

2015 NGC DISCUSSION PAPER ON LEGISLATURE AND GOVERNANCE

1. INTRODUCTION

1. The idea of a non-racial, non-sexist and united South Africa continues to be the overarching perspective of the ANC led liberation alliance. The Freedom Charter envisages a state and government that is based on the will of the people, and is accountable to its citizens and is representative in terms of race, class and gender. Informed by the Freedom Charter, Ready to Govern, RDP, ANC Strategy and Tactics, the ANC has succeeded in establishing a democratic, accountable and representative system of government at all levels of society.
2. The ANC continues to earn the trust of our people and remains the premier organisation for South Africans, and the strategic centre of power. The people are the source of power. The trust and confidence of the people must be sustained through ensuring that the ANC occupies a moral high ground at all times.
3. Since 1994, the ANC has driven the transformation of the state and the democratisation of our governance system. South Africa has had five national and provincial elections, as well as, successive municipal elections since 1995. A democratic governance system has been established throughout our country, and South Africans are continuously engaged in political interactions.
4. The ANC government established Institutions Supporting Democracy (ISDs) guided by Chapter 9 of the Constitution. These institutions are vibrant and effectively carry out their mandate in protecting our democratic system. South Africans continue to show support and have confidence in the Chapter 9 Institutions.
5. Our 284 democratic municipalities also facilitate community interactions and participation to ensure that citizens have a say in their own development. Our system of developmental local government is premised on the active and balanced role of the communities, civil society and the state at a local level.
6. Notwithstanding the achievements we have made since 1994, the challenge remains to ensure that our democratic system is strengthened and made more accountable. We need to ensure that the State is reflective of our diverse population and that non-racialism, class, gender equity and a united South Africa is embedded in the National Consciousness of our people.

Context of the 4th National General Council (NGC)

7. The 4th National General Council (NGC) of the African National Congress (ANC) will convene within the context of the 60th Anniversary of the Freedom Charter and the 25th Anniversary of the unbanning of the ANC.
8. The National General Council takes place between National Conferences, and is a platform to review progress and challenges in the implementation of successive National Conference mandates and policies. The NGC provides an organisational opportunity to account, reflect and collectively map the best way forward.
9. This Legislature and Governance paper will review the implementation of policies and resolutions adopted primarily in the 53rd National Conference held in Mangaung in December 2012. It will also pay attention to the outstanding work of the 52nd National Conference held in 2007 and the 3rd National General Council held in 2010.
10. The scope of the policy review covers the broader governance sector namely; Local Government, Provinces, Public Service and Administration,

Cooperative Governance, Traditional Leaders, Institutions Supporting Democracy and Service Delivery. The paper further provides a review of the Legislatures, comprising the two houses of National Parliament, Provincial Legislatures and Municipal Councils.

11. This paper brings together key policy issues in Legislature and Governance, as a whole, and ensures an honest review of progress made and evaluation of how well previous ANC resolutions have been implemented. The discussion paper will also consider the issue of ANC internal capacity to manage and direct government, and how this needs to be improved.
12. The Legislature and Governance discussion paper will lead towards the consolidation and rationalisation of ANC policy, recognising that policy must be simple, clear and implementable.

2. CONTEXT OF THE DEVELOPMENTAL STATE

13. The main goal of state transformation as articulated in the ANC's strategy and tactics is: *"building a developmental state that provides effective basic services and with capabilities to take forward a far reaching agenda of national economic development, whilst at the same time placing people and their involvement at the centre of this process"*. This objective is the guiding principle for the ANC's management of the State. Our democratic state must serve our people, listen to their needs and deliver in the most effective, efficient, equitable and economic way possible.
14. There have been many achievements in the past 20 years, including, bringing together the fragmented apartheid state into a consolidated non-racial, non-sexist democratic state, answerable to and representative of South Africans.
15. The legislatures, executives and public service are now more representative of our country. Democratic institutions have been created and have delivered basic services to those who previously had none. A broad range of participatory mechanisms have been established; and planning frameworks have been set up at different levels (National Planning Commission, Integrated Development Plans, Spatial Development Frameworks, Provincial Growth and Development Strategies etc.). Further,

our communities enjoy the benefits of a vibrant democracy protected by the Constitution.

