

Reference No 58457/1
Tich Mekhoe (4715)
COUNCIL: 25 July 2019



3. COMMUNITY AND SOCIAL DEVELOPMENT SERVICES DEPARTMENT
FEEDBACK FROM THE PUBLIC PARTICIPATION PROCESS OF THE
REVIEWED CITY OF TSHWANE STREET HOMELESSNESS POLICY
**(From the Executive Committee: 10 June 2019 and the Mayoral Committee:
10 July 2019)**

1. PURPOSE

The purpose of the report is to:

- Provide feedback to Council with respect to public participation conducted on the reviewed City of Tshwane street homelessness policy as resolved by Council on the 30 March 2017; and
- Request that Council approves the amended 2017 City of Tshwane (CoT) Street Homelessness Policy in line with the Council resolution of the 30 March 2017.

2. STRATEGIC PILLARS

2.1 A City that cares for residents and promotes inclusivity.

3. BACKGROUND

On the 30 March 2017, Council approved the reviewed Street Homelessness Policy for the City of Tshwane in principle, and recommended that the reviewed policy be subjected to public participation before final approval by Council. The following were resolutions taken by Council on the 30 March 2017:

1 That the current Homelessness policy be rescinded.

2 That the revised Homelessness Policy for the City of Tshwane be approved in principle.

3 That the revised Homelessness Policy by subject to a public participation process.

4 That the City institutionalise and coordinate multi stakeholder response to the problem of homelessness.

5 That the final homelessness policy for the City of Tshwane be submitted to Council for approval.

Below is the screenshot of the 30 March 2017 Council resolution:

During consideration of this item by Council on 30 March 2017, and after the following Councillors addressed Council on this matter, it was resolved as set out below:

AA Ndlovana
TE Mabusela
PB Hlatshwayo
NM Mhlongo
TP Mogale
MMC IP Du Plooy

ANNEXURES:

- A: Draft Street Homelessness Policy
- B: Current City of Tshwane Homelessness Policy

RESOLVED:

1. That the current Homelessness Policy be rescinded.
2. That the revised Homelessness Policy for the City of Tshwane be approved in principle.
3. That the revised Homelessness Policy be subjected to a public participation process.
4. That the City institutionalise and coordinate multi stakeholder response to the problem of homelessness.
5. That the final Homelessness Policy for the City of Tshwane be submitted to Council for approval.



4. DISCUSSION

In the financial year 2017/18, Community and Social Development Services Department conducted a public participation session, through the assistance of the office of the Speaker. The session was held in Sammy Marks Banquet Hall, with the purpose of opening discussions for more inputs to the policy of Homelessness. City of Tshwane residents, Homeless people and (Non-Governmental Organisations) NGOs rendering services for homeless people, all attended. More than three hundred (300) people attended the public consultation session, and made inputs to the policy.

Overall, the inputs were valuable, and the city was complemented for drafting a policy that was addressing issues that affect people who are homeless on daily basis.

One of the processes that was employed in drafting the Street Homelessness Policy, was to conduct a research, that enhanced the content of the policy. Other processes were also engaged to harness more input from various stakeholders and communities, and they are:

4.1 Tshwane Homelessness Summit

The CoT in partnership with the University of Pretoria, University of South Africa and Tshwane Homelessness Forum hosted a two days' summit wherein all relevant stakeholders, nationally and internationally were gathered to engage on identifying effective interventions which are geared towards improving the lives of homeless people. Over Six hundred (600) delegates attended the summit. Out of the summit, it was recommended that the current homelessness policy be reviewed.

4.2 Homelessness research.

The CoT in partnership with the University of Pretoria, Tshwane Homelessness Forum and University of South Africa also embarked on the City wide study/research to establish the nature and extent of homelessness as well as ways to deal with it in a developmental manner. The findings also played a key part in the review of the current Tshwane Homelessness Policy.

4.3 Tshwane Homelessness Forum

Tshwane Homelessness Forum is a forum of all homelessness stakeholders in the CoT who have interest in ensuring that issues that affect homeless people are addressed efficiently and effectively. The forum comprises of organisations and individuals who are dedicated to participate in dialogues, and other engagements that address issues of homeless people. The revised policy has been presented to the forum a number of times for inputs, and stakeholders were comfortable with inputs they have made.

