

AN INVESTIGATION OF THE PROVISION OF THE WATER AND
SANITATION SERVICES AFTER THE DEVOLUTION OF POWERS
AND FUNCTIONS IN 2003 TO SELECTED MUNICIPALITIES IN THE
EASTERN CAPE PROVINCE

by

MANDISA WONGIWE MAMA



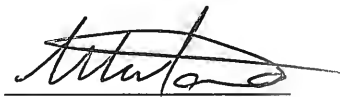
A MINI-DISSERTATION SUBMITTED IN PARTIAL FULLFILLMENT
OF THE REQUIREMENTS FOR A DEGREE OF MASTERS OF PUBLIC
ADMINISTRATION (MPA) IN THE FACULTY OF MANAGEMENT
AND COMMERCE AT THE UNIVERSITY OF FORT HARE.

Supervisor: Professor M H Meiring

Date Submitted: December 2008

DECLARATION

I declare that this study, *An Investigation of the Provision of Water and Sanitation services after the devolution of powers and functions in 2003 to selected municipalities in the Eastern Cape* with the Fort Hare University is my own work, that it has not been submitted for any degree or examination in any other University, and that all sources I have used or quoted have been indicated and acknowledged by complete references.



Mandisa Wongiwe Mama



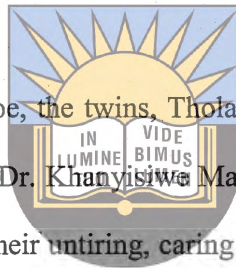
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IV

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TABLE OF CONTENTS

DECLARATION	II
ACKNOWLEDGEMENTS	III
TABLE OF CONTENTS	V
LIST OF TABLES	VII
ABBREVIATIONS	VII
SUMMARY	IX
KEY TERMS	XI
CHAPTER ONE	1
INTRODUCTION.....	1
1.1 BACKGROUND TO THE STUDY	1
1.2 NECESSITY OF THE STUDY	4
1.3 PROBLEM STATEMENT	5
1.4 HYPOTHESIS	6
1.5 OBJECTIVES OF THE STUDY	6
1.6 STUDY PLAN.....	7
1.7 DEFINITION OF TERMS AND WORDS	9
1.7.1 ACCOUNTABILITY	9
1.7.2 ADMINISTRATION	9
1.7.3 DELEGATION OF AUTHORITY.....	10
1.7.4 DEVOLUTION OF POWER.....	10
1.7.5 LOCAL SPHERE OF GOVERNMENT	10
1.7.6 MUNICIPALITY	11
1.7.7 PARTNERSHIP	11
1.7.8 TRANSFORMATION OF MUNICIPALITIES	11
1.8 CONCLUSION.....	12
CHAPTER TWO	13
LITERATURE REVIEW ON THE DEVOLUTION OF POWER FOR THE RENDERING OF MUNICIPAL WATER SERVICES	13
2.1 INTRODUCTION	13
2.2 ORGANIZING AS AN ADMINISTRATIVE FUNCTION	14
2.2.1 NATURE OF ORGANIZING AS A FUNCTION	15
2.2.2.1 MONITORING THE SPAN OF CONTROL.....	19
2.2.2.2 OBTAINING UNITY OF ACTION.....	19
2.2.2.3 MAINTAINING FORMAL AND INFORMAL RELATIONSHIPS	19
2.2.2.4 CO-ORDINATION OF ALL ACTIVITIES	20
2.2.2.5 ELIMINATING CONFLICT SITUATION	20
2.2.2.6 ADAPTING TO CHANGING CIRCUMSTANCES.....	20
2.3 DELEGATION OF AUTHORITY AND ITS RELATIONSHIP WITH DEVOLUTION.....	22
2.3.1 PRINCIPLE OF DELEGATION OF AUTHORITY	26



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2.3.2 PRINCIPLE OF PARITY OF AUTHORITY AND RESPONSIBILITY	26
2.3.3 PRINCIPLE OF ABSOLUTENESS AND RESPONSIBILITY	26
2.3.4 PRINCIPLE OF FUNCTIONAL DEFINITION	27
2.3.5 PRINCIPLE OF PROPER CONTROL	27
2.4 DEVOLUTION AS AN ORGANIZATIONAL PHENOMENON	27
2.5 DEVOLUTION OF POWER TO LOCAL AUTHORITIES.....	31
2.6 CONCLUSION.....	34
CHAPTER THREE	37
LEGISLATIVE FRAMEWORK AND ROLE OF MUNICIPAL COUNCIL IN THE PROVISION OF WATER SERVICES.	37
3.1 INTRODUCTION.....	37
3.2 LEGISLATIVE FRAMEWORK FOR WATER SERVICES IN SOUTH AFRICA.....	38
3.3 MUNICIPAL AUTHORITIES AS WATER SERVICES AUTHORITIES.....	43
3.3.1 SELECTION OF WATER SERVICES AUTHORITIES.....	45
3.3.2 SHORT COMINGS OF THE SELECTION OF WATER SERVICES AUTHORITIES.....	47
3.4 ROLE OF MUNICIPAL AUTHORITIES IN THE RENDERING OF WATER SERVICES.....	49
3.5 CONCLUSION.....	52
CHAPTER FOUR	55
RESEARCH DESIGN AND METHODOLOGY.....	55
4.1 INTRODUCTION.....	55
4.2 PERMISSION TO CONDUCT RESEARCH.....	55
4.3 SCOPE OF THE STUDY.....	56
4.3.1 SURVEY AREA	57
4.4 RESEARCH DESIGN AND METHODOLOGY.....	59
4.4.1 RESEARCH STRATEGY	63
4.4.2 DATA COLLECTION INSTRUMENTS.....	63
4.4.3 POPULATION DETAILS	64
4.4.4 SAMPLING DETAILS.....	66
4.4.5 QUESTIONNAIRE DETAILS	67
4.4.6 RESPONSE RATE	69
4.4.7 DATA ANALYSIS	70
4.5 LIMITATIONS OF THE STUDY.....	71
4.6 ETHICAL CONSIDERATIONS.....	71
4.7 CONCLUSION.....	72
CHAPTER FIVE	75
DATA ANALYSIS AND INTEPRETATION	75
5.1 INTRODUCTION.....	75
5.2 DEVOLUTION OF POWER TO RENDER MUNICIPAL WATER SERVICES.....	77
5.3. PRINCIPLES FOR THE DEVOLUTION OF POWER TO MUNICIPALITIES.....	83
5. 4 LEGISLATIVE FRAMEWORK FOR MUNICIPAL WATER SERVICES.....	87



VII

5.5 QUALITY OF WATER SERVICES.....	91
5.6 FINDINGS FROM OTHER SOURCES (LITERATURE)	104
5.7 CONCLUSION.....	109
CHAPTER SIX	113
CONCLUSION AND RECOMMENDATIONS.....	113
6.1 INTRODUCTION	113
6.2 FINDINGS OF THE STUDY.....	115
6.3 CONCLUDING REMARKS.....	123
6.4 RECOMMENDATIONS.....	127
BIBLIOGRAPHY.....	129
BOOKS	129
ACTS AND WHITE PAPERS	134
NEWS PAPERS REPORTS.....	135
OFFICIAL DOCUMENTS.....	135
INTERNET	136
SUPPLEMENTS	137
SUPPLEMENT A: QUESTIONS TO MUNICIPAL COUNCLORS AND CHIEF DEPTALS.....	137
SUPPLEMENT B: QUESTIONS TO STAKEHOLDERS/CITIZENS.....	144
SUPPLEMENT C: QUESTIONS TO THE PROVINCE.....	148
SUPPLEMENT D: LIST OF TABLES	156
SUPPLEMENT E: LETTERS OF PERMISSION TO CONDUCT RESEARCH	159



List of tables

TABLE 1: DETAILS OF O. R. TAMBO DISTRICT MUNICIPALITY (2006)	58
TABLE 2: MUNICIPAL DEMARCATION BOARD CAPACITY ASSESSMENT 2007	107
TABLE 3 : DETAILS OF O. R. TAMBO DISTRICT MUNICIPALITY (2006).....	156
TABLE 4 QUESTIONNAIRE USED AND RECEIVED.....	156
TABLE 5 MUNICIPAL DEMARCATION BOARD CAPACITY ASSESSMENT 2007	157

Abbreviations

VIII

ANC	African National Congress
COSATU	Congress of South African Trade Unions
DA	Democratic Alliance
DLG&TA	Department of Local Government and Traditional Affairs
DoH	Department of Health
DWAF	Department of Water Affairs and Forestry
WSA	Water services authorities
WSP	Water services provider
IDP	Integrated Development Plan
WSDP	Water services development plan
SDBIP	Service delivery and budget implementation plan
DM	District Municipality
LM	Local Municipality
MPA	Masters in Public Administration
O&M	Operation and maintenance



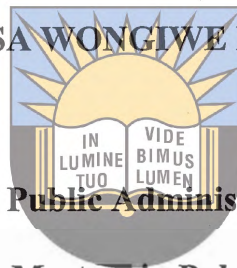
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SUMMARY

**AN INVESTIGATION INTO THE PROVISION OF WATER AND
SANITATION SERVICES AFTER THE DEVOLUTION OF
POWERS AND FUNCTIONS IN 2003 TO SELECTED
MUNICIPALITIES IN THE EASTERN CAPE**

By

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The Republic of South Africa embarked on devolution of specific powers to municipal authorities due to the fact that municipalities are a sphere of government which is at the door step of the citizens. Among the powers that were devolved was the authority to regulate on the rendering of water and services to communities. From now henceforth in this study, water and sanitation services will be referred to as water services.

The rural villages that had no access to water services during the previous dispensation were rapidly rendered with these services when the transformed Department of Water Affairs and Forestry took a decision to provide the services on its own in order to give space for the transformation of the local sphere of government such that these municipal

authorities are able to manage the load of the allocation of such functions mainly and to close the vacuum so that there is no gap as to who should be responsible for water provision in rural villages whilst the restructuring of municipalities to include the rural villages as part of the transformation process takes place.

A decline in the pace rendering water services to the previously disadvantaged rural communities was noticed after the devolution of water services to municipal authorities and by implication once hands were changed. This left those rural communities that had no access to water services still without the desired water services and those that had water services provided left midway with dry water schemes and dysfunctional infrastructure. This study therefore seeks to uproot the cause for the deceleration of water services once it was devolved to municipal authorities. This decline was noticed by the researcher hence the study seeks to attempt providing alternatives and lasting solutions primarily because water services are essential services and water is life.



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The main objective of the study is to investigate factors that cause the deceleration of water supply and the slow movement in the acceleration of sanitation services in order to provide alternatives that may yield results. Given the above broad objective this study further aims at examining the following factors:-

- The correlation in funding made available by the central government and the financial resources available to municipalities to perform the function in order to render this service properly
- Technical support available to municipalities
- Relevant legislation, its policies and its impact on the implementation of the service

XI

- The correlation between accountability, democratization and community participation on standards and quality of the service to actual outputs
- Improvement of service delivery and its relationship with transparency and efficiency
- Relatedness of poverty to non provision of water services
- The relatedness of poverty, lack of basic services to influx in the cities
- Relatedness of the quality of the water services to the outbreak of diseases



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KEY TERMS

Administration

Citizens

Devolution

Integrated Development Planning

Municipal authorities

Municipal chief officials

Provincial Department of Local Government and Traditional Affairs

Service Delivery and Budget Implementation Planning

Water services authorities

Water services providers

Water services development plan

Urban and rural areas



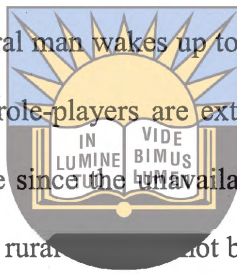
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CHAPTER ONE

INTRODUCTION

1.1 BACKGROUND TO THE STUDY

This study begins with a visionary image of a young man living in rural areas in South Africa who has had a dream for a long time that one day the community would be provided with clean and safe water for drinking and a healthy sanitation service. The dream continues until the young rural man wakes up to find out it was a dream after all. Municipalities in concert with all role-players are extremely engaged in strategies that seek to make this dream come true since the unavailability of clean and safe water for drinking and a healthy sanitation in rural areas should not be allowed to go on forever, as if a portion of the community living in rural areas should get preferential treatment over the other within the same municipality.



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This realization by organs of the state led to the devolution of water and sanitation services (which will henceforth be collectively called water services) to the local sphere of government, a process which began with the transformation of municipalities such that these predominantly urban local authorities are inclusive of rural areas as well, and are structured such that the added responsibility of the devolution of these services to the local sphere of government is well received by fully capacitated municipalities. The essence of devolution of water and sanitation services to municipalities was to place these services nearer to the people whilst both national and provincial governments were to be engaged in initiatives that seek to support and monitor municipalities in rendering such

services. The intention was to provide support specifically to low capacity municipalities with vast rural settlements.

Despite these initiatives, strategies and support to municipalities by national and provincial spheres of government, the provision of water services remains glaringly minimal in rural areas as well as in informal areas. The wish to accelerate service delivery in South Africa received top priority with efforts to explore all possible strategies which seek to address the backlog being tested. Whilst these attempts are in place, provision of these services in rural areas remains a dream to the ordinary man in the street.




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Clean and safe water and a healthy sanitation are important and essential services which communities should have access to, however this study has been sparked by problems emanating from the slow pace of provision of clean and safe water and next to zero provision of sanitation to rural areas after devolution of these services to municipalities. To understand challenges being faced by the present government and in particularly by municipalities, the study needs to examine and compare the extent of provision of both services by the previous government in rural areas with the attempts to address the backlogs and provide these services in a sustainable manner by the present government. Prior to 1994 bulk supply of services to communities was the responsibility of local authorities, however, these local authorities only provided services in urban areas thus ignoring rural areas that were predominantly occupied by the Black population groups. Whilst the provision of basic services like water and sanitation was urban biased, the

provision of the same services differed in Black designated areas within the same urban area in that this population group received rudimentary services. It was possible to see Whites having flushed toilets in the White designated residential area whilst Blacks were provided with the bucket system within the same local authority.

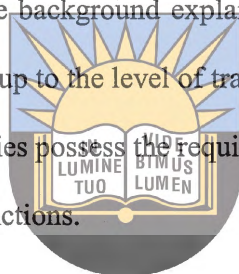
The rendering of water and sanitation services to rural areas was supposedly the competency of the national Department of Water Affairs, however, these rural areas received little attention in as far as the provision of basic services including water and sanitation. This study seeks to prove that little regard was given to the Black communities living in the rural areas whilst White commercial farmers who were outnumbered by the Black population were given preferential treatment with regard to electricity, water, sanitation and other related services.



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The rationalized Department of Water Affairs and Forestry after 1994 inherited the responsibility of providing water and sanitation in the rural areas. This study will prove that this Department of Water Affairs and Forestry impressively improved the provision of these services until transformed municipalities which were inclusive of rural areas were established. It is at this point wherein water and sanitation services were devolved to newly established municipalities by the Department of Water Affairs and Forestry. The purpose of this devolution was to further accelerate the service provision by a sphere of government which is closest to its communities. However, the opposite was experienced and that stimulated this study.

Without doubt the devolution of these services raised expectations to communities who hoped that this impressive provision of water and sanitation to the previously marginalized rural areas by the Department of Water Affairs and Forestry would double once the rendering of these services is fully operated by the restructured municipalities. This study seeks to test whether these expectations were fulfilled, raise debates and explore remedial actions to be taken should these expectations not be fulfilled. It is the intention of this study to prove the background explained above in order to understand the development by municipalities up to the level of transformation and to assess whether given this background; municipalities possess the requisite institutional capacity to ensure the rendering of these devolved functions.