16. Over the past 20 years, the ANC government has ensured major expansion in access to basic services such as electricity, piped water, sanitation, roads and transport. All spheres of government have implemented programmes to alleviate poverty and increase economic and social infrastructure. Local government has undoubtedly been the primary site for the delivery of these services. However, the continued maintenance of the necessary infrastructure remains a challenge.
17. The transformation of the local government sector remains a priority for the ANC government. The National Development Plan (NDP) makes it clear that this transformation must build functional municipalities who can create safe, healthy and economically sustainable areas where people can work, live and socialise.

Challenges for the State

18. The South African state recognises that it operates within the global socio economic environment. The contemporary public service and political realities are shaped by economic crises and the pressures of financing and managing debt. Public sectors are pressurised to yield towards priorities set by economic dictates and governments have to adopt austerity measures to reduce spending, and tax increases.
19. Over the past 20 years, the need for a developmental and capable state has become more evident. Whilst we have created a democratic and constitutional state, with all the requisite institutions for governance, much remains to be done in terms of improving the lives of, particularly, the poor and unemployed.
20. Recognising the major gains made in redressing the effects of colonialism and racism, much remains to be done to ensure that all South Africans enjoy safety, security and decent human settlements. There is still a high demand for access to clean water, sanitation, energy, solid waste removal, and efficient and affordable public transport. In order to achieve this we must continue to build a state which is capable of delivering on the needs of our people.
21. Despite the significant success in configuring the

new state, there are still contested issues requiring review and finality, including:

- a. **Functionality of the intergovernmental system;**
- b. **Provinces:** the Review of Provinces;
- c. **Powers and functions of different spheres and the impact on effective service delivery;**
- d. **Inter-departmental Coordination:** it's effectiveness and if we have too many departments?
- e. **Mandates** which are overlapping and fragmented.

53rd National Conference

22. The 53rd National Conference, recognising the above challenges, took necessary policy resolutions. The Conference concluded that powers and functions of the three spheres of government should be reviewed in order to provide greater clarity and to facilitate more effective service delivery and development.
23. It further resolved that National and Provincial Government should monitor and support Local Government in ways that strengthen municipalities, not erode their powers and functions; devolution of certain provincial functions to stronger municipalities; and differentiation in scope of IDPs; funding support; and capacity building.
24. The ANC government has championed a National Development Plan (NDP) that seeks to address some of the key structural issues posing a challenge for the state. The NDP advances the need for a capable and developmental state that acts to resolve historical inequities through delivering quality public services and facilitating investment. The Development state will build capacity to formulate and implement policies that serve the national interest.
25. The National Development Plan also addresses

other issues of coordination, planning and an integrated governance system.

3. OVERVIEW OF THE ANC POLICY AND RESOLUTIONS

26. The 53rd National Conference reaffirmed the emphasis on the urgent need for renewal, recognising that renewal is principally about building the ANC's resilience, enhancing its transformative and governance capacity and its ability to adapt to changing situations so that it can continue to serve and lead the people.
27. The Conference also resolved on the second phase of transition, from apartheid colonialism to a national democratic society, which will be characterised by more radical policies and decisive action to effect socio-economic and continued democratic transformation. The Conference concluded that this will require a renewed, united and more vibrant ANC, Alliance and broader democratic forces.
28. The National Conference resolutions provided an enduring policy for the ANC as a whole, and for those cadres deployed in government and legislatures to implement and develop programmes focused on ANC policies. Some of the resolutions are more long term and require time for planning and implementation, others are relatively short term and are easy to execute.
29. The NEC through various Makgotla and ongoing programmes of the subcommittees has focused attention on ensuring that systems and processes are in place to monitor and report on the implementation of resolutions by deployees and ANC structures.
30. The priority of the L&G NEC subcommittee was on strengthening an effective interface between the Party and State for the purpose of facilitating accountability on conference mandates and ANC policies.

