeds three months.
- 14. The courts have provided clarity on the interpretation to be accorded to section 56(1)(c) which the Municipality is urged to take note of. In the matter of Member of the Executive Council for Local Government, Environmental Affairs and Development Planning, Western Cape Province v Knysna Municipality and Others³, the court held that the acting period envisaged in section 56(1)(a)(ii) is limited to a single three month period which may, by application in writing to the MEC and in special circumstances and on good cause shown, be extended for a further once off period of three months. The court further held that a decision to appoint a candidate in contravention of this section is unlawful, ultra vires, and null and void.

Sincerely,

Audell

A BREDELL MINISTER DATE: 14/11/2023

³ (3488/2023; 4884/2023) [2023] ZAWCHC 133; [2023] 3 All SA 531 (WCC) (7 June 2023) at para 69 and 154.

APPLICATION TO EXTEND THE ACTING PERIODS OF A PERSON ACTING IN THE POSITION OF A SENIOR MANAGER IN TERMS OF SECTION 56(1)(C) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT 32 OF 2000, AS AMENDED

SECTION 3 CORPORATE SERVICES

ITEM C/3/162/02/24

RE-COMPOSIT COMMITTEES)								
Portfolio Comm:	Finance & Corporate ServicesDemarcation: All Wards							
File Ref:	3/2/2/2/4							
Attachments:	Annexure A: Confirmed Extract of Council Resolution C/3/22/12/21							
	Annexure B: Sections 79 and 80 of the Local Government, Munici Structures Act, No 117 of 1998							
	Annexure C -D: Powers of Section 80 (Portfolio) Committees							
<u>Report from:</u>	Acting Head Corporate Services							
Author:	Manager Administration							
Date:	5 February 2024							

Purpose of the report

To request Council to consider the re-composition of Section 80 Committees (Portfolio Committees) in terms of Section 79 of the Structures Act to assist the Executive Mayor.

Background

Following the election of a new Executive Mayor, Speaker, Deputy Executive Mayor and members of the Mayoral Committee at a Special Council Meeting held on 2nd February 2024, the composition of the respective Committees must be reviewed.

There are no specific statutory conditions as to how these committees are to be composed, apart from the Chairpersons being appointed by the Executive Mayor, but the following provisions of the Constitution (Act 108 of 1996) should be taken into consideration:

Section 152(1)

- "The objects of local government are
 - to provide democratic and accountable government for (a) communities..."

Section 160(8) "Members of a Municipal Council are entitled to participate in its proceedings and those of its committees in a manner that-

- (a) allows parties and interests reflected within the Council to be fairly represented:
- is consistent with democracy; and (b)
- may be regulated by national legislation (c)

Section 80: Committees to assist Executive Committee or Executive Mayor

Section 80 of the Local Government, Municipal Structures Act, No. 117 of 1998 provides as follows:

"Section 80 Committees to assist Executive Committee or Executive Mayor

(1) If a municipal council has an executive committee or executive mayor, it may appoint in terms of section 79 of the Structures Act committees of councillors to assist the executive committee or the executive mayor.

(2) Such committees may not in number exceed the number of members of the executive committee or mayoral committee.

(3) The executive committee or executive mayor –

(a) Appoints a chairperson for each committee from the executive committee or mayoral committee;

(b) May delegate any powers and duties of the executive committee or executive mayor to the committee;

(c) Is not divested of the responsibility concerning the exercise of the power of the performance of the duty; and

(d) May vary or revoke any decision taken by a committee, subject to any vested rights.

(4) Such a committee must report to the executive committee or executive mayor in accordance with the directions of the executive committee or executive mayor."

The composition of the respective Portfolio committees have been established in terms of resolutions C/3/22/12/21 and C/3/94/03/23 respectively;

"1.....

2. That the following Councillors be appointed to the various committees, limited to a maximum of (4) members per committee, in the capacities and to represent the parties as indicated:

(a) Engineering Services & Community Services Portfolio Committee

Chairperson: Cllr M P Busakwe (member of the Mayoral Committee)

Members:

Councillor T Mhlana Councillor N P Kolwapi Councillor N Ndayi

(b) Finance and Corporate services Portfolio Committee

Chairperson: Cllr J N Kamkam (member of the Mayoral Committee)

<u>Members:</u> Councillor S A Mangxaba Councillor H Mitchel Councillor A R Olivier

(c) Strategic Services and Office of the Municipal Manager Portfolio Committee

Chairperson: Cllr W J Nel (member of the Mayoral Committee)

<u>Members:</u> Councillor N T Seti Councillor A R Olivier Councillor S E Gcabayi

RELEVANT LEGISLATION

Local Government, Municipal Structures Act, No 117 of 1998

RECOMMENDED BY THE EXECUTIVE MAYOR

- 1. That it be noted that the Executive Mayor appointed the following Councillors as Chairpersons of the respective Portfolio Committees as per Section 80(3)(a) of the Local Government, Municipal Structures Act, No. 117 of 1998;
 - *(a) Engineering Services & Community Services Portfolio Committee* Chairperson: Councillor T Mhlana (member of the Mayoral Committee)
 - *(b) Finance and Corporate services Portfolio Committee* Chairperson: Councillor H Mitchell (member of the Mayoral Committee)
 - *(c) Strategic Services and Office of the Municipal Manager Portfolio Committee* Chairperson: Councillor N P Kolwapi (member of the Mayoral Committee)
- 2. That the Municipal Council appoints Councillors (members) to the various committees, limited to a maximum of (4) members per committee, in the capacities and to represent the parties as indicated:
 - (a) Engineering Services & Community Services Portfolio Committee <u>Members:</u> Councillor Councillor Councillor
 - (b) Finance and Corporate services Portfolio Committee <u>Members:</u> Councillor Councillor Councillor

