



ORDINARY MEETING OF THE COUNCIL
GEWONE VERGADERING VAN DIE RAAD
INTLANGANISO YESIQHELO YEBHUNGA

A G E N D A

I-AJENDA

DATE / DATUM / UMHLA :	28 MAY / MEI / MEYI 2015
VENUE / PLEK / INDAWO :	BANQUETING HALL / BANKETSAAL CIVIC CENTRE / BURGERSENTRUM / IZIKO LOLUNTU HERMANUS
TIME / TYD / IXESHA :	11:00

MUNICIPALITY / MUNISIPALITEIT / UMASIPALA WE-OVERSTRAND

Office of the Municipal
Manager
Municipal Offices
HERMANUS

25 May / Mei / Meyi 2015

NOTICE TO ALL ALDERMEN & COUNCILLORS

ORDINARY MEETING OF THE OVERSTRAND MUNICIPAL COUNCIL

NOTICE IS HEREBY GIVEN that an **ORDINARY MEETING** of the **OVERSTRAND MUNICIPAL COUNCIL** will be held in the **Banqueting Hall, Civic Centre, Hermanus**, on **THURSDAY, 28 MAY 2015** at **11:00** to consider the business set forth in the subjoined agenda.

The attention of Councillors is directed to the Code of Conduct for Councillors and Municipal Officials, Schedules 1 & 2 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

C GROENEWALD
MUNICIPAL MANAGER

KENNISGEWING AAN ALLE RAADSHERE & RAADSLEDE

GEWONE VERGADERING VAN DIE OVERSTRAND MUNISIPALE RAAD

KENNIS WORD HIERMEE GEGEE dat 'n **GEWONE VERGADERING** van die **OVERSTRAND MUNISIPALE RAAD** gehou sal word in die **Banketsaal, Burgersentrum, Hermanus**, op **DONDERDAG, 28 MEI 2015** om **11:00** om die sake op meegaande sakelys te bespreek.

Raadslede se aandag word gevestig op die Gedragskode vir Raadslede en Munisipale Beampptes, Bylae 1 & 2 van die Wet op Plaaslike Regering : Munisipale Stelsels, 2000 (Wet 32 van 2000).

C GROENEWALD
MUNISIPALE BESTUURDER

ISAZISO ESIYA KUBO BONKE OOCEBAKHULU NOOCEBA

INTLANGANISO YESIQHELO YEBHUNGA LIKAMASIPALA WE-OVERSTRAND

OKU KUKWAZISA ukuba intlanganiso **YESIQHELO yeBHUNGA LIKAMASIPALA WE-OVERSTRAND**, iza kuba se **Banqueting Hall, kwiZiko LoLUNTU, eHermanus ngoLWESINE, 28 MEYI 2015 ngeye-11:00** ukuqwalasela imicimbi ekule ajenda iqhotyoshelwe apha.

OoCeba bayacelwa ukuba baqwalasele isikhokelo sokuziphatha sooCeba namaGosa kamasipala, amaXwebhu 1 & 2 kaRhulumente wooMasipala: uMthetho weeNkqubo zikaMasipala, 2000 (UMthetho 32 wowama-2000).

C GROENEWALD
UMPHATHI KAMASIPALA

AGENDA/...

1. **OPENING**

2. **APPLICATIONS FOR LEAVE OF ABSENCE**

3. **CONFIRMATION OF MINUTES**

- 3.1 Minutes of an **Ordinary Meeting** of the Overstrand Municipal **Council** held on **Wednesday, 29 April 2015 at 11:00**

4. **STATEMENTS AND COMMUNICATIONS BROUGHT FORWARD BY THE SPEAKER / EXECUTIVE MAYOR**

5. CONSIDERATION OF RECOMMENDATIONS MADE BY THE EXECUTIVE MAYOR TO COUNCIL, IN TERMS OF SECTION 160(2) OF THE CONSTITUTION, 1996, AND SECTION 59(1)(a) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT 2000 (ACT 32 OF 2000)

REMARK

Please note that the following recommendations contained in this agenda are subject to confirmation or amendment by the Mayoral Committee in view of the fact that the **compilation of the Council agenda** was done before the Mayoral Committee of 28 May 2015 had formally sat.