4.4 OUTCOMES OF THE PUBLIC PARTICIPATION

Issues raised	Department referred to	Comments from Department
Involvement of homeless people in decision making and planning in the city	Community and Social development services (CSDS) Tshwane Homelessness Forum	The policy also talks about the support of structures such as Tshwane Homelessness Forum (THF) which is the assembly of homelessness stakeholders. Homeless people will be encouraged to take part in such structures and others. THF will be encouraged to reach out to more concerned people
Registered NGOs not prioritising interests of homeless people	Tshwane Homelessness Forum Community and Social Development services	The CSDS together with THF to engage further, NGOs that are working with people who are homeless, to try and address the issue.
Relevant contacts for individuals and organizations to participate in homelessness programme	Community and Social Development Services	Contact numbers and physical addresses were communicated during and after the public consultation event
Definition of street homelessness	Community and Social Development Services	Street homelessness is a narrowed definition which only refers to people who live and sleep on the street, under the bridges, abandoned buildings and

		pavement. The definition is also in the policy
Use of African languages for presentation and poor advertisements for public participation	Office of the Speaker	Referred to the Office of Speaker for further intervention
Insufficient space, land or buildings for homelessness programme	City Planning and Development (Group Properties).	Referred to Group Property for further intervention
Policy only catering job seekers and excluding the mental challenged	Community and Social Development Services	The policy in general does include services to the mentally challenged, when it talks about health services and referrals
Policy to be implemented without delay	Community and Social Development services	Implementation of the policy depends on availability of funds. A homelessness Strategy guided by the policy will be drafted and submitted for budget allocation.
was consultation wide and inclusive enough	Community and Social Development services	The CSDS consulted during the summit and the Research, and even during Tshwane Homelessness Forum meetings
Substance abuse as one of the causes of homelessness	Community and Social Development services Health	Referred to Health for further intervention
More skills development for the youth to reduce homelessness	Community and social development services	The revised policy includes skills development as a strategic intervention
Homeless people in need of resources for support and empowerment	Community and Social Development services	The Homelessness Strategy will be costed, for every proposed programme/ intervention.
Lack of access to municipal ablution facilities by homeless people in parks	Community and Social Development services	CSDS to investigate the possibility of homeless people having access to these facilities, and the maintenance issue, related to the usage.
Support of economic activities that homeless people engage in, such as waste collection, dustbin collection etc	Economic Development and Spatial planning	Support for economic activities are covered in the revised policy.
Harassment by law enforcement agencies	Metro Police Community and Social Development services	The policy covers training of law enforcement officers on the rights of homeless people

5. COMMENTS OF THE STAKEHOLDER DEPARTMENTS

5.1 COMMENTS OF THE CHIEF FINANCIAL OFFICER

The purpose of this report is to submit feedback to Council with respect to public participation conducted on the reviewed City of Tshwane street homelessness policy as resolved by Council on 30 March 2017 and request that Council approves the amended 2017 City of Tshwane (CoT) Street Homelessness Policy in line with the Council resolution of the 30 March 2017.

It is indicated in the report that the homelessness programme was not allocated any budget in the previous financial year hence the current policy was not fully implemented. No budget allocations were made for this purpose in the 2018/19 financial year. Therefore, the implementation of the reviewed homelessness policy will require funds. However, it is indicated that the Strategy which will be submitted later will determine the amount of resources required for the roll out.

It should also be noted that additional budget funding cannot be sourced on an ad-hoc or ad-lib basis to accommodate requirements outside the budget process, as timely planning should be instilled by all responsible departments.

It should be noted that once the responsibilities of each role-player/stakeholder has been identified together with the costs related, it is the view of Group Financial Services that comments from all stakeholder departments should be obtained to confirm their commitments and financial contribution towards this initiative moreover indicating whether they have capacity too render specified services.

All financial implications emanating as a result of this report must be managed within the approved 2018/19 Medium-Term Revenue and Expenditure Framework of the relevant stakeholder departments.

5.2 COMMENTS OF THE CHIEF OF POLICE

The purpose of the report is to:

- Submit feedback to Council with respect to public participation conducted on the reviewed City of Tshwane street homelessness policy as resolved by Council on the 30 March 2017;
- Request that Council approves the amended 2017 City of Tshwane (CoT) Street Homelessness Policy in line with the Council resolution of the 30 March 2017.

The Tshwane Metro Police Department takes cognisance of the content of the report and further supports the recommendations as set out in the report as well as the noble intentions of this initiative.