ANC Conferences has adopted radical and transformative policies to ensure viable, effective and functional local government system. The piecemeal approach and slow traction in implementing the ANC policy is the source of the current challenges besetting municipalities.

Challenges

31. The implementation of major transformative policies around reconfiguration of the state has, in some cases, not been as speedily as mandated. The specific short-comings are listed below:
 - a. The resolution on Review of Provinces – adopted in two National Conferences – It has not been implemented.
 - b. The resolution on creating a Single Public Service is also progressing at a slow pace.
 - c. The resolution on Gender Mainstreaming in the Public Service has not met the required targets.
 - d. Addressing Local Government institutional challenges, such as the viability of some municipalities, fiscal arrangements and the two-tier system, has not been implemented as mandated.
 - e. The resolution on Municipal Demarcation has also not been adequately addressed.
32. The National Conferences resolved to strengthen the legislatures and ensure deployment and retention of capable cadres in National and Provincial Legislatures, and Local Government Councils. However, the realisation of this resolution remains a serious challenge.
33. Similarly, the implementation of National Conference resolutions on mechanisms to strengthen participatory democracy, community participation and an activist parliament has been lacking. On-going assessments, by ANC structures and government monitoring and evaluation, highlight difficulties in attaining the organisation's objectives.
34. The National General Conference must reflect on the reasons and causes for the slow progress in the above mentioned key transformative programmes. In some instances, constitutional and resource constraints have been extenuating factors. The NGC reflection needs to review both resolutions taken and not implemented for good reasons, and those which were not implemented due to disingenuous conduct by employees.
35. The implementation of various ANC policies is crucial in realising the broader objectives of building a capable developmental state. The state transformation resolutions are located at the heart of service delivery and are informed by a

consistent ANC agenda of a better life for all.

4. REVIEW OF POLICY IMPLEMENTATION AND PROGRESS

36. The following section details and notes the review and progress on the implementation of various policies.

4.1. LEGISLATURES

37. Successful National and Provincial government elections were held in May 2014. The ANC secured majority seats in all legislatures, with the exception of the Western Cape. This has once more demonstrated the confidence and trust our people have in our elected representatives.
38. The Fifth Parliament has been characterised by unity of the opposition with the intention of destabilising Parliament. This has been demonstrated through the attempted motions of no confidence targeting ANC leadership in parliament; the unruly and disobedient behaviour, walk outs; and flagrant disregard of electoral doctrines that underpin the role and character of the democratic Parliament.
39. A key task of the ANC is to focus on turning Parliament into a real activist parliament with a major emphasis on its developmental role. The ANC in the legislatures is required to be more vigilant and assertive, and to guard against the erosion of dignity and the high levels of confidence our society have in the legislatures.

Progress

40. The 2010 NGC resolved that all Bills of strategic importance must go before the relevant NEC sub-committee for processing prior to them being submitted in Parliament. The same principle applies for Provincial Legislatures and Provincial Executive Committees (PECs). In the Fourth Parliament, the NEC subcommittees were central in ensuring all legislation is approved by the ANC before it is passed in Parliament. Mechanisms need be put in place to ensure the Fifth Parliament observes the same process.
41. The Conference mandated the development of a discussion paper to develop a strategy and implementation plan for ensuring activist and

developmental legislatures. The subcommittee has undertaken the task, which is still underway. A special Legislature and Government summit will take place to consider the strategy and implementation plan of an activist parliament. The task will be completed and the report tabled at the NGC.

42. The separation of Legislative and Executive Functions in local government is being implemented. The bigger cities, due to their resource base and numbers, are able to ensure separation; however smaller municipalities are challenged by this policy. Some provincial governments are actively assisting municipalities to implement this policy.
43. The 53rd National Conference also resolved that there should be greater cooperation between legislatures across all spheres of government. The Subcommittee has established a Legislature Forum, within which all deployees in legislatures engage and coordinate their work to ensure greater cooperation.