5.1

WRITING OFF OF IRRECOVERABLE DEBT

(ITEM 1, PAGE 1 : FINANCE AND ECONOMIC DEVELOPMENT PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 MAY 2015)

RECOMMENDATION TO THE COUNCIL:

that the irrecoverable debt to the value of R278,432.53 as listed, **be written off** as bad debt:

RESPONSIBLE OFFICIAL :

E M HOONEBERG

TARGET DATE FOR IMPLEMENTATION :

30 MAY 2015

5.2**GRANTS-IN-AID: RECOMMENDATIONS FOR 2015/16 AND FINAL REPORT FOR 2014/15****(ITEM 1, PAGE 1 : MANAGEMENT SERVICES PORTFOLIO - MAYORAL COMMITTEE MEETING : 28 MAY 2015)****RECOMMENDATION TO THE COUNCIL:**

that the Grants-in-Aid:

1. Schedule of recommended beneficiaries for the 2015/16 financial year;
2. Schedule of unsuccessful applicants 2015/16; and
3. Final schedule of beneficiaries 2014/15

be noted.**RESPONSIBLE OFFICIAL :****G SMIT****TARGET DATE FOR IMPLEMENTATION :****1 JULY 2015**

5.3**ADDITION TO THE DELEGATION OF POWERS AND DUTIES: LEGAL REQUIREMENTS****(ITEM 5, PAGE 1 : MAYORAL COMMITTEE MEETING : 28 MAY 2015)****RECOMMENDATION TO THE COUNCIL:**

that the additions to the Delegation of Powers and Duties: Legal Requirements, **be approved.**

RESPONSIBLE OFFICIAL :**H VAN TONDER****TARGET DATE FOR IMPLEMENTATION :****28 MAY 2015**

5.4

**MONTHLY REPORT TO COUNCIL ON SUPPLY CHAIN MANAGEMENT (SCM)
POLICY: PARAGRAPH 36, 16(1)(B) AND 17(1)(C), FOR APRIL 2015**

(ITEM 6, PAGE 9 : MAYORAL COMMITTEE MEETING : 28 MAY 2015)

RECOMMENDATION TO THE COUNCIL:

1. that the deviations from the procurement processes, approved in terms of the delegated authority for April 2015, **be noted**; and
2. that the awards made in terms of Paragraph 16(1)(b) and 17(1)(c), approved in terms of the delegated authority for April 2015, **be noted**.

RESPONSIBLE OFFICIAL :

R LA COCK

TARGET DATE FOR IMPLEMENTATION :

TO BE NOTED

5.5**FINAL INTEGRATED DEVELOPMENT PLAN (IDP) REVIEW 2015/16****(ITEM 7, PAGE 14 : MAYORAL COMMITTEE MEETING : 28 MAY 2015)****RECOMMENDATION TO THE COUNCIL:**that the final reviewed Integrated Development Plan (IDP) for 2015/16, **be approved****RESPONSIBLE OFFICIAL :****R LOUW****TARGET DATE FOR IMPLEMENTATION :****1 JULY 2015**

5.6**INTEGRATED WASTE MANAGEMENT PLAN 2015/2016****(ITEM 8, PAGE 20 : MAYORAL COMMITTEE MEETING : 28 MAY 2015)****RECOMMENDATION TO THE COUNCIL:**that the Integrated Waste Management Plan for 2015/2016, **be approved.****RESPONSIBLE OFFICIAL :****J VAN TAAK****TARGET DATE FOR IMPLEMENTATION :****1 JULY 2015**

5.7**REVISION OF ALL BUDGET RELATED POLICIES OF THE OVERSTRAND MUNICIPALITY****(ITEM 9, PAGE 218 : MAYORAL COMMITTEE MEETING : 28 MAY 2015)****RECOMMENDATION TO THE COUNCIL:**

that the revised policies **be approved** and implemented with effect from 1 July 2015.