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1.2 NECESSITY OF THE STUDY

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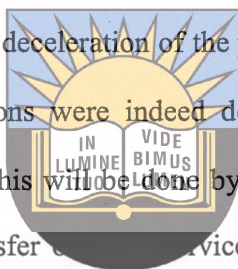
This study is necessitated by the fact that whilst water services were provided impressively by the Department of Water and Forestry, once this function was devolved to municipalities, a number of newspapers reported on Cholera outbreak in the vicinity of O. R. Tambo District Municipality (*Daily Dispatch*, Tuesday, 14 January 2003) and other parts of the country for example in KwaZulu Natal (*Daily Dispatch*, Monday, 07 May 2001). There were also reports of non provision of these services in other areas. Lately, there were further reports of diarrhoea outbreak in Ukhahlamba District Municipality and Ndlambe Local Municipality respectively (*Daily Dispatch* Tuesday, 24 April 2008:1; *Daily Dispatch* Tuesday, 17 July 2008; *Daily Dispatch* Friday 01 August 2008). The Department of Local Government and Traditional Affairs in the Eastern Cape received

numerous petitions from communities complaining either on the quality of water provided or the non provision of sanitation services in the rural areas.

1.3 PROBLEM STATEMENT

The main purpose of the study is to probe as to why the process of water provision has decelerated once the water and sanitation function was devolved to municipalities to perform. This study in its probe of deceleration of the provision of services further seeks to establish whether these functions were indeed devolved or was another form of decentralization applied instead. This will be done by investigating what each form entails and a critical analysis of the transfer of services from the Department of Water Affairs and Forestry to municipalities. The bulk supply of the water services has declined to communities that were marginalized during the previous dispensation after the devolution of this service to municipalities in 2003, whereas it was highly accelerated after 1994, under the administration of Department of Water Affairs and Forestry. These communities include rural areas and informal settlements. This state of affairs has left communities with no other options but to make use of alternative sources of water. These are sometimes unhealthy.

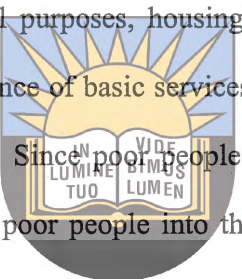
The risk of absence of clean water and healthy sanitation results to hazardous diseases. This was experienced in O. R. Tambo District Municipality, when there was Cholera outbreak in 2004. The disaster section discovered that the Cholera outbreak was as a result of unpurified water in Nyandeni. There is therefore a relationship between non availability of clean water and sanitation with the outbreak of diseases. The problem is



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that where the provision of these basic and essential services namely clean water and sanitation is either slow or absent, hazardous diseases exist.

The deceleration of basic services to communities who were previously denied and who need these services mostly shatters all hopes of livelihood in terms of clean and safe water and healthy sanitation, given that water is not only used for drinking but for human existence ranging from agricultural purposes, housing development, sanitation and all other domestic purposes. The absence of basic services in the rural areas results in high urbanization and influx into cities. Since poor people live in the periphery, there is a relationship between the influx of poor people into the cities and the unavailability of clean and safe water and healthy sanitation services among other things.



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1.4 HYPOTHESIS

In this study the following hypothesis will be investigated. After the devolution of power to municipalities in 2003, provision of water services by the water services authorities to rural villages, some of which did not even exist or were not considered for provision of water services, still remains inadequate or nonexistent to satisfy human needs and that this situation could be harmful to human beings.

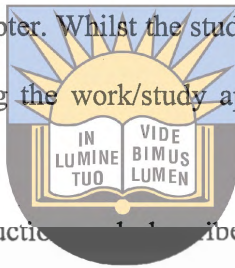
1.5 OBJECTIVES OF THE STUDY

The study intends to investigate (a) the reasons and causes for the deceleration of water services provision to selected municipalities after the devolution of power from the

National Department of Water Affairs and Forestry; (b) determine the effectiveness of water services provision to rural communities; and (c) lastly to determine the effectiveness of the devolution of power to district municipalities.

1.6 STUDY PLAN

A study plan seeks to direct the reader, in other words it is a road map that indicates to a reader what to expect in each chapter. Whilst the study plan seeks to guide the reader it assists the researcher in organizing the work/study appropriately in order to make an orderly sense.



Chapter one serves as an introduction that describes and explains the background, problem statement, research hypothesis, objectives, study plan, limitations of the study and definition of terms.

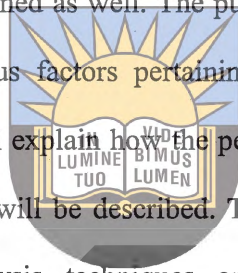
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Chapter two provides a theoretical base and framework for the empirical research to be done. The place and nature of devolution of power as an organizational phenomenon within Public and Municipal administration will be discussed. Since devolution of power is an organizational phenomenon that needs to be investigated by the study, organizing as an administrative function will be described and explained in this chapter. A distinction between delegation of authority and devolution will also be made. The devolution of power to local authorities in South Africa will be described and explained as well.

Chapter three describes and explains the legislative framework for the rendering of water services in the era prior to 1993 and after the historical event of 1994 elections. This

chapter further describes the process of the devolution of power to municipal authorities and the selection of municipalities as water services authorities. The shortcomings of the selection process of water services authorities will be discussed. The role of municipal authorities in the rendering of water services will also be explained.

Chapter four expresses the research methodology to be applied by the researcher. In this chapter questionnaires will be designed as well. The purpose of this chapter is therefore to describe and explain the various factors pertaining to the actual exercise of the empirical research. The chapter will explain how the permission to conduct the research was done. The scope of the study will be described. The research design applied, data collection instruments, data analysis techniques applied will be explained. The limitations of the study will be described. Ethical considerations taken into cognizance will be explained.



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Chapter five seeks to firstly analyze the raw data in the form of responses received by the researcher and the researcher will map the methodology of assessing and interpreting data. Secondly, the researcher will analyze available documentation, literature previously conducted on this study. Thirdly, the researcher will combine and cluster related findings. Fourthly, the researcher will verify linkages between the findings and objectives in order to validate the hypothesis of the study. Lastly, if the findings talk to the objectives and support the hypothesis, the researcher intends to present results of the empirical study and provide solutions in the concluding chapter.

1.7 DEFINITION OF TERMS AND WORDS

It is often found that specific words can have more than one meaning. To avoid misinterpretation or misunderstanding of words and terms used in this mini-dissertation, it is necessary to state the meaning of such words and terms. For the purpose of this research the following words and terms will be explained.

1.7.1 ACCOUNTABILITY

Accountability refers to answerability. It refers to how well a state answers to its people.



1.7.2 ADMINISTRATION

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Administration is a joint action taken by two or more persons to achieve a goal (Cloete, 1986:1). Public administration is a joint action taken to achieve a goal in a political environment wherein the administration is involved in the translation of the policies. It is the work done by officials in the executive institutions of the three spheres of government and can be classified into six different functions, namely

- Policy making
- Organizing
- Financing
- Staffing
- Procedure determination; and
- Controlling (Cloete, 1986:2)

Public Administration is seen as the social science studying public administration in the three spheres of government.

1.7.3 DELEGATION OF AUTHORITY

Delegation is an activity whereby a higher graded person or institution transfers specific authority, in accordance to legal requirements, to subordinate political office bearers or officials, so that the latter, at their specific level, can make their own specific decisions, as they see fit and finalize matters without referring the matters to a high person or institution for consideration and/or approval (Garnet, 1971:1; Ferner, 1979:141).



1.7.4 DEVOLUTION OF POWER

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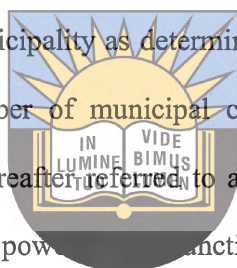
Devolution is the transfer of power and functions from the national sphere of government to the lower sphere of government. It transfers full responsibility of functions from one sphere of government to another but may retain supervisory powers and plays a large financial role. (Jones, 1980:45; Uphoff and Esman, 1974: xii).

1.7.5 LOCAL SPHERE OF GOVERNMENT

Local sphere of government is a localized form of government. In the Republic of South Africa, government is constituted as national, provincial and local spheres of government which are distinctive, interdependent and interrelated (*Constitution*, 1996, section 40 (1))

1.7.6 MUNICIPALITY

The local sphere of government consists of municipalities which have specific characteristics that distinguish each one of them from one another (*Constitution*, 1996 section 151 (1)). These characteristics differ in terms of boundaries of each municipal area, the name of the municipality, its population size, the multiplicity of industrial areas and business districts, economic activity, interdependent social and economic linkages, the category and type of each municipality as determined by the Minister for Provincial and Local Government, the number of municipal councillors as determined by the Member of Executive Council (hereafter referred to as the MEC) responsible for local government in a province, the powers and functions assigned to the individual municipality (Craythorn, 1997:69).



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1.7.7 PARTNERSHIP

A partnership is the relationship existing between two or more diverse persons who based on mutually agreed objectives join to carry on a trade or business with each partner providing own division of labour which is a comparative advantage of each partner ().

1.7.8 TRANSFORMATION OF MUNICIPALITIES

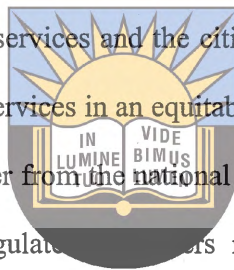
Transformation is the rationalization of municipalities by means of a restructuring process to create manageable and sustainable municipalities. . This was caused by a dire need to establish municipalities that are inclusive of the rural villages that were previously marginalized and which could carry the responsibility of functions to be

transferred to this sphere of government. One of the important tasks in the transformation of local government in South Africa was the determination of new municipal boundaries, an exercise that resulted in the disestablishment of 843 municipalities and the creation of only 284 new municipalities (Technical *MINMEC Report*, May 2001).

1.8 CONCLUSION

Water and sanitation are essential services and the citizens look up to municipalities for the sustainable provision of these services in an equitable manner to all communities. The intention of the devolution of power from the national sphere of government was to give municipalities an authority to regulate issues regarding the rendering of these services in order to effectively ensure that all communities have access to water services, given the fact that the local sphere of government is a sphere that is nearer to the people. The national and provincial spheres of government are on the other hand charged with providing support to the municipalities in order that these municipalities perform their constitutional obligations.

Previously water services were only provided to urban areas and rural areas did not form part of the local authorities and were the responsibility of the national Department of Water Affairs until transformation of municipalities which was characterized by the inclusion of these rural areas, a process that was closely followed by the devolution of power to this level of government.



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CHAPTER TWO

LITERATURE REVIEW ON THE DEVOLUTION OF POWER FOR THE RENDERING OF MUNICIPAL WATER SERVICES

2.1 INTRODUCTION

A political state is usually organized in more than one level or sphere of government. As soon as there is more than one level or sphere of government in a state, the phenomenon of intergovernmental relationships appear and it is required that the previous autonomous central government devolves power and allocates functions to render services, to the lower levels or spheres of local government. It is therefore the purpose of this chapter to provide a theoretical framework within which the devolution of power can be logically described and explained, based within the theory of organizing as an administrative function.

Firstly, organizing as an administrative function will be described and explained because the devolution of power is an organizational phenomenon which needs to be investigated in this study. Secondly, the delegation of authority as a step in organizing will be discussed because devolution is often seen as synonymous with delegation and needs to be clarified. Thirdly, devolution of power as an organizational phenomenon will be described and explained. Lastly, the devolution of power to local authorities in South Africa will be described and explained. Organizing in administration can be described as follows:

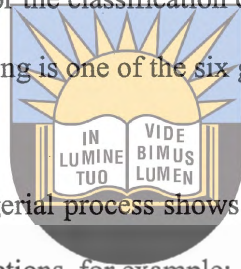
2.2 ORGANIZING AS AN ADMINISTRATIVE FUNCTION

The term “administration” has been used to describe the action of two or more people to achieve predetermined objectives (Waldo, 1955:6, Cloete, 1981:1). Baker, (1972: 13) writes that administration is derived from the Latin “*administrare*” and that it means to look after things, taking charge and getting things done. Administration is thus work that must be carried out. Hanekom and Thornhill (1983:127) write that administration concerns action and that systematic action can be seen as one of the basic characteristics of the administrative functions.



Various classifications of the administrative functions are possible. Cloete, (1981:48) provided a rational analysis of the function of administrative functions which he called the generic administrative processes namely policy making, financing, organizing, personnel provision and utilization, determining of work procedures and controlling. Hanekom, *et.al.*, 1987:21) state that the classification by Cloete was preceded by classifications of the administrative functions by various authors such as Gulick (Learned and Sproat, 1966:49). Gulick identified specific administrative processes, namely planning, organizing, staffing, directing, co-ordination, reporting and budgeting, which shows a resemblance with the classification by Cloete. Deverell (1980:14) however writes that Fayol “...sets down the logical framework of a theory of administration... with such a framework no science or ordered investigation can get far.” To Deverell (1980: 14), Fayol arranges these processes into the six categories namely technical, commercial, financial, security, accounting and managerial.

In South Africa the process approach widely served as a model for analytical purposes. Hanekom and Thornhill (1983:48) write that “(w)ith this approach, it was possible to move away from the barren description of public administration that used to be the focal point in the study of and training in the academic discipline. Through this approach the empirical approach to the discipline was integrated with that of behavioural sciences.” It can be deduced from the above that the process approach as developed by Cloete provides a conceptual framework for the classification of public administrative functions. According to this approach organizing is one of the six generic administrative functions.



However, an analysis of the managerial process shows that various authors use different classifications of the managing functions, for example:

Planning, organizing, leading and control (Stoner, 1978:7)
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Planning, organizing, staffing and control (Swartz, 1980:5)

Planning, organizing, motivation and control (Koontz and O'Donnell, 1982:27).

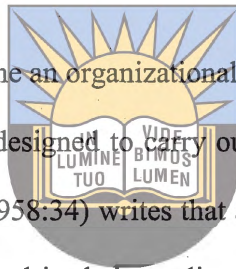
Schwartz, (1980:5) writes for example that “(n)early all writers treat the functions of planning, organizing and controlling.” From the above exposition it can be deduced that specific administrative functions and management functions can be identified and that organizing is one of such functions. Organizing can be described and explained as follows:

2.2.1 NATURE OF ORGANIZING AS A FUNCTION

Organizing has been described as one of six administrative functions which is part of the work that makes work performance continuously possible. Starling, (1979:63) writes that “...if people are to work effectively, they need to know the part they are to play in the

total endeavour of all employees and how their roles relate to each other.” The effectiveness of work is for this reason directly linked to the designing of an organizational structure. The design and use of organizational structures is a process known as the organizational process. When reference is made to the work (i.e the verb) that is carried out, such work is called organizing. The result of organizing is called the organizational structure or the organization (Meiring, 2001:94).

Pfiffner and Presthus (1967:7) define an organizational structure as a structured system of roles and functional relationships designed to carry out policies and programmes which such policies inspire. Rothstein, (1958:34) writes that an “(o)rganization presupposes the existence of parts, which, considered in their totality, constitute organization. The parts must interact. Where there is no communication between them, there would be no organisation for we should merely have a collection of individual elements isolated from each other.



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Robbins, (1980:8) writes that “(o)rganizing is the establishment of relationships between the activities to be performed, the personnel to perform them and the physical factors that are needed... The major concerns in organizing consist of dividing up jobs to be done, determining the grouping of work, staffing positions, forming authority, grades and equalizing authority and responsibility”. Terry, (1977:264) writes “(o)rganizing is the establishing of effective behavioral relationships among persons so that they may work together efficiently and gain personal satisfaction in doing selected tasks...” It can be deduced that organizing brings together in an orderly manner, the human and financial

resources in the work situation. It makes possible for the personnel to perform work and accomplish goals efficiently and effectively. Organizing unites people by determining the part each person plays in the total endeavor and how the various roles relate to each other.