4.2. PROVINCES

44. The 52nd and 53rd National Conferences, and the 3rd National General Council, has given a clear mandate for a review of the Provinces. This is an important policy task aimed at strengthening the democratic state and its developmental mandate.
45. The on-going assessment of the configuration of the state, in most cases, points to the need for a review of key policy and constitutional issues. Among others, these include the allocation of powers and functions, planning across government, the two-tier system of local government and the effectiveness and functionality of some provinces.

Progress

46. The ANC Summit on Provinces and Local Government was held in December 2010, as directed by the 3rd NGC. The summit endorsed a framework document to guide the review process. The summit also highlighted important issues to be considered by the review panel.
47. The NEC Subcommittee established a Task Team to guide the ANC in this process. The Terms of Reference and framework for the

review have been developed, and the ANC Task Team will interface with government to ensure implementation of the resolution.

48. The Presidential Commission has not yet been appointed, hence, the review process has not commenced. The NGC will receive progress updates on the review progress.

4.3. LOCAL GOVERNMENT

49. Local Government is the sphere of governance closest to the people. It plays a critical role in the consolidation of the National Democratic Revolution gains and is the sphere of government which impacts directly on changing people's lives, and where visible service delivery is experienced.
50. Municipalities across the country have made tremendous progress in delivering water, electricity, sanitation and refuse removal. Yet, despite these achievements, it is clear that much still needs to be done to support the implementation of Local Government's mandate.
51. The structure of district local government is not working as intended. Key resolutions have been adopted by conferences, to refocus district municipalities.
52. Cities play a crucial role in the system of government, yet there has been insufficient recognition of the importance of cities. There is no differentiation model that allows the special capacities of cities to be recognised and unleashed.
53. In addressing some of the persistent challenges in municipalities, the government has recently launched a "Back to Basics" programme. The Back to Basics programme translates into a practical, realistic and focused approach to improving Local Government performance, and thereby, people's lives.

Progress

54. A significant number of resolutions on local governance have been passed at the recent National Conferences and NGCs. Good progress has been made in delivering on these resolutions, resulting in various legislative amendments and regulations passed by government. The aim is to enforce and strengthen the Local Government systems and structures in line with ANC resolutions.

55. Despite progress in the policies dealing with systems and structures of Local Government, there is less progress regarding the fundamental policies of powers, fiscal allocations, unviable municipalities and the two-tier system. The delay in the implementation of these is partly linked to the other resolutions on Review of Provinces and Powers and Functions.
56. The government programme of Back to Basics will attempt to address some of the key resolutions adopted by the conference. Its objectives, as articulated, are namely, bringing government closer to the people; fast-tracking delivery of quality basic services to our people; improving financial management; employing capable and qualified staff; dealing decisively with fraud and corruption; and building capable political leadership.
57. Informed by the unique challenges facing cities, including but not limited to, increased migration into some metros, as evidenced in the last Census report; the voting patterns as per the May National and Provincial elections, the Subcommittee has undertaken a programme with the cities to develop framework on how to manage and engage with cities. A report of the cities was presented to the NEC and further work is being undertaken by the Subcommittee to ensure a structured political programme for the cities.

4.4. COOPERATIVE GOVERNANCE

58. Chapter Three (3) of the country's Constitution calls on the three spheres of government to adhere to the principles of Cooperative Governance. The lessons drawn from twenty years of practice in the relationship between the three spheres of government show practices contrary to the principles provided for in chapter 3. The conduct and practice of spheres of government exhibit federal tendencies and features, e.g. nine provincial governments and 284 municipal governments that set their own priorities and plans resulting in uneven performance and delivery, and an incoherent planning regime.
59. Despite the structural mechanisms in place, coordination, integration and alignment across the spheres of government are a challenge. Integrated delivery of services is not possible when there are no central and predictable mechanisms for guiding and regulating the key performance areas

of integration across these spheres.