5.3 COMMENTS OF THE GROUP HEAD: GROUP LEGAL AND SECRETARIAT SERVICES

Note is taken of the purpose and contents of the report and annexures thereto.

It transpires from the report that final approval of the proposed Homelessness Policy is in accordance with a Council resolution taken on 30 March 2017 as noted in the report.

In accordance with section 4(2)(j) of the Municipal Systems Act, 2000, (MSA), the council of a municipality, within the municipality's financial and administrative capacity, and having regard to practical consideration, has the duty to-

- contribute, together with other organs of state, to the progressive realization of the fundamental rights contained in sections 24, 25, 26, 27 and 29 of the Constitution.

Section 26 of the Constitution states that everyone has the right to have access to adequate housing.

A municipality's administration is governed by the democratic values and principles embodied in section 195 (1) of the Constitution and must be responsive to the needs of the local community as envisaged in section 6(2)(a) of the MSA.

In terms of section 11(3) (a) of the MSA, a municipality exercises its legislative or executive authority by adopting and developing policies, programmes, plans and strategies.

In view of the above the recommendations are supported since they are legally in order.

5.4 COMMENTS OF THE GROUP HEAD: ECONOMIC DEVELOPMENT AND SPATIAL PLANNING

The Economic Development and Spatial Planning Department takes cognisance of the report and supports ALL the recommendations made in the report.

5.5 COMMENTS OF THE GROUP HEAD: HEALTH

The purpose of the report is to, 'Submit feedback to Council with respect to public participation conducted on the reviewed City of Tshwane street homelessness policy as resolved by Council on the 30 March 2017; Request that Council approves the amended 2017 City of Tshwane (CoT) Street Homelessness Policy in line with the Council resolution of the 30 March 2017.

The Health Department supports the report, its objectives and its recommendations.

5.6 COMMENTS OF THE GROUP HEAD: HUMAN SETTLEMENT

The Department of Human Settlements takes note of the feedback from the Public Participation process of the reviewed City of Tshwane Homelessness policy.

5.7 COMMENTS OF THE GROUP HEAD: REGIONAL OPERATIONS AND COORDINATION

The purpose of the report is to, 'Submit feedback to Council with respect to public participation conducted on the reviewed City of Tshwane street homelessness policy as resolved by Council on the 30 March 2017; Request that Council approves the amended 2017 City of Tshwane (CoT) Street Homelessness Policy in line with the Council resolution of the 30 March 2017.

The ROC supports the report, its objectives and its recommendations.

6. IMPLICATIONS

6.1 HUMAN RESOURCES

Homelessness programme is located the Department of Community and Social Development Services. Social Workers are responsible for Homelessness programme, and other Social programmes for the vulnerable groups in the CoT. The challenge is insufficient staff to address the problem City wide. Hence, linkages with NGOs.

6.2 FINANCES

Over years, the homelessness programme was not allocated any budget, hence even the current policy was not fully implemented. In the financial year 2018/19, it is not allocated any budget. The implementation of the reviewed homelessness policy will require funds. The Strategy which will be submitted later, will determine the amount of resources required for the roll out.

However, it is critical that the responsibilities of each role-player/stakeholder be identified and costs related to that responsibility must be stated as well. This include internal and external stakeholders.

6.3 CONSTITUTIONAL AND LEGAL FACTORS

The homelessness programme realises the right for everyone to have access to adequate housing as per Section 2, Chapter 2 of the Constitution of the Republic of South Africa. The Constitution also enshrines the right for everyone to have inherent dignity and to have their dignity respected and protected. As such, the homelessness programme aims to achieve that.

6.4 COMMUNICATION

The use of Council approved communication platforms are used in interacting with relevant stakeholders, and Tshwane Homelessness Forum platforms are also utilised to reach out to the entire City.

6.5 PREVIOUS COUNCIL OR MAYORAL COMMITTEE RESOLUTIONS

On the 30 March 2017, Council resolved on the following:

1 That the current Homelessness policy be rescinded.

2 That the revised Homelessness Policy for the City of Tshwane be approved in principle.

3 That the revised Homelessness Policy by subject to a public participation process

4 That the City institutionalise and coordinate multi stakeholder response to the problem of homelessness.

5 That the final homelessness policy for the City of Tshwane be submitted to Council for approval.

7. CONCLUSION

The effective and efficient implementation of Street Homelessness Policy for the City of Tshwane will require the collective commitment of all concerned stakeholders such as government in all levels, private sector, NGOs, Tshwane Homeless Forum and its affiliates, institutions of higher learning etc. Homelessness should not be relegated to one specific department or sector, because it is a multifaceted phenomenon which calls for multidisciplinary interventions.