The statement that administration takes place as soon as two or more individuals cooperate in achieving an objective means that organizing has taken place. Organizing is thus work that must be done and any work consists of specific consecutive and related steps that must be carried out to achieve the objectives. It is thus also possible to refer to organizing as a process (Mitchell and Larson, 1984: 38). The steps in the organizational process are classified by Meiring (2001:95) as follows:

- creation of work units (i.e. posts, sections, divisions and departments);
- creation of formal behavior relationships and authority lines;
- creation of communication channels;
- allocation of functions; and
- delegation of authority (*Infra*, sub-section 2.3)

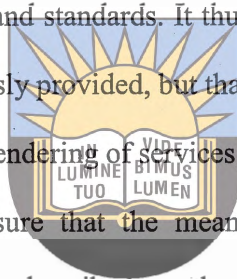
It should also be noted that in addition to performing the above functions to design and establish an organizational structure, additional functions have to be carried out to ensure the effective and efficient utilization of an organizational structure (Meiring, 2001:110)

2.2.2 MANAGEMENT CHARACTERISTICS OF ORGANIZING

Administration is described as the enabling function which makes service rendering continuously possible. Enabling in this sense means that specific means to such end must be continuously provided. Meiring, (2001:48) writes that the means needed to do any work can be classified into policy, personnel, finance, posts, and structures, work procedures, and control measures and standards. It thus follows that the means to do the work should not only be continuously provided, but that

(a) the means must be used in the rendering of services; and

(b) steps should be taken to ensure that the means are utilized as effectively and efficiently possible. The latter is described as the management functions (Meiring, 2001:481)



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Taylor as quoted by Eilon, (1971:9) writes for example that “(t)he art of management...is knowing exactly what you want men to do, and then seeing that they do it in the best and cheapest way.” Boone, *et.al.*, (1972:4) writes that “(m)anagement (is) the use of people and other resources to accomplish objectives.” It is clear that even an organizational structure and its components must be utilized as effectively and efficiently possible. Specific functions must be performed. Meiring, (2001:110) writes that organizational effectiveness may be obtained as follows:

2.2.2.1 MONITORING THE SPAN OF CONTROL

Span of control relates to the limits of the mental and physical abilities of the individual who can supervise only a limited number of subordinates. There is no formula for determining universally the maximum span of control (*Vide*, Koontz and O'Donnell, 1964:226; Mitchell and Larson, 1987:44).

2.2.2.2 OBTAINING UNITY OF ACTION

Unity of action presupposes, in the first place, that if the work units of an organizational structure (for example, divisions, sections and posts in a department) are to proceed as a team, there must be a single guiding official at the head of each section, division and department. Secondly, unity of action implies that a subordinate is responsible to only one supervisor (*Vide*, Koontz and O'Donnell, 1964:64, Boone, 1992:232).



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2.2.2.3 MAINTAINING FORMAL AND INFORMAL RELATIONSHIPS

The demands and processes of the work situation lead to the formation of different groups and relationships. Specifically, two types of formal groups are found; the command group and the task group. In any organizational relationship someone gives instructions and someone carries them out. The supervisor-subordinate should be clearly depicted in the organizational diagrams (*Vide*, Koontz and O'Donnell, 1964:382, Szilagyi and Wallace, 1983:433).

2.2.2. 4 CO-ORDINATION OF ALL ACTIVITIES

In organizing, co-ordination means to bring into proper order or relation. All the activities of all work units are grouped to obtain teamwork, to ensure that each official works towards a specific set of objectives, without indulging in unnecessary work which wastes time and which could lead to work duplication and fragmentation (*Vide*, Koontz and O'Donnell, 1964:382, Szilagyi and Wallace, 1983:433) (*Infra*, sub-section 5.3).

2.2.2.5 ELIMINATING CONFLICT SITUATION

Administration, and thus organizing, is found when two or more persons have some mutual interest and work together to a common objective. Whenever such a situation is found there is the possibility for conflict. The supervisor should observe disharmony and act accordingly without attempting to eliminate all differences. In fact, some conflict can be quite beneficial, either as a means of releasing tension or as a source of new ideas (*Vide*, Boone, *et.al.*, 1992:382) (*Infra*, Section 5.3.2).

2.2.2.6 ADAPTING TO CHANGING CIRCUMSTANCES

Adaptiveness refers to the extent to which the organization can and does respond to environmental changes, which may be either internally or externally induced. It is important to continuously adapt to changing circumstances and possible to eliminate resistance to change (Boone, *et.al.*, 1992:417).

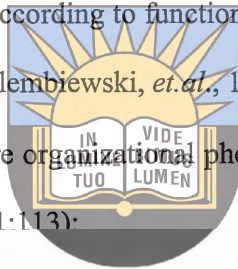
It can be deduced that organizing as an administrative function consists of three main steps, namely the:-

- creation of organizational structure;

- implementing of organizational structure; and
- management of organizational structure.

Organizing should furthermore be based on specific principles. These principles can be described as follows:

- Principle for purposeful action in the creation of structures and work units;
- Principle of specialization according to function, process, product or geographical area (Child,1987:86 and Golembiewski, *et.al.*, 1969:420);
- Principle of definition where organizational phenomena are clearly described and made known (Meiring, 2001:113);
- Principle of co-ordination where all structures and work units are brought into proper order and relation (Kotter and Deal, 1964: 42, Deverell, 1980: 91);
- Principle of compliance where the supervisor-subordinate relationships ought to be clearly defined and adhered to (Meiring, 2001: 213)
- Principle of transparency to eliminate secrecy, self interest and interference in other sphere of government (Constitution,1996, section 195(1) (g))
- Principle of synergism where the inter-action of work units ought to create a whole, that is the organizational structure that is greater than the sum of all the work-units (Meiring, 2001:115)
- Principle of accountability where an obligation is placed on subordinates to satisfactory perform duties and tasks and to render account to supervisors, who ought to demand such accountability (Robbins,1980:232, Hanekom, *et.al.*, 1987: 178)



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- Principle of balance, where works units ought to be designed to fit into the organizational structure in the most efficacious manner for efficient team work and effective objective realization (Meiring, 2001;115, Robbins, 1980: 348)

From above it can be deduced that an organizational structure must be utilized as effectively and efficiently as possible. Specific functions must be performed by individuals and groups. It can be deduced that effectiveness refers to a span of control which relates to the limits of the mental and physical abilities of the individual who can supervise only a limited number of subordinates. A unity of action which presupposes, that if the units of an organizational entity (for example, divisions, sections and posts in a department) are to proceed as a team, there must be a single guiding official at the head of each section, division and department; maintenance of formal and informal relationships; co-ordination of all activities which refers to bringing into proper order all the activities of all work units to obtain teamwork; elimination of conflict situations and adaptation to changing environment. A principle is a guiding rule for personal behaviour. It can thus be deduced that principles are essential in the efficient attainment of predetermined objectives.

2.3 DELEGATION OF AUTHORITY AND ITS RELATIONSHIP WITH DEVOLUTION.

Delegation of authority is seen as an organizational function. It is one of the steps to be carried out to create an organizational structure (*Supra*, sub-section 2.2.1). Koontz and O'Donnell, (1964:56) write that "(j)ust as authority is the key to the manager's job,

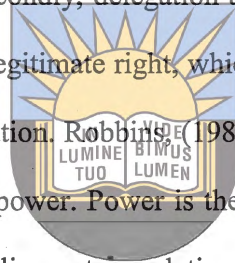
delegation of authority is the key to organization. The grouping of duties into subdivisions...involves delegating authority to perform these duties.” The allocation of functions is followed by the delegation of authority. Authority gives chief officials the ability to act, exert influence and make decisions in carrying out responsibilities. Authority can thus be described as a legitimate right to command subordinates in the work environment, to act towards the attainment of organizational objectives (Robbins, 1980:240 and Boone, *et.al.*, 1992:233).



Szilagyi and Wallace, (1983:451) write that “(a)uthority can be viewed as the right to influence other members of the organization. This is termed the legitimate source of authority.” However, a public institution cannot operate effectively if authority is allowed to remain solely with the top chief officials. If effective and efficient service rendering is required, authority must be transferred downwards to subordinate officials, thereby giving them decision making authority. Authority is delegated to enable subordinate personnel on the lower organizational levels to take decisions as they see fit without referring it back to the supervisors for approval (Meiring, 2001:105 and Cloete, 1995: 24). Authority is delegated when the extent of the work, as well as the accompanying decision making get beyond the physical and mental abilities of a single official to perform it effectively. The objective is thus to lighten the pressure and work load of chief officials (Cloete, 1995:24). Delegation of authority takes place horizontally and vertically across all the levels of an organizational structure (Meiring, 2001:105).

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The delegation of authority is related to various organizational phenomena. Firstly, delegation is related to responsibility. Responsibility is the obligation of an employee to perform assigned duties. The subordinate to whom authority is delegated becomes answerable to his/ her superior for performing the work. The superior is left with the overriding responsibility for seeing that the work is done (Deverell, 1980:72 and Boone, *et.al.*, 1992:233). It can be deduced that if authority is delegated an equal amount of responsibility must be allocated. Secondly, delegation and authority is closely related to power. Authority is described as a legitimate right, which is inherent in a formal internal organizational structure of an institution. Robbins (1980:240) writes that "...authority is actually part of a larger concept of power. Power is the ability to influence the behavior of subordinates. Legitimate power lies not in relationships, but in the post within the organizational structure (Robbins, 1979:266).



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Thirdly, delegation is closely related to decentralization. Delegation is an act of empowering subordinates within an executive institution. Decentralization is the distribution of legitimate power between various institutions and levels/spheres of government within a political system (Kotze and Van Wyk, 1980: 56). Decentralization comprises the division of services which are created in a political environment, to establish legislative and executive institutions on various vertical levels/spheres of government. This arrangement is also known as the devolution of power because the decentralized organization units should be given sufficient power to act and to render services.

The *Constitution of the Republic of South Africa*, 1996, as amended states for example that "...government is constituted as national, provincial and local spheres of government which are distinctive, interdependent and interrelated...(that) a municipality has the right to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions. (Section 40 (1) + 156(5)). It can be deduced that the delegation of authority is an organizational phenomena which takes place in an administrative environment, within a public institution. It can also be deduced that the devolution of power takes place in the political environment where political institutions and levels/spheres of government are created. Within this context the delegation of authority and devolution of power cannot be seen as synonymous.



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It therefore can be deduced that delegation of authority is an organizational function. It is one of the steps to be carried out to create an organizational structure. Authority can thus be described as a legitimate right to command subordinates in the work environment, to act towards the attainment of organizational objectives. Authority is delegated to enable subordinate personnel on the lower organizational levels to take decisions as they see fit without referring it back to the supervisors for approval.

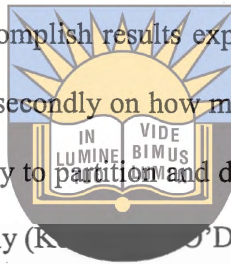
It can be deduced that if authority is delegated an equal amount of responsibility must be allocated. Delegation and authority is closely related to power. Delegation of authority takes place horizontally and vertically across all the levels of an organizational structure. It can further be deduced that delegation is closely related to decentralization.

Decentralization is the distribution of legitimate power between various institutions and levels/spheres of government within a political system.

Various principles are found and can serve as guides to the delegation of authority.

2.3.1 PRINCIPLE OF DELEGATION OF AUTHORITY

Principle of delegation by results expected Authority should be delegated to the extent and in the manner necessary to accomplish results expected. Attention should firstly be focused at the work to be done and secondly on how much authority should be delegated to do it. Chief officials should not try to partition and define authority on the basis of the amount of power to be delegated only (Koontz and O'Donnell, 1964:651).



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2.3.2 PRINCIPLE OF PARITY OF AUTHORITY AND RESPONSIBILITY

Koontz and O'Donnell, (1964:65) write that since authority is the power to carry out assignments and responsibility is the obligation to accomplish them, it logically follows that the authority needed to do this should correspond to the responsibility. Chief officials are sometimes given authority to do that for which they cannot be held responsible

2.3.3 PRINCIPLE OF ABSOLUTENESS AND RESPONSIBILITY

Responsibility, according to Koontz and O'Donnell, (1964:65) cannot be delegated, no chief official can escape, through delegation, responsibility for the activities of subordinates. The chief official is left with the overriding responsibility for seeing that

the work is done, and he cannot evade it (Koontz and O'Donnell, 1964:55, Deverell, 1980:72).

2.3.4 PRINCIPLE OF FUNCTIONAL DEFINITION

The content of every post and its functional relationship to other work units should be clearly defined and put in writing (Koontz and O'Donnell, 1964:63 and Deverell, 1980:72).



2.3.5 PRINCIPLE OF PROPER CONTROL

The delegation of authority goes hand-in-hand with the exercise of control, because no chief official can relinquish his/her responsibility. Thus delegation should be accompanied with measures to make sure authority is properly exercised (Koontz and O'Donnell, 1964:50, Robbins, 1980:230). From the above it can be deduced that the principle of delegation by results expected authority should be delegated to the extent and in the manner necessary to accomplish results expected, whereas authority needed to do the delegation should correspond to the responsibility. It can further be deduced that responsibility or accountability cannot be delegated. The delegation should in fact be in writing.

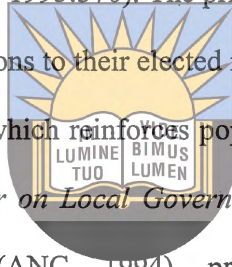
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2.4 DEVOLUTION AS AN ORGANIZATIONAL PHENOMENON

Devolution is seen *inter alia* as the act of giving the right to control; ability to influence people; and right to do something from one sphere/level of government to another sphere

(*Longman Dictionary*, 1995:371). Devolution is described as the “most” extreme form of decentralization and amounts to the creation of specific independent levels/spheres or units of government with legislative and executive powers (Jones, 1980:45).

The nature and place of the devolution of powers and allocation of functions in public administration occurs when the National government delegates an authority to provincial or local authorities (*Oxford Concise*, 1995:370). The principle of the devolution of power to local authorities, and by implications to their elected representatives, is a key feature of the National government’s policy, which reinforces popular participation in local affairs and development (*The White Paper on Local Government*, 1998). The *Reconstruction and Development Programme*, (ANC, 1994), provides a broad statement of developmental objectives write that, “...development is not about the delivery of goods to a passive citizenry. It is about active involvement and empowerment” (ANC, 1994:5).



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The Democratic Alliance (D.A.) document (1991:7) states that devolution of power encourages initiatives by giving authority and responsibility to the sphere of government that is closest to the site of service delivery and most responsive to the needs of the people. The Democratic Alliance further writes that shorter chains of command increase the speed of decision-making and minimize the dangers of bureaucratic quagmires.

Devolution ensures that beneficiaries participate in the governing and administration of delivery of services, and in the evaluation of the services provided. Local authorities are assigned the responsibility of deciding which services should be provided on a priority

basis and to whom. Local governments to which authority functions and resources are devolved acquire the power of autonomous initiative and decision making with respect to setting their own policy and objectives (De Muro, *et al.*, 1998)

In the political and constitutional framework of a state, devolution has specific characteristics. Firstly, devolution requires that local authorities be given sufficient autonomy and be clearly perceived of a separate sphere/level over which the national and provincial governments exercise little or no direct control. Secondly, local authorities must have clear and legally recognized geographic boundaries over which to exercise authority and within which they perform allocated functions. Thirdly, local government must be given corporate status and the power to raise sufficient resources to perform specific functions. Fourthly, devolution implies the need to develop the local government institutions in the sense that local authorities are perceived by local citizens as the providers of services that satisfy needs and as government units over which the citizens have some influence. Fifthly, devolution is an arrangement in which there are reciprocal, mutual benefiting and coordinating relationships between the national, provincial and local governments. Lastly, devolution requires that more than one level or sphere of government exists or be created because devolution means the division of power (Uphoff and Esman, 1974: xii).

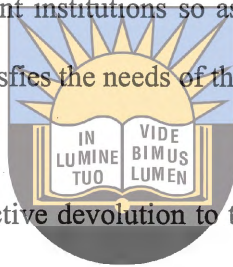


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It can be deduced that devolution is the act of giving the right to control; ability to influence people; and right to do something from one sphere of or level of government to

another sphere. It can also be deduced that to provide water and sanitation, local authorities with devolved functions must comply with specific requirements, such as to:-

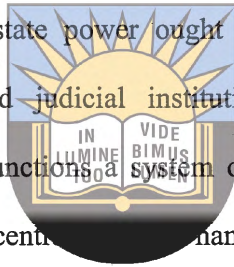
- Have sufficient autonomy
- Have clear and legally recognized geographical boundaries
- Be given corporate status and the power to raise sufficient resources to perform specific functions
- Develop the local government institutions so as to provide water and sanitation services in a manner that satisfies the needs of the local citizens.