Progress

60. The 53rd National Conference advanced a need for a more integrated system of cooperative governance, which must advance service delivery and development.
61. Meaningful attempts have been made by government to streamline planning and coordinate various developmental plans and strategies across the three spheres of government. Various forums and intergovernmental structures are convened regularly to coordinate government service delivery.
62. Despite the above efforts, the successful realisation of effective cooperative governance is hampered by slow progress in undertaking tasks relating to the transformation of roles, powers and functions.

4.5. PUBLIC ADMINISTRATION

63. The current domestic and global political realities are shaped by the recent economic crisis and the pressures of financing and managing debt. The public sector is under pressure to yield towards priorities set by economic conditions.
64. The 53rd National Conference made a clear call for the construction of a developmental state capable of delivering on the tasks of the National Democratic Revolution. This requires that the state should build its institutional, organisational, technical and leadership capacity in order to successfully implement the programmes of government and reduce the dependence/reliance on the private sector and outsourcing.
65. The ANC vision of a public service and administration is informed by the attributes of the developmental state, the 'ideal public service' envisaged is the one that:
 - Provides quality public goods and services to all;
 - Facilitates inclusive economic development and growth;
 - Is people-centred and people driven; and
 - Is geared towards development and eradicating poverty.

Progress

66. The National Conference has adopted numerous resolutions relating to public administration, including, improving the quality of the public service; the remuneration of public servants; intervention, support and monitoring provinces; and moving towards a Single Public Service.
67. The Remuneration Commission for public servants has been established and the report will be presented once concluded.
68. Meaningful progress has been made to address the conference resolution in the Public Service Administration sector. The Public Administration Management Bill, which was passed by Parliament, addresses some of the critical areas resolved by the conference, including a movement towards a single public service, setting norms and standards, capacity building in the public sector and corruption.
69. The ANC still needs to evaluate the implementation of a Single Public Service. The conference mandated the NEC to consider the implementation challenges and take final decisions on the viability of a Single Public Service. The constitutional issues surrounding the Single Public Service debate needs to be resolved. Broader discussion remains on the agenda, and it may be necessary to review the challenges besetting the full implementation of this resolution.
70. In accordance with the mandate of the conference, a Provincial Monitoring, Support and Intervention Bill has been drafted and will provide for targeted support for Provinces, monitoring and fulfilment of their executive obligations.
71. The implementation of gender equity in the public sector is seriously lagging behind. Despite set targets and requirements for departments, this has not been achieved. The ANC needs to ensure a mechanism of compliance with this policy.
72. Consistent with ANC resolution, building state capacity is a long-term task and many of the actions will take time to deliver results. The government's Medium Term Strategic Framework 2014–2019, has committed to:
 - Forge a disciplined, people-centred and professional public service;
 - Make every workplace a training space;
 - Making better use of experienced public

servants to provide specialised training;

- Ensure career paths are conducive to learning on the job; and
- Forge a disciplined, people-centred and professional public service.

73. Furthermore to strengthen the Public Service, the NDP encourages stability in the political-administrative interface. NDP promotes creation of an administrative head of the public service to improve management of the political-administrative interface and help reduce high turnover of HODs; revitalise Batho Pele; improve day-to-day responsiveness; and increase engagement with citizens outside government forums. It also urges building an ethical public service with more effective financial disclosures, and more effective management of discipline.