The Mayoral Committee on 10 July 2019 resolved to recommend to Council as set out below:

IT WAS RECOMMENDED (TO THE COUNCIL: 25 JULY 2019):

1. That cognisance be taken of the content of the report; and

2. That Council take cognisance herein of the feedback from the Public Participation Process of the 2017 approved in principle of the City of Tshwane Street Homelessness Policy.

During consideration of this item by Council on 25 July 2019, Cllr MN Mnguni participated in a debate.

Subsequently MMC IP Du Plooy seconded by MMC A Kissoonduth proposed the following amendments:

(Unaltered)

- “1. That cognisance be taken of the contents of the report; and
2. That Council take cognisance herein of the feedback from the Public Participation Process in 2017. (Delete the rest)
3. (Add) That the City of Tshwane Homeless Policy be approved.

The Council acceded to MMC Du Plooy's proposal, and it was thereafter resolved as set out below:

ANNEXURES:

- A. Reviewed Street Homelessness Policy Report Council - Policy Draft with amendments from public participation
- B. Street Homelessness Policy Draft Council resolution 30 March 2017
- C. Attendance register public participation 2
- D. Attendance register public participation 3
- E. Attendance register public participation 1
- F. Attendance register Public participation 4
- G. Minutes Public participation Tshwane Homelessness Policy

RESOLVED:

1. That cognisance be taken of the content of the report.
2. That Council take cognisance herein of the feedback from the Public Participation Process of the 2017.
3. That the City of Tshwane Homeless Policy be approved.



Reference No 89165/1

Tich Mekhoe (4715)

COUNCIL: 12 February 2018

COMMUNITY AND SOCIAL DEVELOPMENT SERVICES DEPARTMENT
FEEDBACK FROM THE PUBLIC PARTICIPATION PROCESS OF THE REVIEWED
CITY OF TSHWANE STREET HOMELESSNESS POLICY.

1. PURPOSE

- Submit feedback to Council with respect to public participation conducted on the reviewed City of Tshwane street homelessness policy as resolved by Council on the 30 March 2017.
- Request that Council approves the amended 2017 City of Tshwane Street Homelessness Policy in line with the Council resolution of the 30 March 2017

2. STRATEGIC PILLARS

2.1 A CITY THAT CARES FOR RESIDENTS AND PROMOTES INCLUSIVITY

3. BACKGROUND

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AA Ndlovana
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ANNEXURES:

- A: Draft Street Homelessness Policy
- B: Current City of Tshwane Homelessness Policy

RESOLVED:

1. That the current Homelessness Policy be rescinded.
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3. That the revised Homelessness Policy be subjected to a public participation process.
4. That the City institutionalise and coordinate multi stakeholder response to the problem of homelessness.
5. That the final Homelessness Policy for the City of Tshwane be submitted to Council for approval.



4. DISCUSSION

In the financial year 2017/18, Community and social development services department conducted public participation session, through the assistance of the office of the Speaker. The session was held in Sammy marks banquet hall, with the purpose of opening discussions for more inputs to the policy of Homelessness. City of Tshwane residents, Homeless people and NGOs that render services for homeless people, all attended. More than 300 people attended the public consultation session, and made inputs to the policy. Overall, the inputs were valuable, and the city was complemented for drafting a policy that was addressing issues that affect people who are homeless on daily basis.

One of the processes that was employed in drafting the Street Homelessness Policy, was to conduct a research, that enhanced the content of the policy. Other processes were also engaged to harness more input from various stakeholders and communities, and they are:

4.1 Tshwane Homelessness Summit

The City in partnership with University of Pretoria, University of South Africa and Tshwane Homelessness hosted a two days' summit wherein all relevant stakeholders, nationally and Internationally were gathered to engage on identifying effective interventions which are geared towards improving the lives of homeless people. Over 600 delegates attended the summit. Out of the summit, it was recommended that the current homelessness policy be reviewed.

4.2 Homelessness research

The City in partnership with the University of Pretoria, Tshwane Homelessness Forum and University of South Africa also embarked on the City wide study/research to establish the nature and extent of homelessness as well as ways to deal with it in a developmental manner. The findings also played a key part in the review of the current Tshwane Homelessness Policy.