It can also be deduced that for effective devolution to take place local government must be given corporate status and the power to raise sufficient resources to perform specific functions. It can further be deduced that devolution implies the need to develop the local government institutions in the sense that local authorities are perceived by local citizens as the providers of services that satisfy needs and as government units over which the citizens have some influence. Devolution is an arrangement in which there are reciprocal, mutual benefiting and coordinating relationships between the national, provincial and local governments. The greater the division of power to subordinate institutions or spheres/ levels of government, the closer government will be brought to the individual and less remote, alienated and distrustful individual citizens will feel. Devolution is thus in the form relocating specific functions that were otherwise performed either in the national or provincial sphere of government to the local sphere of government and this is accompanied by an authority to exercise a power and perform the devolved functions.

2.5 DEVOLUTION OF POWER TO LOCAL AUTHORITIES

A political state is usually organized in more than one sphere/ level of government. As soon as there is more than one sphere/ level of government in a state, the phenomenon of intergovernmental relationships appear and it is required that the autonomous National government devolves power and allocates functions to render services, to the lower spheres/levels of local government. In accordance with the doctrines of the French philosopher named Montesquieu, state power ought also to be divided horizontally between legislative, executive and judicial institutions in each sphere/ level of government. By separating these functions a system of “checks and balances” can be created to ensure power is not concentrated in the hands of the same person or group. (Hanekom and Thornhill (1993:150). Although various types of governments are in existence, the majority of established states have constitutions expounding the general principles according to which such a state is to be ruled.



The constitution of a state divides power between the various spheres/levels of government. South Africa is no different from this general explanation, as it is divided into three spheres of government; namely, national, provincial and local spheres of government. Functions of each sphere of government in South Africa are allocated by Parliament to avoid overlaps and duplications in accordance with the *Constitution of the Republic of South Africa, 1996*. The functions of both national and provincial spheres of government are contained in Part A of Schedule 4 and 5 whilst Part B of both Schedules of the *Constitution of the Republic of South Africa, 1996* are the exclusive functions of the local sphere of government. National and provincial spheres of government have

concurrent functions. These two spheres of government must support and strengthen the capacity of municipalities to perform all allocated functions as a local sphere of government at the heart beat of the communities. This is necessitated by the fact that whilst these constitutionally allocated functions are distinct for each sphere of government, they are however interrelated and interdependent.

In other words the local sphere of government is authorized to exercise its power by promulgating its own by-laws regarding the provision of the service, and by enforcing that by-law through the prosecution of transgressors. A municipality also possesses a right to perform that function of providing the service on its own or by commissioning a service provider to do the job on its behalf in terms of section 78 (3) of the *Local*


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Government: Municipal Systems Act, 2000, (Act 32 of 2000).

The devolution of power and allocation of functions in public administration occurs when the national government or the provincial government transfer power in accordance with section 156 (4) of the *Constitution of the Republic of South Africa, 1996* to local government, if-

- (a) “that matter would most effectively be administered locally; and
- (b) the municipality has the capacity to administer it.”

From the above section of the *Constitution of the Republic of South Africa, 1996* it can be deduced that national and provincial governments may transfer power and allocate functions to the local sphere of government if that matter would most effectively be

administered in the local sphere and if there is sufficient capacity to do so. The above section must be read together with section 77 of the *Local Government: Municipal Systems Act, 2000*, (Act 32 of 2000) which requires a municipality to review and decide on a mechanism to provide a municipal service on occasions where:

- A new service is to be provided;
- An existing municipal service is to be significantly upgraded, extended or improved;
- The municipality is restructured or reorganized in terms of the *Municipal Structures Act, 1998*
- Preparing or reviewing its integrated development plan.



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Having read these two pieces of legislation one will then agree with the statement made by the *White Paper on Local Government, 1998*, that the principle of the devolution of power to lower levels of government, and by implication to their elected political representatives, is a key feature of the National government's policy in South Africa, which reinforces popular participation in public affairs and development. Whilst the *Constitution, 1996* in terms of section 156 permits for such devolution of power and allocation of functions in matters listed in Part A of both Schedule 4 and 5 "water and sanitation services limited to potable water supply systems and domestic waste-water and sewage disposal systems" falls under Part B and therefore is a local government matter.

2.6 CONCLUSION

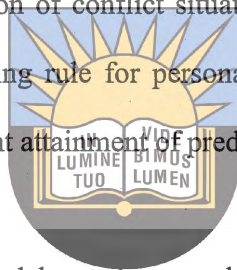
In the above chapter the following matters were explained; that administrative functions can be classified as the generic administrative functions which are individually expressed as follows; policy making, financing, organizing, staffing, determining of work procedures and controlling. According to this approach organizing is one of the six generic administrative functions. Organizing is clearly seen as a function in the administrative process as well as in the managerial process characterized by for example the following elements; planning, organizing, staffing, motivating, leading and controlling.



It was proved that organizing brings together in an orderly manner, the human and financial resources in the work situation. It makes possible for the personnel to perform work and accomplish goals efficiently and effectively. Organizing unites people by determining the part each person plays in the total endeavour and how the various roles relate to each other. It was explained that administration takes place as soon as two or more individuals cooperate in achieving an objective and that it goes without saying that organizing has taken place. It therefore was proved that organizing is this work that must be done and any work consists of specific consecutive and related steps that must be carried out to achieve the objectives.

From above it was proved that an organizational structure must be utilized as effectively and efficiently as possible. Specific functions must be performed by individuals and groups. It was proved that effectiveness refers to a span of control which relates to the

limits of the mental and physical abilities of the individual who can supervise only a limited number of subordinates; a unity of action which presupposes, that if the units of an organizational entity (for example, divisions, sections and posts in a department) are to proceed as a team, there must be a single guiding official at the head of each section, division and department; maintenance of formal and informal relationships; co-ordination of all activities which refers to bringing into proper order all the activities of all work units to obtain teamwork; elimination of conflict situations and adaptation to changing environment. A principle is a guiding rule for personal behaviour. It was proved that principles are essential in the efficient attainment of predetermined objectives.



It was also proved that if authority is delegated an equal amount of responsibility must be allocated. Delegation and authority are closely related to power. Authority is described as a legitimate right, which is inherent in a formal internal organizational structure of an institution. It was also proved that the principle of delegation by results expected authority should be delegated to the extent and in the manner necessary to accomplish results expected, whereas authority needed to do the delegation should correspond to the responsibility. It was further explained that responsibility or accountability cannot be delegated. The delegation should in fact be in writing.

It was finally proved that for effective devolution to take place local government must be given corporate status and the power to raise sufficient resources to perform specific functions and that devolution implies the need to develop the local government institutions in the sense that local authorities are perceived by local citizens as the

providers of services that satisfy needs and as government units over which the citizens have some influence. Devolution is an arrangement in which there are reciprocal, mutual benefiting and coordinating relationships between the national, provincial and local governments. The greater the division of power to subordinate institutions or levels/spheres of government, the closer government will be brought to the individual and less remote, alienated and distrustful individual citizens will feel. Devolution is thus in the form relocating specific functions that were otherwise performed either at national or provincial sphere of government to the local sphere of government and this is accompanied by an authority to exercise a power and perform the devolved function. Lastly and most importantly devolution ensures that beneficiaries participate in the governing and administration of delivery of services, and in the evaluation of the services provided.



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It was explained that the devolution of power and allocation of functions occurs when the national or provincial sphere of government transfers power to the local sphere of government. For devolution to occur, due consideration must be taken on whether the matter would most effectively be administered locally or the possession of the capacity to administer such matter by the municipality does exist. It was further explained that applicable legislation provides for a municipality to decide on a mechanism to take in cases where such a municipality is to provide a new service; significantly upgrade an existing municipal service; the municipality is restructured and is preparing its integrated development plan.

CHAPTER THREE

LEGISLATIVE FRAMEWORK AND ROLE OF MUNICIPAL COUNCIL IN THE PROVISION OF WATER SERVICES.

3.1 INTRODUCTION

Municipal councils will always be time and place bound and will always be influenced by the history of a state and its citizens. The local sphere of government consists of municipalities with distinct geographic boundaries, yet, with a common goal of providing services to its citizens. These municipalities are governed by municipal councils, which in terms of the *Constitution of the Republic of South Africa, 1996* in South Africa must be established for the whole territory of the republic. It refers to a localized form of government wherein local citizens give a platform to articulate their views on matters affecting their daily lives. It is that sphere of government which is closest to the communities, and which is expected to fulfill its service delivery mandate by providing services effectively, efficiently, equitably and sustainably to all its citizens. Water and sanitation services (these services will be combined and hence forth will be referred to as water services) are essential services that would effectively be administered in the local sphere of government and therefore the provision of water services is a constitutional responsibility of the sphere of local government.

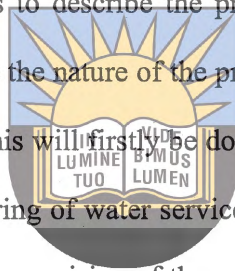
This chapter seeks to prove that water services was provided directly to communities living in rural areas, new settlements and in certain local authorities by the Department of Water and Forestry during apartheid and post apartheid eras. It further seeks to prove that this situation continued to exist until the process of municipal rationalization with its



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administrative reorganization was completed and until municipalities were constitutionally assigned their rightful powers and functions. Therefore the devolution of the power from the national sphere of government to the local sphere of government was necessary since in terms of the *Constitution of the Republic of South Africa*, 1996 water provision is the primary responsibility of the local sphere of government.

It is the purpose of this chapter is to describe the provision of water services by the previous dispensation and to outline the nature of the provision of the same services after the devolution of power in 2003. This will firstly be done by giving a brief outline of the legislative framework for the rendering of water services prior to 1993 and evaluation of the present legislation governing the provision of the same services. Secondly, municipal authorities as water services authorities will be discussed. Thirdly, the selection process of Water Services Authorities will be explained. Fourthly, the short comings of the Selection of Water Services Authorities will be discussed. Lastly, the role of municipal authorities in the rendering of water services will be discussed.



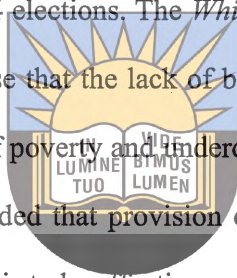
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3.2 LEGISLATIVE FRAMEWORK FOR WATER SERVICES IN SOUTH AFRICA

The *White Paper on Water Supply and Sanitation Policy*, 1994 (1994:1), confirms that statistics in South Africa by the year 1994 demonstrated that more than 12 million people did not have access to an adequate supply of potable water whilst nearly 21 million

lacked basic sanitation. The year 1994 is the period in which the present government took over from the previous government.

The *White Paper on Water and Sanitation*, 1994 was the first policy document produced by Government of National Unity, designed by the newly established Department of Water Affairs and Forestry as headed by the then Minister Kader Asmal, a few months beyond the historical event of 1994 elections. The *White Paper on Water and Sanitation*, 1994 was developed on the premise that the lack of basic services such as water supply and sanitation is a key symptom of poverty and underdevelopment. This *White Paper on Water and Sanitation*, 1994 conceded that provision of such services must be part of a coherent development strategy if it is to be effective.



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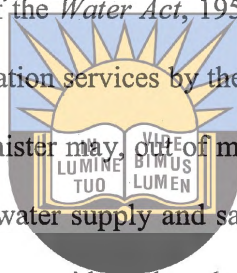
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The scrutiny of water and sanitation provision before 1993 cannot be done in isolation without examining the legislations of that time and compare those legislations to the practice which will offer answers on the amount of backlog the present government has inherited. The legislation that governed water and sanitation for a long period prior to 1993 was the *Water Act, 1956 (Act 54 of 1956)*. The long title of the Act outlines the purpose for its existence as follows:

“To consolidate and amend the laws relating to the control, conservation and use of domestic, agricultural, urban and industrial purposes; to make provision for the control, in certain respects, of the use of sea water for certain purposes; for the control of certain activities on or in water in certain areas; for the control of activities which may alter the natural occurrence of certain types of atmosphere

precipitation; for the control, in certain respects, of the establishment or extension of townships in certain areas; and for matters incidental.”

From this title it can be deduced that all laws preceding the *Water Act*, 1956 were consolidated and amended to give effect to this one and that the control, conservation and use of water for domestic, agricultural, urban and industrial purposes including the establishment or extension of townships and all matters incidental to that effect were regulated by this Act. Section 26 of the *Water Act*, 1956 further makes provision for the rendering of water supply and sanitation services by the Minister. In terms of this section subsection (1) states that “(t)he Minister may, out of moneys appropriated by Parliament for the purpose, render or cause a water supply and sanitation service to be rendered to any community occupying land for residential and related purposes with a view to promoting the object of section 27 of the Constitution or to promoting public health, if, in respect of that community, no local authority exists or a local authority having jurisdiction is not able to render such service.”



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From this section it can be deduced the Minister before 1993 could provide water services or cause water services to be provided to any community occupying land for residential purposes or related purposes in cases where no local authority exists or wherein it does exist but is unable to render such service. This implies that the Minister could supply water to a municipality where a local authority lacks capacity to do so. Rural areas were not under the jurisdiction of local authorities and communities living in rural areas occupied land for residential and related purposes; and given the fact that the Minister was assigned the power to render the supply of the services or to cause the

rendering of such services to any community occupying land for residential purposes by this legislation this was indeed the Minister's functional responsibility, (the *Water Act*, 1956). Whilst the rural communities occupied land for residential and related purposes little attention was given to such settlements which were left to fend for themselves as the study will prove. In most cases rural women fetched water from the rivers or streams or made use of rain water for domestic use as a result of this deliberate omission, (the *White Paper on Water Supply and Sanitation*, 1994).



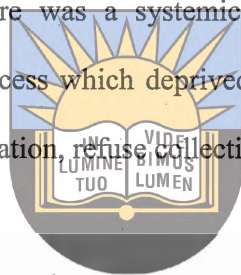
The *White Paper on Water Supply and Sanitation Policy*, 1994 states that the support of the White sector living in rural areas was done through the diversion of water for irrigation directly from rivers and dams, thus by-passing the majority of the poor also living in rural areas and transported to the few rural Whites in commercial farms. It further states that a number of water schemes were constructed for various reasons to support agriculture and small municipalities. Discrimination and segregation was obvious since water and electricity were supplied to White residents in rural areas at enormous cost, while scant regard was given to the needs of the rural majority.

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From this statement it can be deduced that the apartheid system supported the White commercial farmers at the expense of the Black majority living in rural areas. This was done through a costly exercise of diverting water from rivers and dams and bypassing the majority of the rural Black people. The government after 1994 inherited a backlog of 12 million people without adequate supply of potable water and 21 million people without

basic sanitation. The history of water provision is linked to housing, migration, land, social engineering and development (<http://www.cosatu.org.za/docs/1998/logovwp.htm>).

The *White Paper on Local Government*, 1998 supports the view that Blacks were discriminated against when it came to basic services. These services were enjoyed by few Whites as the Blacks who were in the majority were in dormitory townships nearby as a result of the *Group Areas Act*, 1950 (Act 41 of 1950) The *White Paper on Local Government*, 1998 states that there was a systemic under-investment in municipal infrastructure in Black areas, a process which deprived millions of people of access to basic services including water, sanitation, refuse collection and roads.

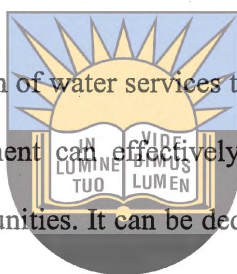


The plight of the Blacks living in rural areas was exacerbated by the laws of the time including the *Group Areas Act*, 1950, which restricted the permanent presence of Blacks from urban areas by separating townships from industrial and commercial development. This led to the creation of different residential areas for different racial groups. The *Bantu Administration Act*, 1971 further established Administration Boards, which finally separated Black Township administration from White local authorities. This gave birth to Black Local Authorities that imposed rent and service charges to township residents (*White Paper on Local Government*, 1998).