4.6. TRADITIONAL LEADERS

74. South Africa has established a firm foundation by crafting one of the most progressive Constitutions in the world. This Constitution forms the basis for restoration of the dignity, integrity and self-worth of our people, especially indigenous communities, including the Khoi and San, as well as uniting our diverse cultural communities to fully realise the ideal of *"unity in diversity"*.
75. Given the South African historical background, there is still a mammoth task ahead to continue building a united, caring, progressive and patriotic South African society. It is argued that traditional leaders' role in representing and preserving the culture and identity of community members may be a key driver of development in rural communities. Traditional Leaders may fulfil this function not just through the specific cultural and ceremonial roles that they play, but through their very existence as an institutional symbol of an enduring community, and the norms and values that have shaped it.
76. Traditional leaders' *"closeness to the people"* is typically regarded as one of the key advantages of the institution. Traditional leaders usually reside in close physical proximity to the communities they serve. But even more importantly, these institutions tend to function according to norms and rules – both formal and often informal – with which people are deeply familiar.

Progress

77. The ANC government has made significant progress in recognising the system of Traditional Leadership. There is a dedicated department of traditional leaders at the National level and in all Provinces. This department is led by a Minister, Deputy Minister and designated MEC's in all provinces.
78. The Houses of Traditional Leaders at the national level and provinces are functional. The Houses enable a coordinated programme of traditional leadership led by democratically elected traditional leaders.
79. Government continues to support the traditional leadership with required resources and ensuring acceptable conditions of services.
80. The National Conference has called for a greater clarity on the role of traditional leaders. The Conference mandated the NEC Subcommittee to develop a discussion paper which enables the NEC to take decisions on the outstanding issues of traditional leaders.
81. The discussion paper on Traditional Leaders has been drafted, and the Traditional Leaders' Forum established under the L&G Subcommittee who coordinates this task. The ANC policy paper on traditional leadership will be tabled at the Legislature and Governance Summit and recommendations will be presented to the NEC. The NGC will receive a comprehensive report.
82. The local government Back to Basics programme's main focus is on "serving our communities better". This programme will incorporate the role of traditional leaders in realising this objective.
83. The Conference has further mandated that relations between councillors and traditional leaders should be improved in the interest of service delivery and development. The policy paper on traditional leaders will adopt practical mechanism and guides to improve the relationship between councillors and traditional leaders.

4.7. ELECTORAL ISSUES

84. The overall electoral system has been endorsed by the National Conference. The Conference noted that the proportionality and allocation of PR seats

in municipal councils, vis-à-vis ward councillors, needs to be reviewed.

85. In the recent election, an observation has been made around the eligibility for election as a President, Premier and Presiding officers. The Constitution provides for the President to be indirectly elected from the National Assembly, as is the case of other Office Bearers, including Premiers in the Provinces. There is a need for further clarification and exploring the possibility of whether a distinction between a 'natural born' citizen and a "naturalised" citizen can be made when considering eligibility for assuming the Office of Presidency, Premier or Presiding officers.

Progress

86. The task of developing a policy on Allocation of Seats in Local Government has commenced and is unfolding. A comprehensive policy paper with options will be tabled at the Legislature and Governance Summit. The summit will make recommendations to the NEC for adopting policy options. The NGC will receive a detailed progress report on this resolution.
87. The Subcommittee has also commenced a process to review the criteria for eligibility of election for assuming the office of Presidency and other critical positions in our society.

4.8. BOUNDARY DEMARCATION

88. The ANC conferences have mandated that the structure, role and mandate of the Demarcation Board be reviewed. The review of the Demarcation Board is informed by the development and maturity in the system of governance and our democracy.
89. The frequency of boundary reviews has been a constant source of concern for the ANC and communities.
90. The Ward Delimitation process, as mandated by the Demarcation Act, is also a policy area that ANC Conference has resolved on.

Progress

91. The role and responsibilities of the Municipal Demarcation Board are being reviewed. A Task Team has reported to COGTA and further work is

being done to address these and other issues. At the same time, there is a need to clearly define the framework within which re-demarcations occur. The NEC has resolved that re-demarcation of boundaries must be aligned to the census.

92. Government is considering the creation of further Category A municipalities and also the possibility of strengthening Districts through applying the District Management Model to dysfunctional municipalities.
93. The delimitation of wards is also under review given that every time ward boundaries change, it impacts on structures of the ANC and government. Given the importance of wards in municipal planning, mechanism must be found to reduce the frequency and extent of ward boundary changes.