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4.4 OUTCOMES OF THE PUBLIC PARTICIPATION

Issues raised	Department referred to	Comments from Department
Involvement of homeless people in decision making and planning in the city	Community and Social development services (CSDS) Tshwane Homelessness Forum	The policy also talks about the support of structures such as Tshwane Homelessness Forum (THF) which is the assembly of homelessness stakeholders. Homeless people will be encouraged to take part in such structures and others. THF will be encouraged to reach out to more concerned people
Registered NGOs not prioritising interests of homeless people	Tshwane Homelessness Forum Community and Social Development services	The CSDS together with THF to engage further, NGOs that are working with people who are homeless, to try and address the issue.
Relevant contacts for individuals and organizations to	Community and Social	Contact numbers and physical addresses were communicated during and after the public consultation event

participate in homelessness programme	Development Services	
Definition of street homelessness	Community and Social Development Services	Street homelessness is a narrowed definition which only refers to people who live and sleep on the street, under the bridges, abandoned buildings and pavement. The definition is also in the policy
Use of African languages for presentation and poor advertisements for public participation	Office of the Speaker	Referred to the Office of Speaker for further intervention
Insufficient space, land or buildings for homelessness programme	City Planning and Development (Group Properties).	Referred to Group Property for further intervention
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was consultation wide and inclusive enough	Community and Social	The CSDS consulted during the summit and the Research, and even during Tshwane Homelessness Forum meetings

	Development services	
Substance abuse as one of the causes of homelessness	Community and Social Development services Health	Referred to Health for further intervention
More skills development for the youth to reduce homelessness	Community and social development services	The revised policy includes skills development as a strategic intervention
Homeless people in need of resources for support and empowerment	Community and Social Development services	The Homelessness Strategy will be costed, for every proposed programme/ intervention.
Lack of access to municipal ablution facilities by homeless people in parks	Community and Social Development services	CSDS to investigate the possibility of homeless people having access to these facilities, and the maintenance issue, related to the usage.
Support of economic activities that homeless people engage in, such as waste collection, dustbin collection etc	Economic Development and Spatial planning	Support for economic activities are covered in the revised policy.
Harassment by law enforcement agencies	Metro Police Community and Social Development services	The policy covers training of law enforcement officers on the rights of homeless people

5. COMMENTS OF THE STAKEHOLDER DEPARTMENTS

5.1 COMMENTS OF THE CHIEF FINANCIAL OFFICER

5.2 COMMENTS OF THE CHIEF OF EMERGENCY

5.3 COMMENTS OF THE CHIEF OF POLICE

5.4 COMMENTS OF THE CHIEF OF STAFF

5.5 COMMENTS OF THE GROUP HEAD: COMMUNICATIONS & MARKETING

5.6 COMMENTS OF THE GROUP HEAD: ECONOMIC DEVELOPMENT & SPATIAL PLANNING

5.7 COMMENTS OF THE GROUP HEAD: GROUP LEGAL COUNSEL

5.8 COMMENTS OF THE GROUP HEAD: GROUP PROPERTY

5.9 COMMENTS OF THE GROUP HEAD: HEALTH

5.10 COMMENTS OF THE GROUP HEAD: HOUSING AND HUMAN SETTLEMENT

5.11 COMMENTS OF THE GROUP HEAD: REGIONAL OPERATIONS AND COORDINATION

6. IMPLICATIONS

6.1 HUMAN RESOURCES

Homelessness programme is located the Department of Community and Social Development Services. Social workers are responsible for Homelessness programme,

and other social programmes for vulnerable groups in the city. The challenge is that there isn't sufficient staff to address the problem city wide. Hence, linkages with NGOs.

6.2 FINANCES

Over years, the homelessness programme was not allocated any budget, hence even the current policy was not fully implemented. In the financial year 2018/19, it is not allocated any budget. The implementation of the reviewed homelessness policy will require funds. The Strategy which will be submitted later, will determine the amount of resources required for the roll out. However, it is critical that the responsibilities of each role-player/stakeholder be identified and costs related to that responsibility must be stated as well. This include internal and external stakeholders.

6.3 CONSTITUTIONAL AND LEGAL FACTORS

The homelessness programme realises the right for everyone to have access to adequate housing as per Section 2, Chapter 2 of the Constitution of the Republic of South Africa. The Constitution also enshrines the right for everyone to have inherent dignity and to have their dignity respected and protected. As such, the homelessness programme aims to achieve that.

