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Your Ref: Clr T Van Der Walt
Room 201, Bram Fischer Building

Our Ref: 12/1/9/4/2
Date: 25 July 2022

Clr T Van Der Walt
Democratic Alliance
Mangaung Metropolitan Municipality

RESPONSE TO RULE 38 QUESTION. UNRESOLVED POTHOLE DAMAGE CLAIMS

Your e-mail received on the 1st July 2022, with regard to the above-mentioned matter refers.

Question 1:

Why has there been no official response from Mangaung Engineering Departments despite regular follow ups from the claimants, and requests from finances?

Response: The time taken by claimants to submit the required documents, does not have a deadline, so some claimants, take their own time to submit.

Question 2:

Why have these claims not been finalised?

Response: The number of claims received is quite substantial. For example, for the last three financial years, a total of four thirty-four (434) claims were received. The time taken by claimants to submit the required documents, which is obtaining two tyres, and Engineering Mechanical Services requirement of having to verify the claim by locating the pothole, that caused the damage, also prolongs much the period of processing the claim. Finally, an up-to-date Municipal rates and taxes account, is required. This in the main, is the main hurdle of the criterion, that holds up the process, as most residents are in arrears.

Question 3:

Who is responsible to ensure feedback is given by the Engineering Services Department to Finances?

Response: The Engineering Mechanical Section compiles the report that is then submitted to Claims Section.

Question 4:

What is the remedy in these claims now?

Response: All outstanding claims are already being followed, for finalization.

Question 5:

What changes are necessary to the process or system to ensure that the bottlenecks can be eliminated and avoided?

Recommended prevention measures:

- Maintenance and/or upgrades of roads.
- Erecting visible warning signs
- Law enforcement to enforce speed reduction via roadblocks, and by extension minimize claims

Processing of claims:

- Dedicated officials to address the backlog on departmental report.
- Creation of a Contingency Fund to:
 - Settle claims that are within the excess
 - Settle claims where summons/Letter of Execution have been issued before Municipal assets are attached by the sheriff.

Creation of a contingency office:

- Locating of Claims Office at Engineering Services Maintenance Section to improve and expedite accountability.
- Availing budget to Legal Services to contest possible fraudulent claims within the excess (below R100 K).

Question 6:

How much was paid out in each region of the Metro during the 2019/20, 2020/21, 2021/22 financial years?

a. In total

2019/2020	R940 843 (motor, non-motor)
2020/2021	R489 582 (motor, non-motor)
2021/2022	R3 703 994 (motor, non-motor)

b. For Litigation and legal costs related to such claims?

i. In total and

No litigation.

ii. Due to failure to resolve claims within a reasonable time?

No litigation.

Question 7:

How many claims were received during 2019/20, 2020/21 and 2021/22?

a. How many claims were rejected?

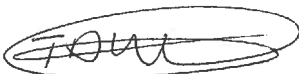
b. How many have been finalised and paid out?

	2019/20	2020/21	2021/22
Received	41	116	83
a) Rejected	14	3	4
b) Finalised	22	33	26

c. How many are still pending?

296 in total.

Yours faithfully



Tebogo Motlashuping
Acting City Manager

Date: 16/08/2022