4.9. SERVICE DELIVERY PROTEST(S)

94. The recent past has witnessed an escalation of protest(s) in various parts of the country. The protest(s) in some area have become violent and resulted in the loss of life and destruction of property.
95. These protest(s) are not unique to South Africa as they are witnessed in some parts of the world as well. Protest could also be informed by the global economic crisis, leading to high levels of unemployment, escalating poverty levels etc.
96. In most cases, the character of protest(s), in South Africa, take the form of service delivery protests. The ANC and government have undertaken programmes to study the protest phenomenon and understand the real root causes.

Progress

97. The NEC resolved to establish a Rapid Response Team (RRT). The RRT was tasked to investigate the root causes of protests and identify hotspot areas where there are high levels of protest. The RRT was also mandated to introduce remedial measures to stabilise and reduce protests.
98. Hotspot municipalities are prioritised based on service delivery protest(s), institutional instability, and lack or inadequate infrastructure impacting negatively on service delivery.
99. Rapid Response Specialists comprising of former DG's, Municipal Managers, CEO's of public sector

entities was established, with requisite expertise and experience to resolve governance and institutional challenges that leads to protest and instability. The SGO, Legislature and Governance Subcommittee together with Deputy Ministers, in key service delivery portfolios, provided political management and oversight of the programme.

100. The level of protest is minimised, and most municipalities are stabilised. The provinces have also set up provincial rapid response teams.
101. A dedicated Leadership Development Programme, for political office bearers and councillors, is being implemented with a targeted focus on hotspots areas. The programme is facilitated through SALGA and ensures maximum participation of affected councillors and municipalities. The Leadership Development Programme aims to empower municipal leadership to manage effectively and attend to community needs, thereby mitigating any possible protests.

5. POLICY CONSIDERATIONS

The following are the key policy and programmes for further consideration by the NGC:

5.1. LOCAL GOVERNMENT 2016 ELECTIONS

102. The importance of Local Government for the ANC cannot be over-emphasised, but requires critical decisions to be taken on how the ANC treats, values and positions Local Government in terms of the broader Developmental Agenda of the ANC and the State.
103. In the context of preparing for the 2016 Local Government elections, the ANC must be decisive in addressing the following issues:
 - The calibre and quality of Councillors deployed in municipalities;
 - Accountability and transparency of councillors to their communities;
 - Management of consequences and performance management of deployed cadres;
 - Leadership and Management Training for deployed cadres;
 - Micro management of municipalities by ANC structures (PEC's, REC's, BEC's);

- Occupy moral high ground and deal decisively with fraud and corruption; and
- Campaigns and programmes targeted at changing the image and credibility of Local Government.

5.2.SPATIAL PLANNING & IMPLEMENTATION

104. The proliferation of spatial analysis of municipal space, e.g. PICC-SIPs Spatial plan for infrastructures investments, National Transport Master Spatial Plan, Human Settlements National Spatial Master Plan, Provincial Government Spatial Plans and Municipal Spatial Development Frameworks.
105. All these spatial plans are not targeting same areas and emphasize different priorities resulting in an incoherent impact at local level. The risks associated with incoherency and lack of decisiveness in government is that most development in cities and major areas is led by the private sector, which results in government influence and directing of development being compromised.
106. The ANC must be in the forefront of guiding where development should go. But this requires national, coherent, spatial mapping of development nodes and potential; and directing where government infrastructure investment should go to address spatial legacies of the past and achievement of our National Developmental Agenda.
107. This is an opportunity for the ANC to reflect on and assess gaps and weaknesses of the past twenty years; and identify fundamental areas to be reformed and radically altered to allow realization of the National Democratic Revolutions priorities.