The *Constitution of the Republic of South Africa*, 1996 as amended, the *National Water Act*, 1996, the *Water Services Act*, 1997, the *White Paper on Local Government*, 1998, the *Local Government: Municipal Demarcation Act* (Act 21 of 1998) the *Local Government: Municipal Structures Act*, 1998 (Act 117 of 1998), the *Local Government:*

Municipal Systems Act, 2000 (Act 32 of 2000), the *Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)* are legislations that attempt to redress past imbalances by reconstructing the local sphere of government through a transformation process that is all inclusive. This is achieved by means of amalgamating rural/farms with the urban areas in order to allow that basic services like water, sanitation and electricity are extended to all communities (*White Paper on Local Government, 1998*).

It can be deduced that the devolution of water services to local authorities was conducted on the premise that local government can effectively administer water services as a sphere which is closer to the communities. It can be deduced that local authorities had to be restructured in order to cater for the provision of such assigned functions and legislation had to be promulgated to govern the provision of water services appropriately.



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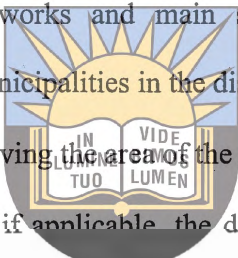
It can be deduced that the form of restructuring entailed the incorporation of rural villages into urban municipal boundaries in order to extend the basic services to all communities. These basic services include water and sanitation. It can also be deduced that different residential areas for racial group promoted coupled with separate administration added to the systemic under-investment in municipal infrastructure in Black designated areas.

3.3 MUNICIPAL AUTHORITIES AS WATER SERVICES AUTHORITIES

A Water Services Authority (WSA) is any municipality that has executive authority for water services within its area of jurisdiction in terms of the *Water Services Act, 1997*. This means that such a municipality is responsible for ensuring access to water supply

and sanitation services. Section 84(1) of the *Municipal Structures Act, 1998* provides for the provision of the following functions:

- Bulk supply of water that affects a significant proportion of municipalities in the district
- Bulk supply of electricity that affects a significant proportion of municipalities in the district
- Bulk sewage purification works and main sewage disposal that affects a significant proportion of municipalities in the district
- Solid waste disposal sites serving the area of the district municipality as a whole
- The receipt, allocation and, if applicable, the distribution of grants made to the district municipality (Section 84 of the *Municipal Structures Act, 1998*)

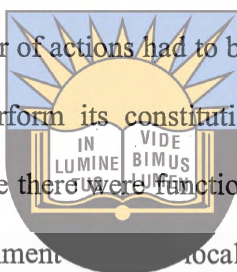

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The *Water Service Act, 1997* provides that every WSA must:

- Ensure access to efficient, affordable, economical and sustainable access to water services for all consumers. According to the explanation of *Water and Sanitation Business* (2005:27) the duty to ensure access to services is subject to:
 - Make bylaws that stipulate conditions for the provision of water services. These include the following:
 - Prepare a water services development plan.
 - Decide on appropriate mechanism for providing water services, i.e. either perform the function of water services provider itself (internal mechanism) or contract a water services provider (external mechanism)

3.3.1 Selection of water services authorities

The *Constitution of the South Africa*, 1996, schedule 4 and 5 allocate functions to be performed by each sphere of government so that there are no overlaps and in this instance water services are allocated to the local sphere of government. Whilst this is the case, the local sphere was poorly organized given the fragmented administrations that were responsible for water services provision during the previous dispensation. In order to address this fragmentation, a number of actions had to be taken to ensure readiness of the local sphere of government to perform its constitutional obligation in an integrated manner. Whilst that may be the case there were functions only allocated by the Minister for Provincial and Local government to the local sphere of government which necessitated the actions referred to above and which are the subject for discussion in this study.

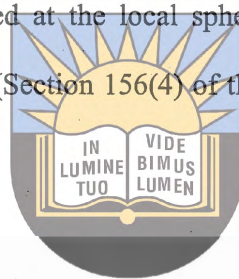


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These are water, sanitation, electricity and municipal health services (later defined as environmental health services) which were devolved and authorized by the Minister for Provincial and Local Government to district municipalities and selected local municipalities and which according to the Government Gazette dated 13th June 2003, number 25076 are to be regarded as “permanent” authorizations. In other words these may not be adjusted between the two tiers of local government that is local and district municipalities.

The actions referred to above included the transformation of municipalities which was a process of determining new municipal boundaries in terms of the *Municipal Demarcation*

Act, 1998, and establishing stronger rationalized municipalities in terms of the *Municipal Structures Act*, 1998 with capacity to meet the constitutional obligation in terms of the *Municipal Systems Act*, 2000. The transformation of municipalities gave rise to the categorization of types of municipalities that were to be assigned functions according to the defined categories (Sections 12 & 84 of the *Municipal Structures Act*, 1998). Space was also created for national and provincial spheres of government to devolve functions that can effectively be administered at the local sphere of government if capacity to perform such function is available (Section 156(4) of the *Constitution of the Republic of South Africa*, 1996).

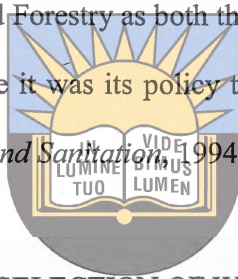


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Since the provision of water and sanitation services was seen as the municipal competency, a decision had to be taken as to at which category of municipality would the authority for water services reside. This was closely followed by the devolution of such power as well as the allocation of specific functions to the three categories of municipalities. This transformation process resulted in the establishment of district municipalities which did not exist before 1994. The origin of these district municipalities were the Black states that were either the homelands or the self governing states which were predominantly rural with small towns surrounding them. The example is O. R. Tambo District Municipality (<http://www.cosatu.org.za/docs/1998/logovwp.htm>).

These district municipalities did not provide the water services before whilst the district councils of the previous dispensation did provide water to rural areas which were outside the jurisdiction of local authorities and therefore did not receive such services from local

authorities. In the Eastern Cape O. R. Tambo and Alfred Nzo District Municipalities are the examples of the newly established district municipalities which previously were homeland areas. It therefore follows that water services were indeed devolved to these two district municipalities. Whilst it can be argued that water and sanitation are municipal functions in terms of the *Constitution of the Republic of South Africa*, 1996 and in terms of section 84 of the *Municipal Structures Act*, 1998, these functions were performed by the Department of Water Affairs and Forestry as both these areas did not form part of any local authority at the time and since it was its policy to do so where no local authority existed (the *White Paper on Water and Sanitation*, 1994).



3.3.2 SHORT COMINGS OF THE SELECTION OF WATER SERVICES AUTHORITIES

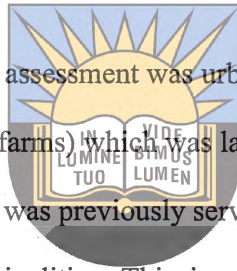
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Criteria used in the selection of specific municipalities as water services authorities did not take into cognisance certain aspects such as the coming into existence of developmental local government which created wall to wall municipalities. Wall to wall municipalities was a process of transformation with strong elements of de-racialization, a process which combined rural and farming communities with urban as well as relatively adjacent small towns with big cities in order to promote cross subsidisation of poor areas by the affluent communities. This was an attempt to address the legacy of the past (<http://www.cosatu.org.za/docs/1998/logovwp.htm>).

The tool used in the selection of municipalities that can be WSAs was an assessment of the then existing capacity within the urban area. The existing capacity relates to urban

area (towns) irrespective of size. Previously these towns were both water services authorities and water service providers at the same time. They therefore provided this service efficiently in their areas of jurisdiction which was the town itself. The assessment of the capacity of municipalities mentioned above was conducted by the Municipal Demarcation Board (MDB) and provincial departments of local government respectively towards the end of the transitional phase. (MINMEC August 2001)




As indicated above, the focus of the assessment was urban biased and therefore excluded the outer periphery (rural areas and farms) which was later going to form part of the local municipalities after 2000 and which was previously serviced by the then District Councils now known as Category C Municipalities. This is a gap as these municipalities are surrounded by vast tracts of rural land and farms that need servicing. Since the capacity assessment was only done in the town and certain municipalities were said to have enough capacity. Wall to wall municipalities must extend the provision of the water services to include the whole municipal boundary. The underground pipes for such network reticulation were never extended to meet this responsibility and are therefore overloaded (MINMEC August 2001). All local municipalities falling under Cacadu District Municipality were assigned the water services authority status and fall victim of this assessment. To exacerbate their plight the north side of the area is falling within the Karoo belt which is very dry. These municipalities are small and cannot attract the requisite skills needed to perform this function.

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3.4 ROLE OF MUNICIPAL AUTHORITIES IN THE RENDERING OF WATER SERVICES

A municipality consists of a council, departments and communities. The council consists of a number of councilors determined by the MEC for local government in a province. The *White Paper on Local Government*, 1998 provides for the municipal council to involve the local citizens and groups in decisions and processes which affect them. The council should strive to ensure that everyone should have basic and affordable services such as access to clean water, waste removal and sewerage. Section 19 (2) of the *Municipal Structures Act*, 1998 provides for the municipal council to annually review

- 
- (a) the needs of the community;
- (b) its priorities to meet those needs;
- (c) its processes for involving the community; and
- (d) its organizational and delivery mechanisms for meeting the needs of the community; and its overall performance in achieving the objectives set out in section 152 of the *Constitution*, 1996.

A municipal council must also develop a system of delegation that will maximize administrative and operational efficiency and provide for checks and balances in terms of section 32 (1) (a) of the *Municipal Structures Act*, 1998 and, in accordance with that system may delegate appropriate powers, excluding a power mentioned in section 160(2) of the *Constitution*, 1996 (passing a by-law; approving a budget; raising loans or imposing rates, taxes, levies and other duties) to its

- executive committee, if it has an executive committee;
- executive mayor, if it has an executive mayor;

- metropolitan sub-councils, if it has such sub-councils;
- ward committees, if it has ward committees;
- other committees or elected office bearers; and
- municipal manager or any of its other officials

It can be deduced that a council may develop a system of delegation to its political and administration structures for specific functions to be performed in order to maximize administrative and operational efficiency and to provide for adequate checks and balances. It can be deduced that the council must strive to ensure that everyone does have basic and affordable services such as access to clean water, waste removal and sewerage. This is an oversight role of the council as a whole. However, a system of delegation and specific legislation assign specific functions to individuals and internal structures. These include the executive mayor and municipal manager. The executive mayor is charged to give political guidance to the municipal officials and develop strategies of ensuring provision of uninterrupted water service to communities and the officials have an equal obligation to see to the implementation of such strategies, report on early warning signs if there are problems to be encountered.

The municipal manager must inculcate a culture of work ethics to subordinate personnel in order to meet the objectives of a municipality which include rendering sustainable water services to the community. This would include the availability of a customer care section and pamphlets that evaluate customer satisfaction. Financial management and appropriate implementation of by-laws which are related to water services is crucial. The notion of upholding the code of conduct for staff would promote customer satisfaction.

Municipal officials as an administrative arm of the council must be responsive to the needs of the local community and manage the provision of services to the local community in a sustainable and equitable manner through a municipality's integrated development plan (*Municipal Systems Act, 2000*). There should be a water services development plan which is in terms of the *Water Services Act, 1997* and which must be aligned to the Integrated Development Plan (IDP) of a municipality. This IDP must be followed by a Service Delivery and Budget Implementation Plan which is a practical tool for implementation as it is budget aligned. This is in terms of Section 25 of the *Municipal Systems Act, 2000*.



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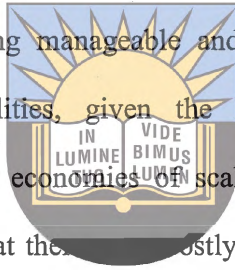
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It can be deduced that service delivery and budget implementation plan is critical and is a form of a road map that indicates what a municipality will do, at which area and at what time. This should go hand in hand with the performance agreement of municipal managers with performance indicators to be signed by an executive mayor who should periodically evaluate progress. Compliance to these statutory requirements would assist in identifying problems on time, revise strategies and apply for budget adjustments in order to meet the deadline. Also it can be deduced that presenting the current financial position of the municipality and inviting public views on services to be rendered, workable solutions and strategies would lift the load and burden of the executive mayor as this would promote transparency and trust between the municipality and the community. The community may make recommendations on any matters affecting the

ward to the ward councilor or through the ward councilor to the municipality (*Community Based Planning Guide*, 2005:3).

3.5 CONCLUSION

It was proved that a municipality is established in terms of a section 12 notice which is promulgated after boundaries have been altered, realigned and determined to give effect to specific considerations including manageable and sustainable municipalities. The notion of establishing municipalities, given the history of previously designed settlements, seeks to promote the economies of scale in the provision of municipal services hence it was explained that the most exercise of diverting water from rivers and dams.



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It was explained that the devolution of water services to local authorities was conducted on the premise that local government can effectively administer water services as a sphere which is closer to the communities. It was explained that local authorities had to be restructured in order to cater for the provision of such assigned functions and legislation had to be promulgated to govern the provision of water services appropriately. It was further explained that the form of restructuring entailed the incorporation of rural villages into urban municipal boundaries in order to extend the basic services to all communities. These basic services include water and sanitation. It was explained that different residential areas for racial group coupled with separate administration promoted the systemic under-investment in municipal infrastructure in Black designated areas.

It was proved that municipalities vary in terms of the population density, development, and intense movement of people, goods and services and have been categorized accordingly. Within categories are types of municipalities that demonstrate where the executive authority resides. The categorization of municipalities assists the process of assignment of functions and powers.

Both national and provincial spheres of government can assign a specific function to be performed by a municipality and this was a case in water services. It was learnt that water services were allocated to category C municipalities who were to see to the provision of this service across the whole district, thus extending the service to the rural communities.

It was proved that only a council in a municipality has a right to govern. The council in its own right has a legislative and an executive authority. The council should meet at least quarterly. This helps to assess progress and to review its policies regarding the rendering of services to its communities. A council may develop a system of delegation to its political structures and administration for specific functions to be performed in order to maximize administrative and operational efficiency and to provide for adequate checks and balances.

The council must strive to ensure that everyone does have basic and affordable services such as access to clean water, waste removal and sewerage. This is an oversight role of the council as a whole, however, a system of delegation and specific legislation assign specific functions to individuals and internal structures. It was explained that a municipality has a constitutional obligation of planning its processes in order to give

priority to the basic needs of the community. It was proved that a municipality should have a single, inclusive development plan which seeks to link, integrate and co-ordinate other plans. This plan would then form basis for a policy framework on which annual budgets must be based. The water services development plan which must be aligned to the IDP is essential for the provision or for causing the provision of water services in municipalities.

It was proved that service delivery and implementation plan is critical and is a form of a road map that indicates what a municipality will do, at which area and at what time. This should go hand in hand with the performance agreement of municipal managers with performance indicators to be signed by an executive mayor who should periodically evaluate progress. Compliance to these statutory requirements would assist in identifying problems on time, revise strategies and apply for budget adjustments in order to meet the deadline. Also it can be deduced that presenting the current financial position of the municipality and inviting public views on services to be rendered, workable solutions and strategies would lift the load and burden of the executive mayor as this would promote transparency and trust between the municipality and the community.



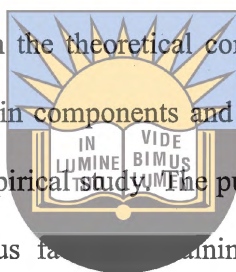
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CHAPTER FOUR

RESEARCH DESIGN AND METHODOLOGY

4.1 INTRODUCTION

The preceding two chapters dealt with the exposition of the conceptual and legislative framework for the devolution of power as an organization phenomenon within Public Administration and provide as such the theoretical component of this study. Scientific study, however, consists of two main components and ought also to include a practical testing component, which is the empirical study. The purpose of this chapter is therefore to describe and explain the various factors pertaining to the actual exercise of the empirical research. Firstly, the chapter will deal with the permission to conduct the research. Secondly, the scope of the study will be explained. Thirdly, the research design followed by data collection instruments and data analysis techniques will be explained. Fourthly, limitations to the study will be explained and lastly, ethical considerations will be discussed. The permission to conduct research can be explained as follows:



4.2 PERMISSION TO CONDUCT RESEARCH

A request for a permission to circulate questionnaires to the relevant directorates dealing with infrastructure, free basic services, Integrated Development Plans and institutional capacities of municipalities from the Superintendent-General of the Department of Local Government and Traditional Affairs was submitted. The title of the dissertation was

stated and the purpose explained. On the basis of this explanation, the permission was granted.