RESPONSIBLE OFFICIAL :**S REYNEKE-NAUDE****TARGET DATE FOR IMPLEMENTATION :****1 JULY 2015**

5.8

FINAL BUDGET FOR OVERSTRAND MUNICIPALITY : 2015/2016

(ITEM 10, PAGE 465 : MAYORAL COMMITTEE MEETING : 28 MAY 2015)**RECOMMENDATION TO THE COUNCIL:**

1. that, in terms of section 24 of the Municipal Finance Management Act, (Act 56 of 2003), the annual budget of the Municipality for the 2015/16 to 2017/2018 MTREF (Medium Term Revenue and Expenditure Framework) period **be approved** as set out in the following schedules:

Schedule 1: Budgeted financial performance (revenue & expenditure by municipal vote)

Schedule 2: Budgeted financial performance (revenue by source & expenditure by type)

Schedule 3: Budgeted multi- and single year capital appropriations by standard classification (vote) and funding by source

Schedule 4: Budgeted financial position

Schedule 5: Budgeted cash flow

Schedule 6: Cash backed reserves and acc. surplus reconciliation

Schedule 7: Asset management

Schedule 8: Basic service delivery measurement

2. that the property rates reflected in **Annexure A to the item, be imposed** for the budget year 2015/16;
3. that tariffs and charges reflected in **Annexure A to the item, be approved** for the budget year 2015/16;
4. that the Municipal Manager be authorised to sign all the necessary agreements and documents to give effect to the three year borrowing programme for external loans amounting to R30 million per annum;
5. that the following schedules be noted:
 - Schedule 9:** Budgeted financial performance (revenue & expenditure by standard classification)
 - Schedule 10:** Budgeted capital appropriations by municipal vote
6. that **cognisance be taken** of the letters of comment received from the community and the LG MTEC 3 Assessment Report by Provincial Treasury and the Provincial Department of Local Government, included in Annexures I and J respectively of the budget report; and

7. that **cognisance be taken** of the 2015/2016 Budget Report.

RESPONSIBLE OFFICIAL :

BA KING

TARGET DATE FOR IMPLEMENTATION :

1 JULY 2015

6. CONSIDERATION OF REPORTS

6.1

IRREGULAR EXPENDITURE: SCIE 2015/004 – MULTI CHOICE TELEVISION SERVICES

3/2/3/8

H van Tonder
6 May 2015

(028) 313 8037

Corporate Head Office

1. Executive Summary

The purpose of the report is to request Council to approve the writing off of irregular expenditure incurred for payment towards Multi Choice Television Services.

2. Service Delivery and Budget Implementation Plan Reference - Ignite

Not applicable

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance

4. Delegated Authority

None

5. Legal Requirements

Constitution of the Republic of South Africa, 1996
Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)
Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA)
Overstrand Municipality Supply Chain Management Policy dated 25 May 2008, as amended

6. Background/Discussion

On 30 June 2001 Overstrand Municipality entered into a contract with Multi Choice for the provision of paid television services. The purpose of providing the particular television service was to assist staff members employed in the then after-hour Emergency Fire Brigade Services (now municipal Emergency Control Room) to keep them occupied, especially during quiet periods on night/after-hour shifts (including weekends and public holidays).

From the onset the contract was administered by the Information Technology Department. Since 1 July 2014 the Acting Manager: Corporate Services continued with the established practice from his predecessor to deal with the monthly statements/invoices.