5.3.URBAN DEVELOPMENT

108. The rapid urbanization and growing urban sprawl presents a serious challenge to urban management. The Integrated Urban Development Framework must provide a government-wide policy framework to create a shared understanding across government and society about how urbanisation should be managed to ensure resilience and inclusion.
109. The primary priority is addressing spatial transformation and integration. Within the twenty years of democratic governance we have not

been able to reverse the apartheid spatial legacy is a paramount concern. The characterization of the key issues affecting Cities, Metros and urban areas should be how to deal with issues of rapid urbanization informal settlements upgrades, spatial integration, urban management and issues associated with providing basic services and understanding the interest of an urban voter.

5.4.COOPERATIVE GOVERNANCE, INTEGRATED SERVICE DELIVERY

110. The lessons to be drawn from twenty years of practice in managing relationship between the three spheres of government and guided by Chapter 3 principles of Cooperative Governance are that:
- Adherence to Cooperative Governance principles do not translate into an effective system of government;
 - Practice shows federal tendencies and features, e.g. 9 provincial governments, 284 municipal governments that sets own priorities and plans, performance and delivery uneven, incoherent planning regime, IDPs least considered planning instrument, etc.;
 - Despite structural mechanisms in place for coordination, integration and alignment resulting in a predictable coherent system of government across spheres is still pie in the sky;
 - Integrated delivery of service is not possible when there is no central and predictable mechanisms for guiding and regulating the key performance areas of integration across spheres;
 - Proliferation of IGR coordination structure, mushrooming of Cabinet Inter-Ministerial Committee's, PICC-SIPs structures, and Clusters and Outcomes coordination Forums renders state of parallaxes in the efforts aimed at coordination and collaboration within and across spheres of government;
 - Within National government, the overlapping and duplication of mandates, delegations and accountability for implementation weakens effectiveness

of the state and ability of state to provide coherent government to our people; and

- What does the concept of Unitary State mean, where in practice there is incoherency in policy, budget and implementation, turf battles, misalignment and lack of integration, poor coordination and collaboration within and across spheres.

5.5. THE SIGNIFICANCE OF CITIES

111. The significant growth of the metros over the past decade makes a compelling case for ANC to pay special attention to metros. The backlogs that already exists in all major cities, due to increased population growth means that cities are facing major infrastructural backlogs and challenges.
112. The voting trends in the metros requires the ANC to review its strategies and launch a programme dedicated at reversing the current trend. The programme objectives will be to consolidate the ANC electoral base, recover the lost electorate and advance into new electoral support.
113. Clearly millions of people still remain living in informal settlements even though great strides have been made to build formal housing in the major metros. Most major cities had a growth of between 5% and 15% in the number of people living in formal housing between 2001 and 2011.

5.6. RECONNECTING WITH COMMUNITIES

114. There is a need to improve the quality of engagement between government and citizens. It is not sufficient to increase service delivery if this is not done in consultation and through engagement with local constituents.
115. Public-elected representatives across all spheres

of government need to communicate better on the work that government has done. Many politicians and officials spend significant amounts of time in meetings, which limits their ability to engage with communities and undertake the tasks they are entrusted with. Meetings must be minimized so that delivery and action can take centre stage and so that government is more responsive to local needs.

116. The need to create more active citizenship and more responsive State.

6. GENERAL RECOMMENDATIONS

117. The ANC Policy Committee must consider a consolidated policy document such as ready to govern and RDP. The consolidated policy document will serve a single source of ANC policy and avoid a proliferation of resolutions and policy papers which at times are inconsistent and confusing.
118. The ANC must commence a process of rationalisation of ANC resolution. It is important to review the current policies and resolutions and the progress in implementation before advocating any new policies and resolutions. The various ANC structures from National Conferences, NGC, Policy Conferences and NEC Makgotlas make policy decisions which at times are contradictory.
119. The ANC must undertake an Impact assessment of the ANC policies, and decisions taken. The impact assessment must aim and evaluating how ANC policies improve the lives of people and creates a better life for all. This assessment must also be undertaken on the resolutions not implemented and gauge the missed opportunities to improve the lives of our people.