A further request was circulated to selected municipalities. Permission was obtained from the O. R. Tambo District Municipality as a municipality responsible for all local municipalities falling within its jurisdiction.

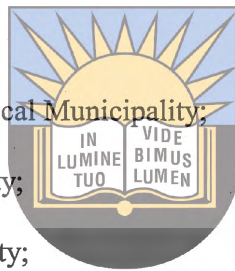
4.3 SCOPE OF THE STUDY



The scope of the study explains the extent of matters to be dealt with in the study. Since the scope of the study should explain precise limits of the study area and content, this study aims at explaining the effectiveness of the provision of water services to citizens in the Eastern Cape Province after the devolution of the power to municipalities. The study area will be O. R. Tambo District Municipality in its entirety. This study was informed by the observation of communities who continue fetching water from the rivers and streams that are sometimes dry whilst belonging to a municipality that must provide essential services. In order to provide possible answers to improve the situation the investigation into the problem is necessary. The details of the study area are discussed at length under the survey area.

4.3.1 SURVEY AREA

The study will be limited to selected municipalities within the Eastern Cape Province. The researcher will cover the area of O. R. Tambo District Municipality through a circulation of questionnaires to municipal councilors, municipal chief officials and to the citizens residing within the O. R. Tambo District Municipality and its seven local municipalities. These local municipalities are listed below:




- King Sabata Dalindyebo Local Municipality;
- Mhlontlo Local Municipality;
- Nyandeni Local Municipality;
- Port St. Johns Local Municipality;
- Ngquza Hill Local Municipality;
- Ntabankulu Local Municipality;
- Mbizana Local Municipality.

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This serves as a brief description of O. R. Tambo District Municipality. The O. R. Tambo District Municipality is a water services authority, with a population of 1 704 664 citizens. Its head office is situated in Mthatha. Its border is the Indian Ocean in the eastern side of the Province of the Eastern Cape as it covers Port St Johns and Mbizana Local Municipalities, the latter local municipality separating the Eastern Cape from Kwa-Zulu Natal (Portfolio of Municipalities.2006:246). This district municipality decided to be water services provider for its seven municipalities after a statutory study that each

water services authority must undertake in terms of Section 78 of the *Local Government: Municipal Systems Act, 2000* (Act 32 of 2000) in order to decide on whether it possesses the requisite capacity to be a water services provider or not (Masibambane Report: Volume 1). In O. R. Tambo District Municipality the empirical study will cover all the above mentioned local municipalities. The following table reflects detail of this district municipality:

Table 1: DETAILS OF O. R. TAMBO DISTRICT MUNICIPALITY (2006)



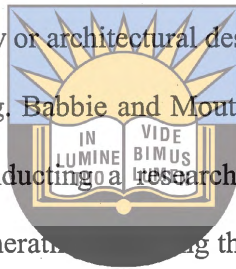
Population	440 664
Employees	448
Operating Budget	R217 665 385
Capital Budget	R520 716 588
Executive Mayor	Councillor R. N. Capa
Municipal Manager	Mr. D. Kannemeyer

(Port Folio of Municipalities 2006: 246)

An understanding of how other district municipalities render water services has been done through the questionnaires to the provincial Department of Local Government and Traditional Affairs. This Department has been chosen primarily because it is constitutionally charged to support municipalities in the rendering of all services including water services. Within this Department, the MEC who is the political head and the relevant provincial chief officials also received the questionnaires.

4.4 RESEARCH DESIGN AND METHODOLOGY

Fundamental to every scientific research is a method describing how the research is to be undertaken with adequate consideration of the problem, objectives and hypothesis. Kerlinger, (1986:10) writes that scientific research is a systematic, controlled, empirical and critical investigation of natural phenomena, guided by theory and hypothesis about the presumed relations among such phenomena. Maaw's articles (2008), states that research methodology is the strategy or architectural design by which the researcher maps out an approach to problem solving. Babbie and Mouton, 2001:74 define it as a plan or blueprint of how one intends conducting a research. It includes a set of strategies, domains and techniques used in generating a theory or problem solving. In every research project it is important to determine exactly what methods are to be used to collect data and what factors will influence the collection. The method will explain how to get to the conclusion.



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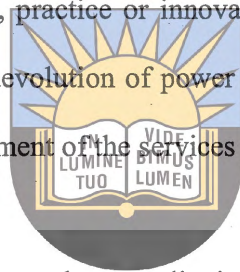
If scientific research is a method describing how the research is to be undertaken it can be deduced that this study, as a scientific research, will adequately investigate the rendering of water services by municipalities guided by the theory and hypothesis which is to be tested against the presumed relationships outlined within the objectives. It can also be deduced that methodology is a plan that expresses techniques to be applied in testing a theory for effective results in order to reach to a conclusion.

Methodology describes how data is collected, methods used in the collection of such data, the sample of respondents to be used for research and the way information is

obtained from chosen respondents, analyzed and interpreted to arrive at conclusions that may be the foundation or backbone of the research. A research design is the basic plan which guides the data collection and analysis phases of the study. It provides the framework which specifies the type of data to be collected, the sources of data and the data collection procedure. It dictates the boundaries of the research activity (De Vos, 2005:132 + Salkind, 1977:377). Three most common and useful purposes of social research are exploration, description and explanation (Babbie, 1989:80). It can be deduced that as the purpose of a research project is to explore specific subjects, describe and explain such subjects, a research design is a plan within the research project which seeks to guide data collection and analyze steps of such a project. It is a collection of activities which define procedures to be followed in data collection. In this chapter therefore the researcher intends to collect the questionnaires distributed from the respondents, a situation that will promote interviews specifically to clarify some issues. The collected data will be assembled according to headings firstly, different groupings for example, stakeholders/citizens and ages. This will be followed by clustering the responses that are common. The intention is to juxtapose the outcome of the data collected with objectives and hypothesis and test that against the available literature on the subject.

Two types of research approaches will be used in this study, namely a quantitative and qualitative research approach. According to Leedy & Ormrod (2005:134), qualitative methods involve an in-depth understanding of human behavior and the reasons that govern human behavior. Qualitative methods are descriptive, meaning that they can

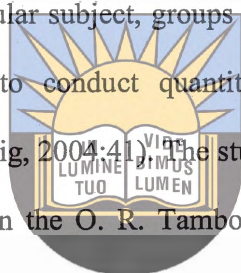
reveal the nature of certain situations, settings, relationships or people. Leedy & Ormrod (2005:134) point out that qualitative methods are interpretative in that they enable a researcher to gain new insights about a particular phenomenon through qualitative methods. Through qualitative approach, a researcher is able to develop new concepts or theoretical perspectives about a particular phenomenon. Qualitative approach is also evaluative in that, it provides means through which a researcher can judge the effectiveness of a particular policy, practice or innovation. In the case of this study an evaluation of effectiveness of the devolution of power to selected municipalities will be scrutinized through a quality assessment of the services provided.



Strauss and Corbin (1990), argue that qualitative research is concerned with understanding the context in which behaviour occurs. The researcher in qualitative research does not focus on one theme only but on the interaction of multiple variables which occur in real life situations. The data has to be collected in those contexts because if measurement instruments are used outside the context, a great deal of information will be lost.

Qualitative enquiry accepts that the world is complex and dynamic. This research method can be used to understand better any phenomenon about which little is yet known and also to gain a new perspective on what is already known in order to gain more in-depth information that may be difficult to convey quantitatively (Strauss and Corbin, 1990).

According to Brink (1996:109), in a quantitative research study, phenomena are explored, explained and described according to the relationship between variables. Quantitative studies give a description between two variables. In a quantitative approach, a survey design provides a quantitative or numeric description of trends, attitudes or opinions of a population by studying a sample of that population, (Creswell, 2003:153). According to Brink (1996:109), a descriptive design is undertaken to search for accurate information about the characteristics of a particular subject, groups or situation. Various factors will influence it. The methods used to conduct quantitative research are exploratory, descriptive and experimental (Struwig, 2004:41). The study will use quantitative measure to find out the relationship between the O. R. Tambo District Municipality and other water services authorities.

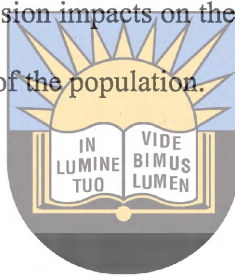


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A quantitative approach requires methods such as experiments and surveys to describe and explain phenomena. The methods could include techniques such as observation, pilot studies, quantitative analysis and questionnaires. In quantitative methodology the researcher assigns numbers to observations. By counting and measuring “things” or “objects”, data is produced (Brynard and Hanekom, 1997: 29). Blaikie (2003) and Denzin and Lincoln (2003) point out, quantitative studies emphasize the measurement and analysis of relationships between variables, which can be used to quantify the phenomenon and is also an instrument used to enforce certain kinds of data and its interpretation. It therefore can be deduced that in quantitative methodology the researcher assigns numbers and by so doing measures his objects to produce data. It can also be deduced that in this approach a numeric description of trends, attitudes or opinions of a

population can be derived by studying a sample of that population, in this case a sample of councilors, citizens, municipal chief officials from O. R. Tambo District Municipality and its seven local municipality. The researcher seeks to apply the quantitative methodology in measuring the present backlog on water services provision using available documentation and questionnaires. The study will make an assessment and an analysis on how the legislative framework, policy documents, guidelines written on devolution and water services provision impacts on the actual rendering of water services using the above mentioned sample of the population.



4.4.1 RESEARCH STRATEGY

The research strategy can be defined by Robson, (2002:178), a case study, is a strategy for doing research which involves an empirical investigation of a particular phenomenon within its real life context using multiple resources of evidence.

4.4.2 DATA COLLECTION INSTRUMENTS

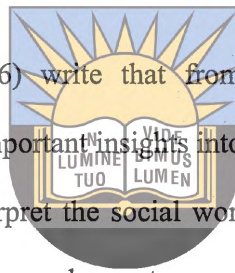
Various data collection instruments can be used, namely

- Interviews
- Questionnaires;
- Documentation and Literature on the subject

It can be deduced that there are various data collection instruments but for the purposes of this study mainly questionnaires, documentation and available literature on the subject

will be used to gather information relating to the profile of the respondents and the empirical study. The questionnaire will take both forms of research methodology in that the questionnaires will be quantitative and qualitative. The questions as they seek a description of the availability of water services will be quantitative but as they seek to understand the quality of the water services rendered will measure standards through the qualitative methodology.

McNeill and Chapman (2005:156) write that from an interpretive point of view, documents can give sociologists important insights into the social meanings that underpin social action and how people interpret the social worlds in which they live, as well as give evidence of how institutions and events are constructed. The researcher will authenticate the credibility of the available documents through a critical comparison with the outcome of the data analysed from questionnaires, by so doing the researcher seeks to triangulate information by studying documents and literature written on devolution of power and allocation of water services to municipalities and analysed data to identify common and new findings.



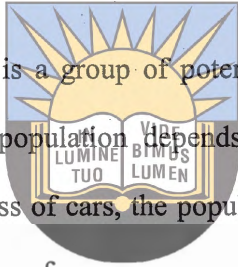
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4.4.3 POPULATION DETAILS

By population is meant a group of potential participants or cases from which the researcher draws a sample and to which results from the sample are generalized (Newman, 2006:224 and Salkind, 1997:96). Brynard and Hanekom, (1997:43) write that population refers to objects, subjects, phenomena, cases and activities, which the researcher would like to study to identify data. The population is thus the total set from

which the individuals or units of the study are chosen. A population, due to its size, for example the population of a town, needs to be defined more clearly as the population. Newman, (2006:224), writes that a target population is required and that a target group is a specific pool of cases that are to be studied. Bless and Higson-Smith, (1995:87) explain a target as a set of elements that the researcher focuses upon and to which the results obtained by testing the sample should be generalized.

It can be deduced that population is a group of potential participants and a sample is drawn from the population. The population depends on the research project, if the research project is on a specific class of cars, the population will be cars and the sample will be drawn from that specific class of cars.



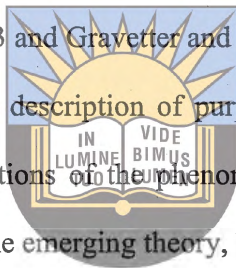
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It can be deduced that the population is statistical collection of items under consideration. It depends on a research project. It then can be deduced that a sample, as a small part of the whole, is drawn from the population. For the purposes of this study the population is all the citizens living in the O. R. Tambo District Municipality and its seven local municipalities and who are the recipients of water services. From this population a sample will be drawn thus selecting the relevant municipal portfolio chairpersons or ward councillors, municipal chief officials and stakeholders/citizens. It also can be deduced that the target is a set of elements the researcher focuses upon and from which the results obtained should be generalized. The researcher will be informed by the results obtained when testing the desirability of the devolution of power to municipalities together with the applicability of devolution principles, the evaluation on whether the existing

legislative framework is of assistance, the availability and quality of water services as these will serve as targets that will test the sample in order to reach a generalization.

4.4.4 SAMPLING DETAILS

By sampling is meant any portion of a target population as representative of that population. A sample always implies the simultaneous existence of a larger population which the sample is a smaller section or a set of individuals selected from a target population (De Vos, *et.al.* 2005:193 and Gravetter and Forzano, 2003:464). Coyne (1997: 623-630) further suggests that the description of purposeful sampling is directed by a desire to include a range of variations of the phenomenon in the study. Sampling is therefore not varied according to the emerging theory, but is selected for the information-rich data it can yield. It is therefore concluded that the process of selection of the elements from a larger population is thus called sampling. The researcher selects participants according to the needs of the study. For this reason the researcher purposefully selected political office bearers, chief officials and citizens/stakeholders from the O. R. Tambo District Municipality and its seven local municipalities. Another sample was drawn from the MEC and provincial chief officials of the Department of Local Government and Traditional Affairs as well as the MEC for the Department of Health. The above mentioned district municipality has been sampled in order to evaluate the effectiveness of water services provision after the devolution of power to district municipalities given its history of being a newly established district without experience in the rendering of water services.



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4.4.5 QUESTIONNAIRE DETAILS

A questionnaire can be described as a method of collecting primary data where lists of pre-structured and pre-tested questions are given to a chosen sample to elicit reliable responses (Collins and Hussey, 2003:173).

The following three questionnaires will be used in this study:

Questionnaire One: Questionnaire to municipal councillors and chief officials

The questionnaire deals with the following headings

- Devolution of power to render municipal water services
- Principles for the devolution of power to municipalities
- Legislative framework for municipal water services
- Quality of water services



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A total of eighteen questionnaires were distributed. The targeted participants were the Executive Mayor and portfolio chairperson of water services in O. R. Tambo District Municipality, and councillors randomly selected from the seven local municipalities within the district municipality. These councillors depending on the availability were either portfolio chairpersons of technical services in the local municipalities or were ward councillors. This means that nine questionnaires were distributed to municipal political office bearers. The distribution was almost the same to municipal chief officials. The Municipal Manager and section 57 manager in O. R. Tambo District Municipality and seven managers responsible for technical services in the seven local municipalities were

the targeted participants. This is in line with selection of participants according to the needs of the study.

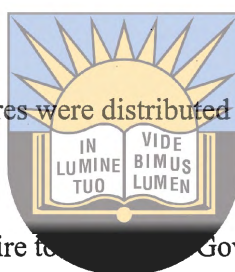
Questionnaire Two: Questionnaire to stakeholders

This questionnaire deals with two sub- headings clustered main heading on quality above.

These are:

- Availability of water services
- Quality of water services

A total of twenty three questionnaires were distributed to all respondents.