During July 2014 it was established that the provision of Multi Choice television services to staff members at the Municipality's call centre are being paid by debit order without the proper procurement processes being followed. The said Acting Manager was informed per email dated 7 July 2014 that the Municipality intends to convert the debit order to electronic payment. Staff members employed in the Emergency Control Room contributed an amount of R10,309,40 from November 2010 until February 2015 by way of individual monthly salary deductions towards the monthly subscription.

During October 2014 the Acting Manager: Corporate Services was notified that all contracts (including the Multi Choice contract) paid monthly by debit order are to be cancelled. The contract with Multi Choice was officially cancelled with Multi Choice on 28 February 2015.

On 28 April 2015 the Section 79 Committee on Fruitless and Wasteful Expenditure consisting of Ald A Coetsee, Cllrs L Beyers-Cronje and N Nqinata considered the matter.

The Committee came to the conclusion that, although the municipality received value for money for the expenses incurred for the provision of Multi Choice television services to staff members at the Municipality's Call Centre, the expenditure was indeed irregular.

The Committee was unanimous in its decision to recommend to Council that the amount of R10 309,40 be paid back to the staff and that the total amount of R49 875,00 is to be written off by Council as irrecoverable and expensed in accordance with Section 32(2)b of the MFMA.

After discussions with officials at the Salary and Budget Control Offices it was determined that insufficient funding is available in the applicable vote to refund the officials that contributed by way of salary deductions towards the rendering of the service by the municipality. Contributions were also made in previous financial years. Therefore the amount to be written off must be R39 565.60, being the amount paid by the Overstrand Municipality.

7. Financial Implications

Irregular expenditure to the value of R39 565.00 to be written off as irrecoverable.

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

None

RECOMMENDATION TO THE COUNCIL:

that, in view of the municipality having received value for money, the irregular expenditure with regard to payment towards Multi Choice Television Services to the amount of R39 565.00 be certified as irrecoverable and written off in terms of Section 32(2)(b) of the Local Government: Municipal Finance Management Act, Act 56 of 2003.

RESPONSIBLE OFFICIAL:**B KING / R LA COCK****TARGET DATE FOR IMPLEMENTATION:****8 JUNE 2015**

6.2

IRREGULAR EXPENDITURE: MOBILE TELECOMMUNICATION SERVICES

3/2/3/8

H van Tonder
6 May 2015

(028) 313 8037

Corporate Head Office

1. Executive Summary

The purpose of the report is to request Council to approve the writing off of irregular expenditure incurred for the provision of mobile telecommunication services for use in the operation of Overstrand Municipal Telemetry Systems for a period ending June 2013.

2. Service Delivery and Budget Implementation Plan Reference - Ignite

Not applicable

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance

4. Delegated Authority

None

5. Legal Requirements

Constitution of the Republic of South Africa, 1996
Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)
Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA)
Overstrand Municipality Supply Chain Management Policy dated 25 May 2008, as amended

6. Background/Discussion

On 6 December 2013 the office of the Deputy Director: Operational Services approached the Supply Chain Management (SCM) office requesting a deviation in terms of clause 36 of Overstrand Municipality's Supply Chain Management Policy (SCM Policy) for the provision of renewals of sim cards for mobile communication for its Spectrum telemetry stations. The request was for Spectrum Communications to the value of R 10 288.00 excl. VAT for the period 1 July 2012 to 30 June 2013 and 1 July 2013 to 30 June 2014

The SCM office identified non-compliance to the SCM Policy, due to the fact that part of the services was rendered in the 2012/13 financial year. The expenditure for the services in the 2012/13 financial year was therefore deemed by the SCM office as being irregular and need to be dealt with in terms of section 32 of the MFMA.

Overstrand Municipality has a number of telemetry systems which is used for the monitoring and operation of pump stations, treatment plants and reservoirs. These installations have been installed by Spectrum Communications during the past number of years. After installation the maintenance and upgrades of the system can only be done by the original service provider due to the unique software and hardware. Without these systems the water and sewer systems will not be able to function.