6.4 COMMUNICATION

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6.5 PREVIOUS COUNCIL OR MAYORAL COMMITTEE RESOLUTIONS

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4 That the City institutionalise and coordinate multi stakeholder response to the problem of homelessness.

5 That the final homelessness policy for the City of Tshwane be submitted to Council for approval.

7. CONCLUSION

The effective and efficient implementation of Street Homelessness Policy for the City of Tshwane will require the collective commitment of all concerned stakeholders such as government in all levels, private sector, NGOs, Tshwane Homeless Forum and its affiliates, institutions of higher learning etc. Homelessness should not be relegated to one specific department or sector but, because it is a multifaceted phenomenon which calls for multidisciplinary interventions.

ANNEXURES:

- A. Council resolutions of the 30 March 2017 with respect to the CoT Street Homelessness policy
- B. CoT Street Homelessness Policy with inputs from the public participation process

RECOMMENDED:

That it be recommended to the Council:

1. That cognisance be taken of the content of the report
2. That Council take into cognizance herein feedback from the public participation process of the 2017 approved in principle City of Tshwane Street Homelessness Policy.
3. That the Council approves the City of Tshwane Street Homelessness Policy with inputs from the public participation process

ANNEXURE B

18



1

Reference No
Doctor N. Tshwale (4942)
COUNCIL: 30 March 2017

3. COMMUNITY AND SOCIAL DEVELOPMENT SERVICES DEPARTMENT
FEEDBACK OF THE RESEARCH REPORT ON HOMELESSNESS AND THE
REQUEST FOR APPROVAL FOR THE REVIEW OF THE CURRENT CITY OF
TSHWANE HOMELESSNESS POLICY AND APPROVAL FOR THE DRAFT
STREET HOMELESSNESS POLICY

(From the Mayoral Committee: 7 December 2016 and Council: 26 January
2017)

1. PURPOSE

The purpose of the report is to inform Council about the outcome of the research on Homelessness within the City, and to obtain approval of the reviewed City of Tshwane Homelessness Policy.

2. STRATEGIC OBJECTIVES

The report addresses the following Strategic Objectives:

Strategic objective 3: "To fight poverty, build clean, healthy, safe and sustainable communities"

3. BACKGROUND

The City of Tshwane is experiencing a growing problem of Homelessness within its area of jurisdiction. According to South African Cities Network report published during 2010, an estimated 200,000 people who are homeless in South Africa are found in big cities for practical reasons. The Statistics South Africa report published during 2012 estimates that there are 6, 244 homeless people within the City of Tshwane alone.

The Human Science Research Council (HSRC) report published during 2010 estimates that 43% of homeless people in Tshwane have homes at the periphery areas of the city and subsequently are marginalised from economic opportunities.

The HSCR, 2010 report further asserts that some of homeless people do not afford to travel between their places of stay and the economic opportunities daily and opt to rather sleep on the streets. HSRC, 2010 states that 32% of this category of people have no permanent homes and 19% are temporarily stranded on the street.

The respective institutions focusing on homeless programs and various research reports cites the main causes of street homelessness as lack of affordable accommodation, unemployment, substance abuse, mental illness and poverty.

Women and children falls within a group that is most affected by homelessness due to their vulnerability, hence they are prioritised for placement and accommodation in shelters. Men are more visible and easily identifiable when they are homeless.

The City of Tshwane has partnered with University of South Africa, University of Pretoria and the Tshwane Homeless Forum to find a sustainable solution to a problem of Homelessness. The mentioned parties assessed the effectiveness of the current policy and strategic interventions on homelessness within the City during 2014. The baseline assessment conducted by the parties revealed that the current policy and strategic interventions were not responsive to the homelessness problem and need to be reviewed.

4. DISCUSSION

The City commissioned a context specific survey to define the problem of homelessness within its area of jurisdiction, to assess the effectiveness of the current policy and strategic interventions and to recommend the evidence based programs to homelessness.

A research report detailing the observations as well as findings and recommendations that include policy, strategic and program interventions that respond to a problem of homelessness as defined by the City is attached as annexure A.