Questionnaire Three: Questionnaire to Local Government

In the Department of Local Government and Traditional Affairs there was a questionnaire directed to the chief officials that are directly responsible for the rendering of support to municipalities which are water services authorities, the MEC for Local Government and Traditional Affairs as the custodian of municipalities as well as to the MEC for Health as a politician answerable when an outbreak of diseases arises. A response was received from both the officials and MEC for Local Government and Traditional Affairs. No response was received from the MEC for Health. All questions were clustered under the headings mentioned above. For the purposes of this chapter, responses that are common from province, municipalities and stakeholders/citizens will be combined but those that are different and specific to an organisation will be presented separately. All questionnaires are linked to the same headings. The difference will be the content as it seeks to evaluate a description of what is taking place provincially and in other districts

as opposed to specific questions relating to O. R. Tambo District Municipality and its seven local municipalities. A total of six questionnaires were distributed in the province.

There will be two approaches to the questions, namely the application of open-ended questions and close-ended questions. The former refers to a type of survey research questions in which respondents are free to offer any answer they wish to the question. Such questions are unstructured and are often referred to as free-response questions. The latter refers to a type of survey research questions in which the respondents choose from a fixed set of answers. These questions are structured.



4.4.6 RESPONSE RATE

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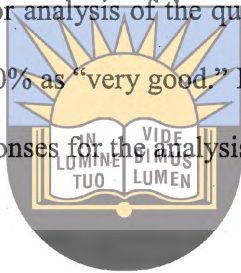
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From the municipal chief officials, MEC for Local Government and provincial chief officials within the same department the response rate was 100%. This means that the selected sample submitted its response. Within municipalities the average response rate for the three questionnaires was 82%. This was due to the fact that out of nine questionnaires circulated to the eight municipalities including the extra one to the Executive Mayor of O. R. Tambo District Municipality, six responses were collected.

QUESTIONNAIRE	USED	RECEIVED BACK	PERCENTAGE
ONE	18	15	83.3%
TWO	23	18	78.2%

THREE	6	5	83.3%
TOTAL	47	38	82%

Newman, (2006:295) writes that "...the failure to get a valid response from every sampled respondent weakens a survey. Barbie (1973:165) writes that a response figure of at least 50% should be sufficient for analysis of the questionnaires, a figure of 60% can be seen as "good" and a figure of 70% as "very good." It can be deduced that table 1 as it stands depicts a good figure of responses for the analysis of the questionnaire.



4.4.7 DATA ANALYSIS

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The purpose of any research is to deduce information from the data collected. This means that the responses from questionnaires will be assembled in order to make sense according to the headings so as to make deductions appropriate to each heading. It will be demonstrated how the data will be changed into information. The data will be analyzed in both an inductive and deductive mode. The analysis of data is premised on deductive analysis, which methodologically is ideal for a qualitative research. Vithal and Jansen, (1997:27) write that researchers can only make sense of the data they collect through organizing and arranging the data into manageable form. The data should be coded by categorizing and breaking it into broad sections in order to make sense of the accumulated information. It can be deduced that data ought to be collected, recorded and arranged systematically for interpretation. For easy interpretation, data can be packaged

into manageable themes and variables. When analyzing, data will be categorized and packaged into broad sections some of which will be in tables.

4.5 LIMITATIONS OF THE STUDY

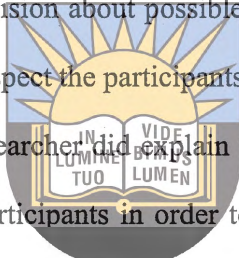
The limitations are factors influencing the study negatively. There were a few factors that nearly affected the study negatively. These included the change in the political environment of South Africa. These changes led to the cabinet reshuffle in the Eastern Cape and the Department of Health was affected. It was very difficult to get hold of the new MEC for Health. The Executive Mayor of O. R. Tambo District Municipality has also three portfolios, a position that made it difficult for the researcher to manage an interview with her. She is also a Chairperson of South African Local Government Association (SALGA) and a newly elected member of the National Executive Council (NEC). These political changes and campaigns for the upcoming 2009 national and provincial elections led to the low collection rate of responses of councilors. The low collection rate from councillors nearly delayed the study.

4.6 ETHICAL CONSIDERATIONS

Strydom, (2007:56) writes that the fact that human beings are sometimes the objects of study in the social sciences brings unique ethical problems. A researcher has to completely conform to specific ethical requirements. These requirements can be divided into two broad categories of responsibility. Firstly, the responsibility towards human and non-human participants, and secondly, the responsibility towards the discipline of science

that require them to report with accuracy and truth. Marlow, (1998:151) emphasizes that it is important that the researcher obtains the informed consent of the potential participants, that the participants be told what the purpose and objectives of the research project are, to enable them to give a voluntary consent or otherwise reject participation before commencement of the exercise. De Vos, (2007:57) explains that emphasis should be placed on precise and complete information so that the participant may be able to thoroughly make up a reasoned decision about possible participation. Leady, (2005:102) writes that all researchers should respect the participants' right to privacy.

Given the above discussion the researcher did explain the purpose and the objectives of the research project to potential participants in order to get the voluntary consent. This was in respect of the participants' right to privacy.



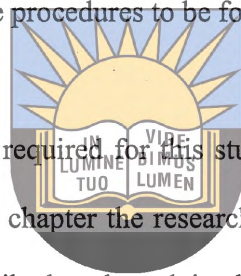
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4.7 CONCLUSION

The focus in this chapter was on the research methodology used in the collection and analysis of data. Data was collected by handing out questionnaires to selected participants in municipalities. All the data was analyzed using qualitative and quantitative analyses. Firstly, permission to conduct the research was obtained and the purpose of the study was explained by to the potential participants. It was explained that this study, as a scientific research, will adequately investigate the rendering of water services by municipalities guided by the theory and hypothesis which is to be tested against the presumed relationships outlined within the objectives. It was also explained that

methodology is a plan that expresses techniques to be applied in testing a theory for effective results. The method must take the researcher to a conclusion.

It was explained that the purpose of a research project is to explore specific subjects, describe and explain such subjects and a research design is a plan within the research project which seeks to guide data collection and analyze steps of such a project. It is a collection of activities which define procedures to be followed in data collection.



To collect data to do the research required for this study, specific methods needs to be designed and implemented. In this chapter the research design and methodology for the collection of data has been described and explained. The first section explained the sample selected by the researcher from people in the form of citizens, municipal councilors who are either ward councilors or portfolio chairpersons dealing with technical services in municipalities and municipal chief officials. These participants come from selected municipalities and are a sample from a wide range of municipalities. It was also proved that within the population there is a target group whereupon a set of elements will focus and from which the results obtained may form the basis for generalization.

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The researcher intends to blend for effective results the quantitative with the qualitative methodology. The former requires methods such as experiments and surveys to describe and explain phenomena. The methods could include techniques such as observation, pilot studies, quantitative analysis and questionnaires. Targeted participants will be informed

of the purpose and objectives of the research project to enable them to voluntary participate.



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CHAPTER FIVE

DATA ANALYSIS AND INTERPRETATION

5.1 INTRODUCTION

Guided by the research questions, this chapter presents a summary of the grouped data, the results of the analyses and the discussions thereof. It is the intention of this chapter to analyse data received from respondents in order to validate the hypothesis of the researcher. Creswell, (1998:110) confirms the above assertion when writing that whilst data collection can be seen as a series of interrelated activities aimed at gathering good information to answer research questions, data analysis seeks to confirm or invalidate the hypothesis for a research through interpretation of the research results generated from the questionnaires.



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The research was conducted in O. R. Tambo District Municipality and seven local municipalities falling within the jurisdiction of this district municipality. The research was further conducted in the Department of Local Government and Traditional Affairs as well. The title of the study is the evaluation of the devolution of power and allocation of water and sanitation functions to selected municipalities after 2003. The main purpose of the study is to probe as to why the process of water provision has decelerated once the water and sanitation function was devolved to municipalities to perform.

This study seeks to prove that water services decelerated after devolution of power to municipalities. It also seeks to prove the existence of a number of relationships including a relationship between the quality of water as well as unhealthy sanitation and the

outbreak of diseases, a relationship between the rendering of water services and the existing legislative framework, the rendering of water services and the allocation of funding and the rendering of water and poverty. This study in proving that the rendering and the quality of water services decelerated after the devolution of these services to municipalities applied the random test sampling O. R. Tambo District Municipality and all local municipalities falling under the jurisdiction of the district municipality as its population.



This district and its local municipalities are selected because previously it was part of the Transkei homeland, was never a district municipality before and as a result was never a water services authority or a water service provider before. In other words the district municipality never rendered water services before. It was therefore a bold stance for this district municipality to opt to explore the internal mechanism which is in terms of section 78 of the *Municipal Systems Act*, 2000, which means to provide water and sanitation services on its own for all its local municipalities which are primarily rural villages, that are sparsely populated and densely populated around the urban areas.

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The problem identified that sparked this study was the realization that the bulk supply of water services notably declined to communities that were marginalized during the previous dispensation after the devolution of this service to municipalities in 2003, whereas it was highly accelerated after 1994, under the ownership of the Department of Water Affairs and Forestry (DWAF). These communities include rural areas and informal settlements. The communities were left with no other option but to continue making use

of alternative sources of water as was the case in the previous dispensation. These alternative sources of water are sometimes unhealthy. The risk of absence of clean water and healthy sanitation results to hazardous diseases. This was experienced in O. R. Tambo District Municipality, when there was Cholera outbreak in 2004. The disaster section of the Department of Local Government and Traditional Affairs discovered that the Cholera outbreak was as a result of water which was not fit for human consumption in Nyandeni Local Municipality.



Chapter five seeks to firstly analyze the raw data in the form of responses received by the researcher. This will be done by presenting discussions on questionnaires under each heading. Secondly, an analysis of available documentation will be done inclusive of literature previously conducted on this study. Thirdly, the researcher will combine and cluster related findings. Fourthly, the researcher will verify linkages between the findings and objectives in order to validate the hypothesis of the study. Lastly, if the findings talk to the objectives and support the hypothesis, the researcher intends to present results of the empirical study and provide solutions in the concluding chapter.

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5.2 DEVOLUTION OF POWER TO RENDER MUNICIPAL WATER SERVICES

This heading was specifically selected to evaluate whether the policy on the devolution of power and allocation of functions to an organ of state that is nearer to the citizens is understood and is acceptable to municipalities as implementers and communities as the recipients of such services. Questions were crafted under this heading to different categories of participants and for the purpose of this chapter will be merged where there

are similarities in the nature of the question. Likewise, responses will be clustered where similar answers to either questions or statements are experienced.

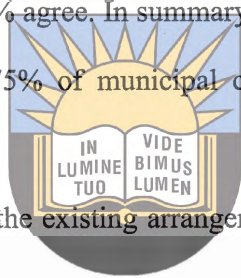
Statement: The devolution of water services power to municipal authority is essential to ensure effective water services rendering.

Answers: The majority of municipal chief officials (55,6%) strongly agree with the statement whilst 22,2% agree. The majority of municipal councillors (50%) strongly agree with the statement whilst 25% agree. In summary (78.8%) municipal chief officials answered positively whilst also 75% of municipal councillors were positive towards devolution of power.

Question: Are you satisfied with the existing arrangements for the devolution of power to municipalities?

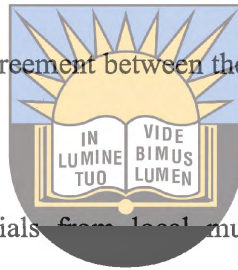
Answer: The majority of municipal chief officials (55,6%) are satisfied with the existing arrangements for the devolution of power to municipality. The municipal councillors were however divided on this issue. Fifty percent of municipal councillors answered positively whilst the other fifty percent answered negatively. The majority of stakeholders (71,4%) that answered negatively to their dissatisfaction with the existing arrangements between the local municipalities and O. R. Tambo District Municipality forwarded the reasons as follows:

- Water services provisioning function should have been given to local municipalities since citizens' direct enquiries on non availability, defects or disruptions to the water services to local municipalities.



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- The water service authority is far removed from the affected community and yet there is no communication plan in place which seeks to address the needs of the communities.
- There is no proper accountability between the district municipality and its local municipality as a result the local municipalities are unable to account on the availability and quality of these services to the communities they serve.
- There is no service level agreement between the water services authority and local municipalities.
- The councillors and officials from local municipalities within O. R. Tambo District Municipality answered that they have no say in the rendering of the water services.
- O. R. Tambo District Municipality personnel do not apply the *Batho Pele* principles when dealing with the community they serve
- There is no clear maintenance policy or plan for water provision services.



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From the above it can be deduced that stakeholders prefer that the rendering of water services should reside with local municipalities for accountability purposes. The argument is that the local municipalities do not even have a say on the rendering of water services the O. R. Tambo District Municipality fails to account on its performance. It is also deduced that a service level agreement with the local municipalities is desirable.

Question: Does your municipal authority render water services in your area?

Answer: The majority of local municipal chief officials (77, 8%) answered negatively whilst the chief officials from O. R. Tambo District Municipality answered positively. Also the majority of councillors (75%) from the local municipality answered negatively.

Question: If yes, have you signed a service level agreement with the responsible water services authority?

Answer: Since only O.R. Tambo District Municipality confirmed positively to the question of rendering water services in its area and the local municipalities stated that the rendering of water services was not done by the local municipalities, there was therefore no service level agreement signed and this was confirmed by the municipal manager of O. R. Tambo District Municipality..



Question: If no, who provides water and sanitation services in your municipality?

Answer: The majority of municipal officials (88,9%) replied that it was O. R. Tambo District Municipality that provides water and sanitation services whilst also the majority of councillors (75%) replied that O.R. Tambo District Municipality was responsible for water and sanitation provision in all local municipalities within the district.

Question (specific to the province): Do all water services authorities render water services in the province?

Answer: All provincial chief officials and the MEC for Local Government and Traditional Affairs replied negatively. This was a 100% response.

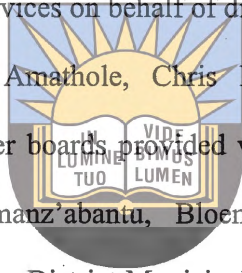
Question: If no, which water services authorities do not render water services?

Answer: The respondents (75%) and the MEC for Local Government and Traditional Affairs replied that the Amathole District Municipality, Chris Hani District Municipality

and the Ukhahlamba District Municipality, although being water services authorities do not render water services in their municipalities.

Question: If yes, who else provides water and sanitation services on behalf of the municipalities?

Answer: The provincial chief officials (100%) replied that water services are also rendered by water boards or by local municipalities and that these water boards or local municipalities may render water services on behalf of district municipalities. Examples of such district municipalities are Amathole, Chris Hani and Ukhahlamba District Municipalities. The following water boards provided water and sanitation on behalf of the municipalities: Amatola, Amanz'abantu, Bloem, Mngeni, Community Based Organisations (CBOs) in Alfred Nzo District Municipality, all local municipalities in the Ukhahlamba District Municipality and Water and Sanitation Services of South Africa (WSSSA) in Chris Hani District Municipality.

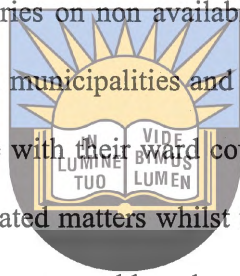


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It therefore was proved that the policy on devolution of water services to municipalities is no doubt accepted as one option that seeks to promote effective rendering of the water services since these services are administered by authorities who are nearer to its citizens and can therefore feel the pulse of such citizens. It was also proved that the view is that the existing arrangements which give a water services authority an option to either provide these water services by itself or to appoint a service provider of its own choice has compromised the notion of bringing the service nearer to the people, because if the first option is taken by the water services authority, as is the case with O. R. Tambo

District Municipality, this means that these water services are still far removed from the citizens.

It is on this premise that the participants are of the view that the rendering part of these water services should have been given to local municipalities whilst the authority resides with the district municipality. To these respondents all matters relating to the rendering of water services, for example, enquiries on non availability, defects or disruptions to the water services are directed to local municipalities and not to the district municipality by the citizens. Citizens communicate with their ward councillors who are the members of local municipalities on services related matters whilst there are no such wards in district municipalities and therefore the citizens would not know where to begin channelling their dissatisfaction on non availability or disruption of these services.