(c) Strategic Services and Office of the Municipal Manager Portfolio Committee Members:

Councillor Councillor Councillor

Annexure A

Demarcation: All Wards

Delegation: Council

EXTRACT FROM THE CONFIRMED MINUTES OF THE ORDINARY COUNCIL MEETING OF BITOU LOCAL MUNICIPALITY HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON WEDNESDAY, 15 **DECEMBER 2021 AT 8H05**

"

Resolution C/3/22/12/21

ESTABLISHMENT OF PORTFOLIO COMMITTEES (SECTION 80 COMMITTEES)

Department:

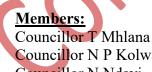
Municipal Manager

File Ref: 3/2/2/2/4

Resolved

- 1. That the following Section 80 Committees be established by Council, with the powers as set out in Annexures B hereto:
 - Engineering Services & Community Services Portfolio Committee (a)
 - Finance and Corporate services Portfolio Committee *(b)*
 - Strategic Services and Office of the Municipal Manager Portfolio Committee (c)
- 2. That the following Councillors be appointed to the various committees, limited to a maximum of (4) members per committee, in the capacities and to represent the parties as indicated:
 - Engineering Services & Community Services Portfolio Committee *(a)*

Chairperson: Cllr M P Busakwe (member of the Mayoral Committee)



Councillor N P Kolwapi Councillor N Ndavi

Finance and Corporate services Portfolio Committee **(b)**

Chairperson: Cllr J N Kamkam (member of the Mayoral Committee)

Members:

Councillor S A Mangxaba Councillor M A M Botha Councillor A R Olivier

(c) Strategic Services and Office of the Municipal Manager Portfolio Committee

Chairperson: Cllr W J Nel (member of the Mayoral Committee)

<u>Members:</u> Councillor N T Seti Councillor A R Olivier Councillor S E Gcabayi

Proposed:Councillor D J SwartSeconded:Councillor A R Olivier

FOR EXECUTION:Manager AdministrationCcDirector: Corporate Services"

Part 5

Other committees of municipal councils

79 Establishment

(1) A municipal council may-

(a) establish one or more committees necessary for the effective and efficient performance of any of its functions or the exercise of any of its powers;

(b) appoint the members of such a committee from among its members; and

(c) dissolve a committee at any time.

(2) The municipal council-

(a) must determine the functions of a committee;

(b) may delegate duties and powers to it in terms of section 32;

(c) must appoint the chairperson;

(d) may authorise a committee to co-opt advisory members who are not members of the council within the limits determined by the council;

(e) may remove a member of a committee at any time; and

(f) may determine a committee's procedure.

80 Committees to assist executive committee or executive mayor

(1) If a municipal council has an executive committee or executive mayor, it may appoint in terms of section 79, committees of councillors to assist the executive committee or executive mayor.

(2) Such committees may not in number exceed the number of members of the executive committee or mayoral committee.

(3) The executive committee or executive mayor-

(a) appoints a chairperson for each committee from the executive committee or mayoral committee;

(b) may delegate any powers and duties of the executive committee or executive mayor to the committee;

(c) is not divested of the responsibility concerning the exercise of the power or the performance of the duty; and

(d) may vary or revoke any decision taken by a committee, subject to any vested rights.

(4) Such a committee must report to the executive committee or executive mayor in accordance with the directions of the executive committee or executive mayor.

Annexure C

(a) Finance and Corporate services Portfolio Committee

Chairperson: Cllr (member of the Mayoral Committee)

Members:

Councillor	••••	 •••	 •••	•••	•••	•••	•••			 •
Councillor		 •••	 •••	•••	•••	••	••	•••	•••	
Councillor	••••	 •••	 •••	•••	•••	••	••		••	 •

Powers:

Make recommendations to the Executive Mayor:

To oversee the Financial Administration and Corporate Services which includes;

Budget & Financial reporting Revenue Expenditure Supply Chain Information Technology Administration Human Resources Communication Customer Care Legal

Have delegated authority to:

Monthly reports

(b) Engineering Services and Community Services Portfolio Committee

Chairperson: Cllr (member of the Mayoral Committee)

Members:

Councillor	 •••••	
Councillor	 •••••	
Councillor	 •••••	

Powers:

Make recommendations to the Executive Mayor:

To oversee the Engineering Services and Community Services which includes;

Roads & Storm water Electrical & Mechanical Project Management Water Quality Fleet Management Libraries Human Settlements Beaches, Parks & Public Amenities Waste Services Public Safety and Law Enforcement

Have delegated authority to:

Monthly reports

(c) Strategic Services and Office of the Municipal Manager Portfolio Committee

Chairperson: Cllr (member of the Mayoral Committee)

Members:

Councillor	 •••	 	 • • •	 			 •	•	•		
Councillor	 •••	 	 • • •	 	 •		 •	•	•		
Councillor	 •••	 	 • • •	 			 •	•	•		

Powers:

Make recommendations to the Executive Mayor:

To oversee Development Planning and the Office of the Municipal Manager which includes;

Local Economic Development Integrated Development Planning Property Management Town Planning Building Control Performance Management System / SDBIP

Have delegated authority to:

Monthly reports