With every new installation Spectrum Communications includes a two year sim contract to enable the system to communicate between the outstations and the main server. During the past years a number of installations were installed at different times, which resulted in the lapsing of the service contracts at different times. Due to the number of contracts and each having its own expiry date, the Municipality relied on Spectrum Communications to provide the renewal quotes for the service. During August 2013 Spectrum Communication notified the Municipality that their notification system did not notify them timeously and that a number of contracts have already expired, where-after renewal quotes were issued to the Municipality.

In the past each Operational Manager was responsible to apply for the renewal of the sim cards in their respective areas. Since January 2013 this functions was centralised and became the responsibility of the newly appointed Principle Technician: Water and Sanitation. This was implemented to streamline the process of communication between the Municipality and Spectrum Communication to ensure that contracts are renewed timeously. All sim card contract expiry dates were aligned with the end date of the municipal financial year. This alignment will ensure that all contracts are renewed simultaneously and timeously.

On 28 April 2015 the Section 79 Committee on Fruitless and Wasteful Expenditure consisting of Ald A Coetsee, Cllrs L Beyers-Cronje and N Nqinata considered the matter.

The Committee came to the conclusion that, although the municipality received value for money for the expenses incurred for the services rendered by Spectrum Communications for the provision of mobile telecommunication services for the use in the operation of Overstrand Municipal Telemetry Systems, the expenditure was indeed irregular.

The Committee was unanimous in its decision to recommend to Council that the amount of R5 176,74 (including VAT) is to be written off by Council as irrecoverable and expensed in accordance with Section 32(2)b of the MFMA.

7. Financial Implications

Irregular expenditure to the value of R5 176,74 (including VAT) to be written off as irrecoverable.

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

None

RECOMMENDATION TO THE COUNCIL:

that, in view of the municipality having received value for money, the irregular expenditure in total R5 176,74 (including VAT) with regard to the provision of mobile telecommunication services for use in the operation of Overstrand Municipal Telemetry Systems for a period ending June 2013, be certified as irrecoverable and written off in terms of Section 32(2)(b) of the Local Government: Municipal Finance Management Act, Act 56 of 2003.

RESPONSIBLE OFFICIAL:

B KING / R LA COCK

TARGET DATE FOR IMPLEMENTATION:

8 JUNE 2015

6.3**IRREGULAR EXPENDITURE: SCMIE 2014/002: CLEANING CONTRACTS****3/2/3/8****H van Tonder
6 May 2015****(028) 313 8037****Corporate Head Office****1. Executive Summary**

The purpose of the report is to request Council to approve the writing off of irregular expenditure incurred in respect of tenders 1140/2011 and 1101/2011 for cleaning contracts.

2. Service Delivery and Budget Implementation Plan Reference - Ignite

Not applicable

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance

4. Delegated Authority

None

5. Legal Requirements

Constitution of the Republic of South Africa, 1996
 Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)
 Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA)
 Overstrand Municipality Supply Chain Management Policy dated 25 May 2008, as amended

6. Background/Discussion

On 19 June 2013 the office of the Senior Manager: Hermanus Administration approached the Supply Chain Management department requesting an expansion / variation in the contract periods of contractors appointed in terms of tenders SC 1101/2011: Provision of Cleaning Services, Hermanus and SC 1140/2011: Cleaning Project in Sandbaai, Onrus and Vermont in Hermanus. These contracts were expected to all expire on 30 June 2013 and the expansion / variation was required in order to ensure the continued provision of the needed services during the new tender process of SC 1375/2013: Provision

of Cleaning Services in Hermanus Area with a Contract Period ending 30 June 2016.