4.1 Summary of Research Findings and Recommendations

The research revealed the below-mentioned gaps in the current policy and strategic framework that guides a response to a problem of homelessness within the City:

Key Research Findings:

- There are a number of stakeholders involved in the Homeless programs within the city, but the effort of the mentioned organisations is not coordinated which renders the response ineffective and inefficient;
- The homeless program in the City is not adequately funded, therefore the planned interventions are not implemented;
- The current approach to address homelessness is not integrated, which means that one or more instead of a combination of the psycho-social, spiritual, physical and economic, housing or spatial aspects of people's well-being are addressed;
- ~~Lack of adequate facilities and / or infrastructure to accommodate different~~ categories of homeless people, including the transitional and the chronic ones;

Key Research Recommendations:

- That the City should review the Homeless Policy and strategy to ensure that the interventions are more responsive and context specific;
- That the city must institutionalise and coordinate a multi-stakeholder response to a problem of homeless;

- That a coordinated evidence based response to homeless needs to be adequately resourced for effective interventions to occur.

The attached report together with reviewed policy and strategy were presented at the international homeless day commemoration held during October 2015. The commemoration culminated in the signing of a social pledge committing the City, Tshwane Homeless Forum, UNISA, University of Pretoria and Business Sector to a program of addressing a problem of homelessness within the City.

A research report is submitted to the Mayoral Committee for noting, and the reviewed policy, and the strategy are submitted for approval in principle for final approval by Council before implementation.

5. COMMENTS OF THE STAKEHOLDER DEPARTMENTS

5.1 COMMENTS OF THE CHIEF FINANCIAL OFFICER

Cognisance is taken of the contents of the report.

It is indicated in the report that there is currently no budget for the homeless programme and that it is envisaged that the programme will be funded in next coming financial years, through submissions from the Regions, as the implementing arm of the City of Tshwane.

It should be noted that the Regions, as the implementing arm of this programme should submit a funding request for this programme through the normal IDP and MTREF budgeting process as well as to provide sufficient motivation for their inclusion and possible funding in the MTREF, thereby ensuring that this programme is also given the opportunity to compete with all other projects for prioritizing within the limited financial resources available.

The Group Financial Services Department will gladly render further financial comments on future reports in this regard.

5.2 COMMENTS OF THE CHIEF OF POLICE

The purpose of the report is:

- To present the 2015 research report on homelessness.
- To request approval for the review of the current CoT Homelessness policy
- To request adoption of the draft Street Homelessness Policy and Strategy

The Tshwane Metro Police Department (TMPD) takes cognisance of the content and importance of the report. The TMPD further supports the recommendations as outlined in the report as well as the envisaged initiatives to be taken towards addressing homelessness in the City.

5.3 COMMENTS OF THE GROUP HEAD: GROUP LEGAL AND SECRETARIAT SERVICES

The purpose of the report is to:

- present the 2015 research report on the Homelessness Policy;
- request approval for the review of the current CoT Homelessness Policy and;
- request adoption of the Draft Street Homelessness Policy and Strategy.

The report aims to contribute to strategic objective 3 pertaining to fighting poverty, build clean, healthy, safe and sustainable communities. It transpires from the report that a homelessness research was conducted and presented during the World Homelessness Day on 10 October 2015, after a resolution was taken on the issue by relevant parties, as noted in the report. The findings are that the current CoT Homelessness Policy needed a review in order to respond to the latest needs and developments.

In accordance with sections 6(2)(a) and 4(2)(j) of the Municipal Systems Act, 32 of 2000, (the Act) the administration of a Municipality must be responsive to the needs of the local community and must contribute together with other organs of state to the progressive realisation of the fundamental rights contained in section 26 of the Constitution (which section provides that everyone has the right to have access to adequate housing).

Section 50(2) of the Act provides that a Municipality, in administering its affairs, must strive to achieve the objects of local government as set out in section 152(1) of the Constitution and comply with the duties set out in sections 4(2) and 6 of the Act.

A Municipality exercises its legislative or executive authority by developing and adopting policies, plans, strategies and programmes, including setting targets for delivery (section 11(3)(a) of the Act).

The attached Draft Street Homelessness Policy and Strategy was examined and it complies with the CoT's legislative and constitutional obligations and mandate.

In view of the above the recommendations are supported.

5.4 COMMENTS OF THE GROUP HEAD: ECONOMIC DEVELOPMENT AND SPATIAL PLANNING

~~The Economic Development Department takes cognisance of the feedback on the research undertaken on the homelessness within the area of jurisdiction of Tshwane. The review of the current Tshwane homelessness policy and approval for the draft street homelessness policy and strategy is supported.~~

5.4.1 CITY PLANNING AND DEVELOPMENT

The City Planning and Development Department has, in principle, no objection to the recommendations of the report.

