

DPLG's policy review process

LOCAL GOVERNMENT UNDER THE SPOTLIGHT

On 31 July 2007, the Department of Provincial and Local Government (DPLG) initiated a policy review process of provincial and local government. It will ultimately result in a first White Paper on Provinces and a discussion document on local government. The process will be a national debate, comprising a public participation process, research and a review of experience. The Department has started the process by publishing 65 "Questions for public engagement". Comments on these questions and on any other relevant topic can be submitted to DPLG until 31 October 2007.

An overview of the policy review process and a list of all the 65 questions can be downloaded from DPLG's website (www.dplg.gov.za). Alternatively, contact the Department on (012) 3365900 for further information.

This article lists some of the most important questions, followed by a short comment. The intention is not to be comprehensive but rather to draw attention to the review process and to point out a number of issues for debate. (The number in brackets before each question below is the number of the question as it appears in the Department's list.)

Local government

The current spate of community protests point towards a need to improve the quality of local democracy, the degree of municipal responsiveness and accountability. This is undoubtedly the most important aspect of the local government review. The Department seeks input on the following questions:

(1) How can municipalities involve local communities in municipal affairs?

Participatory democracy is of particular importance at the local level, allowing communities to identify with the political institutions that govern them and fostering a sense of ownership over common resources. How do municipalities engage communities in a way that allows them to give meaningful input without creating the false expectation that communities can dictate municipal processes?

(2) How can the ways in which communities participate in the process of development (e.g. Ward Committees) be made more effective?

There is a progressive and detailed framework for community participation in local government. Yet, across the country, residents are taking to the streets to show their frustration. Why is the framework for community participation failing? What are some of the recurring problems in existing community participation processes that undermine its success? How can the functionality of ward committees be improved? Or is the focus on institutionalised forums (such as ward committees) part of the problem? Importantly, what do municipalities do with community input? How do municipalities ensure that input from the community in these processes are reflected in the decision-making of the municipality?

(3) How can councils ensure that mayoral committees are held accountable?

There is a complaint that the executive mayoral system has an exclusionary effect: non-executive parties and non-executive councillors feel marginalised. There may be a need to find a new balance between the need for effective executive structures and the oversight role of the council.

(5) How can the political and administrative components of municipalities work effectively to deliver services over long periods of time irrespective of political transition?

Political change in a municipality tends to have grave effects on the workings of both its political and administrative components. Moreover, these changes occur relatively often in

local government; general elections, floor-crossings and the reconfiguration of governing coalitions may give rise to a change of leadership and management. A debate is necessary in order to find ways of ensuring that both service delivery and the achievement of long-term goals are not continually compromised as a result of these changes.

- (7) Is an association of organised local government an effective vehicle for intergovernmental representivity?

SALGA and its provincial branches represent local government at national and provincial intergovernmental forums and institutions. Has this resulted in an effective representation of the interests of local government? What role should organised local government play in improving the performance and accountability of municipalities? While SALGA is not responsible for the actions of municipalities, should it play a greater role in facilitating information sharing on best practices, incentivising municipalities and facilitating development in problem areas?

District municipalities

Questions are asked to stimulate a debate on the three categories of municipalities. A number deal directly with the role and function of district municipalities.

- (9) What are the advantages and disadvantages of a two-tier system (district and local municipalities) of local government?
 (10) What role should district municipalities play and how should they be structured?
 (13) What special role should cities and big towns play in the local government system?

This *Bulletin* presents a number of arguments on these questions (see pages 6 to 11).

Service delivery

Municipalities are responsible for the delivery of basic services such as water, sanitation, electricity and waste removal. The challenge is to meet national service targets and the expectations of communities. A debate is invited on how effective each municipality has been in extending basic services, but also on the need to identify areas that need improvement. To this end, a number of questions are put forward, two of which are:

- (15) How can public-private partnerships and public-public partnerships assist in meeting the challenges of service delivery?
 (14) How can communities, NGOs, CBOs, become more involved in improving municipal service delivery?

One of the concerns may be the effects of the strict regulations on service delivery partnerships. Are they overly restrictive in

their application to both public-private partnerships and NGO/CBO partnerships?

Finance

Municipalities are dependent on a strong revenue base to sustain their viability and need strategies to support this. The funding challenges of rural municipalities are brought to the fore with the following question:

- (23) How should rural and poor municipalities be structured and/or funded to improve their revenue base and viability?