In order to expand or vary an existing contract a municipality must adhere to the provisions of National Treasury Circular No. 62. This circular stipulates that for non-construction and/or infrastructure related projects the municipality may expand or vary the contract by no more than 15% of its original contract value. The initial request by the office of the Senior Manager: Hermanus Administration proposed expanding the contracts from the original expiry date of 30 June 2013 to 30 September 2013. The new tender SC 1375/2013: of Cleaning Services in Hermanus Area, was advertised on 05 July 2013, closed 08 August 2013 and awarded on 04 October 2013.

Before the municipality could consider the expansion of the above contracts, the user department was requested to get Letters of Intent, signed by all the contractors involved, as proof that the contractors were willing to extend their respective contract periods by a further 3 months, ending 30 September 2013. This exercise was done prior to the above calculation in terms of Circular 62 and was on condition that the proposed amendment be approved by the relevant delegated authority. The Director: Community Services duly approved the expansion of the above contracts on 28 June 2013.

It has come to light that the former responsible Contract Champion omitted to inform all the contractors of the adjusted contract end dates and allowed the contractors to continue working until 30 September 2013. This has led to the situation where these contractors have worked beyond their amended contract periods.

The Legal and Internal Audit Departments were in disagreement with the User Department regarding one of the key qualification specifications. This caused undue delays and countless meetings before it was resolved. The former Contract Champion was in the centre of the issue and was forced to write and re-write numerous reports and attend the meetings during which the matter under dispute was discussed. Said Champion was under extreme pressure during this period notwithstanding the additional support by the Area and Deputy Area Manager.

Should the contractors not have continued working there would have been an immediate increase of litter and overgrown sidewalks and open spaces in the Greater Hermanus area. The standard of work rendered by the contractors was very good.

On 28 April 2015 the Section 79 Committee on Fruitless and Wasteful Expenditure consisting of Ald A Coetsee, Cllrs L Beyers-Cronje and N Nqinata considered the matter.

The Committee came to the conclusion that, although the municipality received value for money for the expenses incurred for the cleaning contracts tenders 1140/2011 and 1101/2011, the expenditure was indeed irregular.

The Committee was unanimous in its decision to recommend to Council that the amount of R72 567,81 in respect of tenders 1140/2011 and 1101/2011 for cleaning services, is to be written off by Council as irrecoverable and expensed in accordance with Section 32(2)b of the MFMA.

7. Financial Implications

Irregular expenditure to the value of R72 567,81 to be written off as irrecoverable.

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

None

RECOMMENDATION TO THE COUNCIL:

that, in view of the municipality having received value for money, the irregular expenditure to the amount of R72 567,81 for the cleaning contracts tenders 1140/2011 and 1101/2011 be certified as irrecoverable and written off in terms of Section 32(2)(b) of the Local Government: Municipal Finance Management Act, Act 56 of 2003.

RESPONSIBLE OFFICIAL:

B KING / R LA COCK

TARGET DATE FOR IMPLEMENTATION:

8 JUNE 2015

6.4

IRREGULAR EXPENDITURE: SCIE 2015/005 GRABOUW SUZUKI

3/2/3/8

H van Tonder
6 May 2015

(028) 313 8037

Corporate Head Office

1. Executive Summary

The purpose of the report is to request Council to approve the writing off of irregular expenditure incurred for the services rendered by Grabouw Suzuki for the servicing of two motorbikes.

2. Service Delivery and Budget Implementation Plan Reference - Ignite

Not applicable

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance

4. Delegated Authority

None

5. Legal Requirements

Constitution of the Republic of South Africa, 1996

Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)

Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA)

Overstrand Municipality Supply Chain Management Policy dated 25 May 2008, as amended

6. Background/Discussion

On 4 March 2014 two Suzuki DL650 motorbikes were taken to Grabouw Suzuki to request a quotation for the servicing of the motorbikes. The two traffic officials who took the motorbikes to Grabouw Suzuki allowed the service provider to service the motorbikes without an official order and knowledge of Fleet Management. The motorbikes were brought back to Overstrand the same day.

