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**THE CITY MANAGER
COUNCIL ITEM**

THE MAYORAL COMMITTEE AND WARD PARTICIPATORY SYSTEM

1. PURPOSE

The purpose of this report is two two-fold, firstly to appraise the Municipality Council on the Mayoral Committee and ward participatory system, secondly to request Council endorsement of the system.

2. BACKGROUND

Mangaung Municipality at its inaugural meeting held on the 11th December 2000, resolved in terms of section 7(b) of the Municipal Structures Act (Act No.117 of 1998) adopted a Mayoral Committee System which allows for the exercise of Executive Authority of the municipality is vested with the Executive Mayor and who is assisted by the Mayoral Committee. As a category A municipality, MMM is combined with the Ward Participatory system to enhance citizens participation in matters of service delivery. The current model and type of municipality over the past five years had proven to be working excellently for the reason that decisions are taken and executed with speed to enhance effective efficient service delivery.

3. APPOINTMENT OF THE MAYORAL COMMITTEE MEMBERS

The Mayoral Committee is not a committee of Council for the purposes of section 160 (8). It is a committee appointed by the Executive and automatically terminates when the Executive Mayor ceases to hold office. It is there to assist the Executive Mayor in the execution of his or her functions. The Executive Mayor can dismiss the members of the Mayoral committee, which is directly accountable to the Executive Mayor, not to the Council. The right to appoint members of the Mayoral Committee is part of the privilege of the majority rule, which is the cornerstone of any democratic dispensation.

The Mayoral Committee is equated to the national and or provincial cabinets. They are appointed by the President or Premier and their composition is at the discretion of these authorities. Where there is an Executive Mayor, we have a cabinet -style mayoral committee.

4. SECTION 80 COMMITTEES FUNCTIONING

The distinction that the Municipality Structures Act (Act No. 117 of 1998) makes between the Mayoral Committees and the Council Committees is that, the Mayoral Committees are appointed by the Executive Mayor whereas Council appoints Chairpersons of Council Committees and thus it is clear indication that the committees are quite different.

The Section 79 committee reports to the Council whereas, Section 80 reports to the Executive Mayor, Section 80 committee is chaired by the Member of the Mayoral Committee, the Executive Mayor may delegate powers and duties to the committee. The deliberations and recommendations of a section 80 meetings are conveyed to the Executive through the member of the Mayoral Committee. Recording of deliberations by all councillors at section 80 committee becomes crucial and its ideal that the City Manager must ensure that professional and competent secretarial support services should be provided at all section 80 committee meetings. The legal fraternity affords a municipality substantial discretion on how to structure its committee system; for an example a municipality may establish section 80 committees, with limited number of section 79 committees.

5. WARD COMMITTEE SYSTEM

Every Council must comply with the broad principles of participatory democracy, councils have the discretion to decide whether they want to establish ward committees. The establishment of the ward committee is primarily to strengthen participatory governance.

a) What are the functions of ward committees

- Ward committees are communication channel for ward community;
- Ward committee can be an important mobilizing agent for the community action;
- Ward committee advise ward councillors on the policy matters affecting the ward;
- Ward committee help identify the needs and challenges that the ward face;
- Ward committees can also play an important in mobilizing partnerships for the development of local projects.

b) Administrative Support and term of office

Municipalities are required to make administrative arrangements to support ward committees in performing their functions. More importantly, allocation of resources and funds should be appropriately budgeted. The term of office of the members of the ward committee is as per the approved policy and should not exceed a period of three years.

c) Vacancies and termination of membership

In line with the MMM Ward Committee policy, termination of membership occurs because of the following circumstances, namely

- Resignation;
- Death;
- Relocation from the ward;
- Election to a position of a councillor;
- Failure to attend three consecutive meetings without apology;

- Proven involvement in corruption;
- Involvement in proven activities that undermine the council or ward councillor;
- Ceasing to be a member of the political party/organization the member represents;
- Being declared insolvent or mentally incompetent by a court.

6. RECOMMENDATIONS

a) That the Metropolitan Council re-affirm the Mayoral Committee System combined with the Ward participatory system.

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ACTING CITY MANAGER
MR. SELLO MORE