With respect to municipal governance (financial institutional), what kinds of interventions are needed to support low-capacity municipalities?

Monitoring and evaluation

The use of different statistical data sets for measurement and the co-ordination of reporting progress on service delivery impact, including an effective system of monitoring evaluation, remains a challenge within and across spheres of government. Census statistics on service delivery backlogs, for example, may contradict surveys conducted by other agencies or municipalities. Yet, census statistics are instrumental in determining the size of intergovernmental grants.

- (65) What should be done to streamline different data sources within the spheres of government? What mechanisms should government introduce to ensure that the country as a whole uses commonly agreed definitions and statistical data sets for measuring developmental outcomes?
 (63) What should be done to improve the co-ordination of reporting service delivery progress within the spheres of government?

An important local government dimension to this question is the proliferation of reporting obligations on municipalities, which have to send regular reports to almost every sector department at national and provincial levels.

Provincial government

The questions on provincial government centre on the need for provincial governments, their revenue raising ability, accountability and contribution to social cohesion. Two questions are particularly important for local government:

- (35) To what extent are provinces supporting local government to address the balance between environmental and developmental compliance demands?
 (36) Which environmental functions would be appropriately located and performed at provincial level?

These questions invite a debate on the functionality of environmental planning and the role municipalities are or

should be playing. For example, it is sometimes argued that the location of environmental impact assessments at provincial level prolongs decision-making.

National government

The department is soliciting input on the contradiction between the voluntary nature of intergovernmental relations, on one hand, and the dire need for coordination across spheres, on the other.

- (44) How should a national vision be realised in practice given the responsibilities of each sphere of government in critical areas of service delivery?
- (40) How should national policy and planning be improved to support provincial and local government?
- (41) How should inter-sectoral co-ordination at national level be improved and the departments structured?

Municipalities often have to deal with the effects of poor inter-sectoral co-ordination. In this respect, a key question may be: who is responsible for inter-sectoral co-ordination: DPLG, the Presidency, the Treasury, or all three? The same question may be asked at provincial level.

The overlap between national and provincial engagement with local government is raised as a concern:

- (42) Both national and provincial government has a role in support and oversight of local government. How can this be done more effectively?

Powers and functions

Important questions are asked on the division of functions between the three spheres of government as outlined in the Schedules to the Constitution. The most striking questions are the following:

- (48) What changes, if any, should there be in the functions that are currently allocated at national, provincial and local level?
- (12) How should the role of municipalities be defined to ensure local development?

In this *Bulletin* (see page 13), it is argued that local government's functions should be approached through the lens of its developmental mandate and criteria are proposed to assess local government's functions.

Development planning

The DPLG is requesting input on the successes and failures of the 'planning axis' of the National Spatial Development Perspective (NSDP), the Provincial Growth and Development Strategy (PGDS) and the Integrated Development Plan (IDP).

The persistence of spatial inequalities is central to the concern about the lack of synergy between the three, as is evidenced by the following questions:

- (60) In a municipality known to you, how can the inequalities of the past be addressed?
- (62) How are Integrated Development Plans contributing to growth and development at municipal level?
- (53) How should the plans of the three spheres of government relate to each other and influence decision-making, resource allocation and implementation?
- (61) The Integrated Development Plan should be an expression of a 'government-wide commitment to a municipal space'. How can this commitment be improved in practice?

Municipalities should perhaps be prepared for an argument that calls for a 'hierarchy' of plans, meaning that IDPs must adhere to the content of the next 'tier' of plans at the risk of being invalid. A hierarchy of plans would fundamentally change the current concept of IDP.

Key to this concern is the ability of municipalities to plan in concert with national and provincial sector governments and, importantly, the willingness and ability of those departments to support and engage with municipal IDP processes.

The variation between urban and rural characteristics of municipalities is an important theme.

- (59) How do the rural or urban characteristics of your municipality impact on its ability to deliver services?

This question opens up the important debate on a differentiated approach to municipal powers and institutions. Rural characteristics clearly impact on sustainability and urban characteristics provide scope for more functional responsibility and require greater integration of functions at municipal level. In this *Bulletin* (see page 13), a rethink of the 'one-size-fits-all' approach to municipal powers is supported.

The review initiated by the Department will be an opportunity to reflect on the progress made in local government since 1994 and to identify areas for improvement. It is critical that municipalities and other local government stakeholders engage with the full list of 65 questions and we invite our readership to use the pages of the *Local Government Bulletin* to participate in this important discussion.

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