5.5 COMMENTS OF THE HEAD: ENVIRONMENTAL AND AGRICULTURAL MANAGEMENT

Cognisance of the report is taken and the recommendations are supported.

5.6 COMMENTS OF THE HEAD: HOUSING AND HUMAN SETTLEMENT

The purpose of the report is noted. This department has no objection and report is supported.

5.7 COMMENTS OF THE HEAD: REGIONAL OPERATIONS AND COORDINATION

Cognisance is taken regarding the content of the report. The recommendations are supported.

6. IMPLICATIONS

6.1 HUMAN RESOURCES

Homelessness programme falls with Social development. It is envisaged that the seven CoT regions will implement the programme. In addition, there are already NGOs which are playing a key role with respect to the homelessness programme in the City.

6.2 FINANCES

There is currently no budget for the homeless programme. It is envisaged that the programme will be funded in the next coming financial years, through submissions from the regions, as the implementing arm of the City.

6.3 CONSTITUTIONAL AND LEGAL FACTORS

The implementation of the revised homeless policy and strategy is within the legislative mandate mentioned below:

In terms of sections 6(2)(a) and 4(2)(j) of the Municipal Systems Act (MSA), 32 of 2000, the administration of a Municipality must be responsive to the needs of the local community and must contribute together with other organs of state to the progressive realisation of the fundamental rights contained in section 26 of the Constitution. The mentioned section provides that everyone has the right to have access to adequate housing. Section 50 (2) of the MSA, Act provides that a Municipality, in administering its affairs, must strive to achieve the objects of local government as set out in section 152 (1) of the Constitution and comply with the duties set out in sections 4 (2) and 6 of the Act. A Municipality exercises its legislative or executive authority by developing and adopting policies, plans, strategies and programmes, including setting targets for delivery per section 11(3)(a) of the Act.

6.4 COMMUNICATION

Public meetings, public participation, workshops and all CoT media platforms will be used to spread information. Media platforms of partners in dealing with homelessness will be used.

6.5 PREVIOUS COUNCIL OR MAYORAL COMMITTEE RESOLUTIONS

On the 28 March 2013, the Mayoral Committee approved the Homelessness Policy.

7. CONCLUSION

It can be concluded that there is a need for a new policy directive which will take into consideration the latest trends and development as well as best practice methods in dealing with homelessness.

IT WAS RECOMMENDED (TO THE MAYORAL COMMITTEE: 7 DECEMBER 2016):

That it be recommended to Council:

1. That the current Homelessness Policy be rescinded;
2. That a reviewed City of Tshwane Street Homelessness Policy be approved in principle for final approval by Council;
3. That a revised City of Tshwane Homelessness Strategy be approved;
4. That the City must institutionalise and coordinate multi stakeholder response to the problem of homelessness.

IT WAS RECOMMENDED (TO COUNCIL: 26 JANUARY 2017):

1. That the current Homelessness Policy be rescinded;
2. That a reviewed City of Tshwane Street Homelessness Policy be approved in principle for final approval by Council;
3. That a revised City of Tshwane Homelessness Strategy be approved;
4. That the City must institutionalise and coordinate multi stakeholder response to the problem of homelessness;
5. That a public participation process be conducted;
6. That the final City of Tshwane Homelessness Policy be submitted to Council detailing the financial implications with regards to the implementation of the policy; and
7. That the implementation of the City of Tshwane Homelessness Policy be subject to the availability of funds.

IT WAS RESOLVED (BY COUNCIL: 26 JANUARY 2017):

That the report be withdrawn.

During consideration of this item by Council on 30 March 2017, and after the following Councillors addressed Council on this matter, it was resolved as set out below:

AA Ndlovana
TE Mabusela
PB Hlatshwayo
NM Mhlongo
TP Mogale
MMC IP Du Plooy

ANNEXURES:

- A: Draft Street Homelessness Policy
- B: Current City of Tshwane Homelessness Policy

RESOLVED:

1. That the current Homelessness Policy be rescinded.
2. That the revised Homelessness Policy for the City of Tshwane be approved in principle.
3. That the revised Homelessness Policy be subjected to a public participation process.
4. That the City institutionalise and coordinate multi stakeholder response to the problem of homelessness.
5. That the final Homelessness Policy for the City of Tshwane be submitted to Council for approval.