During August 2014 a request was received at Fleet Management from the Creditors Department to apply for a deviation from the Supply Chain

Management (SCM) Department, as the service was rendered in the previous financial year 2013/14 in order to effect payment to the service provider.

On 26 August 2014 an application for deviation for the servicing of the motorbikes was submitted to the SCM Department, which deviation was approved subject to a process being followed for the reporting of the irregular expenditure incurred.

On 28 April 2015 the Section 79 Committee on Fruitless and Wasteful Expenditure consisting of Ald A Coetsee, Cllrs L Beyers-Cronje and N Nqinata considered the matter.

The Committee came to the conclusion that, although the municipality received value for money for the expenses incurred for the servicing of the two motorbikes without an official order, the expenditure was indeed irregular.

The Committee was unanimous in its decision to recommend to Council that the amount of R3 838,69 (VAT inclusive) is to be written off by Council as irrecoverable and expensed in accordance with Section 32(2)b of the MFMA.

7. Financial Implications

Irregular expenditure to the value of R3 838,69 (VAT inclusive) to be written off as irrecoverable.

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

None

RECOMMENDATION TO THE COUNCIL:

that, in view of the municipality having received value for money, the irregular expenditure to the amount of R3 838,69 (VAT inclusive) for services rendered by Grabouw Suzuki be certified as irrecoverable and written off in terms of Section 32(2)(b) of the Local Government: Municipal Finance Management Act, Act 56 of 2003.

RESPONSIBLE OFFICIAL:

B KING / R LA COCK

TARGET DATE FOR IMPLEMENTATION:

8 JUNE 2015

6.5

RECESS : JUNE / JULY 2015

3/2/1/4

H van Tonder
28 April 2015

(028) 313 8037

Corporate Head Office

1. Executive Summary

The purpose of the report is to obtain confirmation of Council's recess from 24 June 2015 (**immediately after conclusion of the Council Meeting**) to 19 July 2015 and related matters.

2. Service Delivery and Budget Implementation Plan Reference - IGNITE

Not applicable

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance.

4. Delegated Authority

None

5. Legal Requirements

- Constitution of the Republic of South Africa, 1996 (Constitution)
- Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) (Structures Act)
- Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) (Systems Act)

6. Background/Discussion

Section 18(2) of the Structures Act provides that a municipal council must meet at least quarterly.

Item 3 of the Code of Conduct for Councillors (Schedule 1 to the Systems Act) provides that a Councillor must attend each meeting of the municipal council and of a committee of which that Councillor is a member. Apart from the aforesaid, Council's By-law on Rules of Order for Internal Arrangements also addresses this matter. Should Council resolve to go into recess **immediately after conclusion of the Council Meeting on 24 June 2015 to 19 July 2015,**

such a resolution will have no effect on Council's legal responsibility to meet at least quarterly.

During the proposed recess, all urgent matters can be dealt with by the Executive Mayor (or acting) in consultation with the Municipal Manager (or acting), except those reserved in terms of the provisions of Section 160(2) of the Constitution and Section 59 (1) (a) of the Systems Act for full Council.

7. Financial Implications

None

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

None

RECOMMENDATION TO THE COUNCIL:

1. **that the proposed period of recess, i.e. 24 June 2015** (immediately after conclusion of the Council Meeting) **to 19 July 2015** (the latter included) **be approved**; and
2. that during the period of recess all urgent matters/emergency situations be dealt with by the Executive Mayor (or acting) in consultation with the Municipal Manager (or acting), except those reserved by law for full Council.

RESPONSIBLE OFFICIAL :

H VAN TONDER

TARGET DATE FOR IMPLEMENTATION :

NOT APPLICABLE

7. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER (IF ANY)

8. CONSIDERATION OF NOTICES OF MOTIONS / QUESTIONS

At the time of the closing of the agenda, no notices of motions/questions were received.

9. CONSIDERATION OF MOTIONS OF EXIGENCY (IF ANY).