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It was proved that O. R. Tambo District Municipality by purposefully opting to take the internal mechanism, meaning to provide the water services on its own to all local municipalities within its jurisdiction, suggests that there is no service level agreement entered into between the district and its seven local municipalities. It was explained that since municipal authorities cannot render water services effectively without sufficient power and authority to do so, a service level agreement should be entered into between the district municipality which is a water services authority and the local municipality thus allocating the rendering function to the local municipality.

It was also proved that if local municipalities within the O. R. Tambo District Municipality claim that they have no say in the rendering of water services to their communities, by implication there is no adequate communication plan in place. It was further proved that given frequent water services cuts experienced by all, there is no adequate operational and maintenance plan in place. It was also proved that other district municipalities who are water services authorities within the province have appointed their local municipalities as water services providers and in areas where there is no capacity within a local municipality, these water services authorities have appointed water boards as water services providers.



5.3. PRINCIPLES FOR THE DEVOLUTION OF POWER TO MUNICIPALITIES

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Given that devolution of power is accepted where there is more than one sphere of government, the devolution is in itself guided by specific principles. Questions under this heading seek to ignite some thought from participants on the existence and reliability of such principles.

Question: Does the O.R. Tambo District Municipality render water services purposefully to all citizens within your municipality?

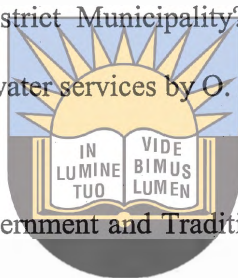
Answer: The majority of municipal chief officials (57, 1%) responded negatively to the question, whilst the majority municipal councillors (66, 7%) also responded negatively.

Statement: Water services should be rendered purposefully to all citizens.

The MEC for Local Government and Traditional Affairs strongly agreed and 75% of provincial chief officials also strongly agreed. A water services authority should render services purposefully and in a co-ordinated manner because the setting of objectives is an

essential step in policy making. It can be deduced that water services in O. R. Tambo District Municipality is not purposefully rendered in that the district is unable to extend the rendering of water services to its outer periphery. This district has failed to meet its obligation of rendering the water services to its communities in an efficient, affordable and sustainable manner.

Question: Does your provincial authority participate in the co-ordination of water services in the O. R. Tambo District Municipality? Does your municipal authority participate in the co-ordination of water services by O. R Tambo District Municipality?



Answer: The MEC for Local Government and Traditional Affairs responded negatively to the question on co-ordination and the majority (75%) of provincial chief officials also responded negatively. The majority of municipal chief officials (71, 1%) responded negatively whilst the majority of municipal councillors (66, 7%) also responded negatively. Participants agreed that water services should be rendered and coordinated.

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The participants motivated their answers as follows:

After the devolution of power to district municipalities, the Department of Water Affairs and Forestry (DWAF), as a lead department, encouraged all local municipalities and the Provincial Department of Local Government and Traditional Affairs to participate in the co-ordination of activities by district municipalities through a water services forum, a process which fell by the wayside once the O. R. Tambo District Municipality took a unilateral policy decision to render water services on its own to all local municipalities under its jurisdiction. The O. R. Tambo municipal council was therefore reluctant to test the external option provided in terms of section 78 of the *Municipal Systems Act, 2000*

and refused to further participate in the water services forum. This led to the demise of the water services forum and therefore of co-ordination of water services. It can be deduced that co-ordination of water services in O. R. Tambo District Municipality is nonexistent.

Question: Are water services rendered in a transparent manner?

Answer: The majority (85, 8%) of municipal chief officials, responded negatively to the question on transparency whilst the majority (66, 7%) of councillors also responded negatively. The MEC responded positively whilst also (50%) of the provincial chief officials responded positively. There was no comment from the other (50%). It can be deduced that there is also insufficient transparency in the rendering of water services in O. R. Tambo District Municipality.

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Question: Are you satisfied with the existing accountability arrangements?

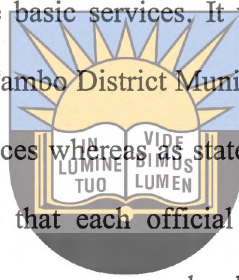
Answer: The majority of municipal chief officials (85, 8%) responded negatively whilst all councillors (100%) were unsatisfied with the existing accountability arrangement.

Question: Do you agree that water services should be rendered as specialised and essential services? Please motivate your answer.

Answer: All municipal chief officials (100%) were in agreement with this question. All the councillors (100%) also agreed that water services should be rendered as specialised and essential services. The motivations by participants were however irrelevant.

It was found that the O. R. Tambo District Municipality is not transparent in the rendering of water services. This is clearly demonstrated as participants report on lack of notifications to water cuts. It was also proved that the district under review is not

accountable to its local municipalities and to its community. It was explained that the devolution of power to render water services is essential to ensure effective rendering of water services. It was explained that water services authority should render water services purposefully for all citizens within a municipality in a co-ordinated manner because these are essential services. It was further proved that O. R. Tambo District Municipality has limited capacity to extend the water services to the whole municipality so that all communities have access to these basic services. It was proved that the province and local municipalities within O. R. Tambo District Municipality are no longer participating in the co-ordination of water services whereas as stated (*Supra*, sub-section 2.2.2.4) co-ordination should seek to ensure that each official works towards a specific set of objectives, without indulging in unnecessary work which wastes time and which could lead to work duplication and fragmentation.



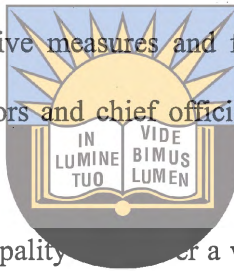
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It was proved that there is also insufficient transparency, communication and accountability between the district municipality and its local municipalities. It was proved that infrastructure for water services is in need of improvement. It was explained that since water services are essential services, adequate financial and human resources are required for the effective provision of water services. Capacity building is essential for the water services authority and for the local municipalities which are the recipients of water services.

5.4 LEGISLATIVE FRAMEWORK FOR MUNICIPAL WATER SERVICES

Question: Are the existing legislative measures, such as the *Water Services Act* of 1996, sufficient to ensure the water services rendering?

Answer: The majority of municipal chief officials (55,6%) answered positively whilst the rest were not satisfied with the existing legislative measures. The municipal councillors were divided on this question. Fifty percent answered that they were not satisfied with the existing legislative measures and fifty percent were satisfied. The motivation from both the councillors and chief officials that were not satisfied was as follows:



- O.R Tambo District Municipality is not a water services authority or a water services provider for that matter. It is therefore questionable whether the O. R. Tambo District Municipality performs the rendering of water services with the required experience. To perform the rendering function is a bit ambitious. The provision of water services should be undertaken by the local municipalities that understand the needs of the communities. Whilst the O. R. Tambo District Municipality can be a water service authority and a provider at the same time in terms of the law, this promotes player referee scenario.
- The legislation should be amended to regulate that those local municipalities which were never assigned as water services authorities be allocated the function to provide water services to their communities.
- There is a proposed amendment to the legislation which should align the *Water Services Act*, 1997 to the *Municipal Systems Act*, 2008.

From the above it can be deduced that there is a need for an amendment to the legislation with regard to the provision of water services by municipalities. This amendment is necessary to regulate on the rendering of water services by local municipalities. It can also be deduced that the inability by the district municipality to render water services to all citizens in a sustainable manner is related to the inexperience of the municipality raised above.

Question: Is your municipal authority satisfied with the existing policy requirements for service providers? Is your provincial department satisfied with the existing policy requirements and arrangements to water services?

Answer: All of the municipal chief officials (100%) were not satisfied with the existing policy requirements for service providers. Also the majority of municipal councillors (66, 7%) were not satisfied with the existing policy requirements. The MEC for Local Government and Traditional Affairs was satisfied with the existing policy requirements whilst the provincial chief officials were divided on this issue. Fifty percent were satisfied with the existing policy requirements whilst the other fifty percent were unsatisfied. The fifty percent that was not satisfied with the existing policy requirements motivated as follows:

- Municipal authorities such as the O. R. Tambo District Municipality are unable to provide water services in the rural areas within their municipalities.
- The provincial chief officials referred to gaps within the Section 78 assessment process. These gaps can be explained as follows:
 - The Section 78 assessment process of the *Municipal Systems Act, 2000* clearly states that a water services authority must assess the capacity of services

providers before it can enter into an agreement with such service provider but goes further to say if the service provider is a local municipality such an assessment is not necessary. This is one gap that leads to water services authorities being reluctant to appoint local municipalities as water services providers due to uncertainty with regards to capacity possesses by such a local municipality. Whilst local municipalities are protected from capacity assessment, accountability resides with the water services authority.

It can be deduced that the existing policy arrangements have shortcomings, one being the protection of local municipalities against the assessment of capacity should it be chosen as a water service provider.



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Statement: O. R. Tambo District Municipality is responsible for ensuring that citizens have access to efficient, affordable and sustainable water services.

Answers: The majority of municipal chief officials (66, 7%) agree and the majority of municipal councillors (75%) agree that this is a responsibility of O. R. Tambo District Municipality. It therefore can be deduced that a water services authority should ensure that all citizens have access to efficient, affordable and sustainable water services.

Question: Does your municipal authority have a water services development plan?

Answer: The majority of municipal chief officials (66, 7%) and the majority of councillors (75%) answered negatively to the question on the availability of water service development plan. The participants confirmed that the water services development plan is the responsibility of O. R. Tambo District Municipality and this water services authority confirmed its availability and its link to the municipal Integrated

Development Plan. However, the mechanism to implement the water service development plan was reported to be non-existent.

It therefore can be deduced that only a water services authority can develop a water services development plan. This water services development plan must be linked to the IDP of a municipality. To ensure implementation of such plans a service delivery and budget implementation plan must be approved. It therefore can be deduced that in the case of O. R. Tambo District Municipality the service delivery and budget implementation plan is the problem.

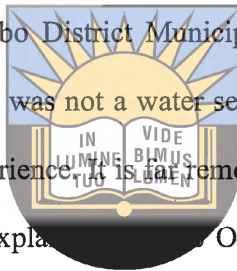
Question: Are you satisfied in the manner in which water services authorities were selected in the past?

Answer: The majority of municipal chief officials (55.6%) were not satisfied in the manner in which water services authorities were selected in the past. The answers were motivated as follows:

- Local municipalities are accountable to the communities despite the fact that the O. R. Tambo District Municipality is both the authority and the provider.
- Communication channels need to be improved and the local communities need to be consulted on this issue.
- Due to vastness of the municipal area of the O. R. Tambo District Municipality it is difficult to co-ordinate the rendering of water services.

It can be deduced that participants were not satisfied with the selection of water services authorities in the past for this method allowed a water services authority to be a provider as well. Communities were also not consulted on the matter.

From the above it was learnt that there is a need for an amendment to the legislation with regard to the provision of water services by municipalities. This amendment is necessary to regulate that the provision of water services should reside with local municipalities. It was proved that since O. R. Tambo District Municipality was previously part of the former Republic of the Transkei, it was not a water services authority or a provider and therefore it lacks the requisite experience. It is far removed from the local municipalities and communities. It was further explained that O. R. Tambo District Municipality does have a water services development plan that is linked to the IDP as a water services authority, however, the implementation of the plan and thus the rendering of water services seem to be problematic.



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5.5 QUALITY OF WATER SERVICES

This heading seeks to assess the availability and the quality of the water services. Under this heading it will be determined whether available water is right for human consumption or its non availability results in water related diseases.

Question: Does your municipal authority/ do water services authorities have sufficient water resources to supply the increasing demands of your citizens?

Answer: The majority of municipal councillors (85,8%) and the majority of municipal chief officials (66,7%) answered positively that sufficient water resources are available.

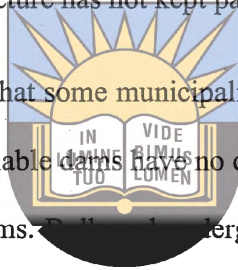
The majority of provincial chief officials and the MEC, (100%) responded negatively.

The respondents who answered negatively motivated their answer as follows:

- Some municipalities rely on borehole water which is not sufficient.
- In other areas dams have no capacity to meet the water demand and there is shortage of these dams.
- Bulk and underground infrastructure has not kept pace with the growth of the district.

From the above it can be deduced that some municipalities rely on borehole water which is not sufficient. In other areas available dams have no capacity to meet the water demand and there is a shortage of these dams. Bulk and underground infrastructure has not kept

pace with the population growth within the district. It can also be deduced that lack of water resources impacts negatively on the availability of water services.



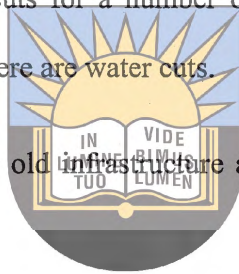
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Statement: Water services is adequately provided to citizens

Answer: The majority of municipal chief officials (66,7%) from both the O. R. Tambo District Municipality and the local municipalities answered negatively to the above question. The stakeholders were divided on the question. Fifty percent of participants were from rural areas and the dissatisfaction from this group was on inaccessibility of the water services whilst the other fifty percent were urban participants who complained on regular cuts. These participants had different observations on each of the services and the dissatisfaction expanded when a direct question was made on the availability of sanitation service in that the majority of citizens (71, 4%) responded negatively to satisfaction regarding existing sanitation services provided by O. R. Tambo District Municipality. These will be illustrated as follows:

(a) Water:

- Maintenance of water infrastructure is a major problem
- Not all areas have access to water services. St Barnabas Hospital draws water from the river and treat the water using own funds and plant and therefore there is no water service provided by O.R. Tambo in the rural villages surrounding the hospital.
- There are unaccounted water cuts for a number of days and citizens stay without water for days in areas where there are water cuts.
- Supply of water is poor due to old infrastructure as a result there are regular burst water pipes.
- There is shortage of water reticulation



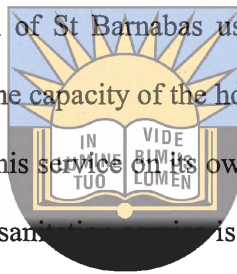
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It can be deduced that the stakeholders are not satisfied in the manner in which water is provided due to the frequency of unaccounted for water cuts which is due to the old infrastructure. There are still villages without access to water service. There is also a shortage of water reticulation.

(b) Sanitation

- It is a daily scene to find leaking sewer lines because of old infrastructure
- The prison has to endure unhealthy environment of sewer leakages for long periods. The prison has resorted to making use of own service provider due to the unavailability of the service from O. R. Tambo District Municipality.
- Disruption of water supply cripples sanitation systems causing blockages.

- Sanitation projects initiated in rural areas have not covered the entire area as yet.
- Sanitation infrastructure projects were left half done in specific areas due to unknown problems
- Sanitation infrastructure is unable to meet the population growth
- Sanitation service is not available from the O. R. Tambo District Municipality; however, the rural hospital of St Barnabas uses the ageing government ponds which are not coping with the capacity of the hospital and is therefore overloaded. The hospital that provides this service on its own requests that since the service is expensive and provision of sanitation is not its core function and therefore remains an unfunded mandate, the provision of this service must be done by the local municipality so that the service is extended to all rural villages.

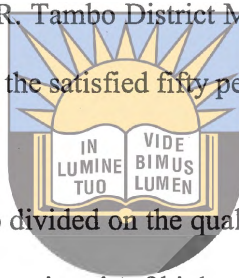


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It can be deduced that the stakeholders in general are not satisfied with the provision of sanitation services by O. R. Tambo District Municipality due to leaking sewer lines that are a daily scene and sewer ponds that are not coping with the capacity of users as a result are overloaded. It can also be deduced in particular that big government institutions that house a huge number of patients and prisoners, who without doubt if these essential services would not be available are left to fend themselves. In these institutions ponds are overflowing and this is a health risk. It can be deduced that infrastructure for sanitation projects in specific rural villages is left incomplete due to financial problems.

Statement: The quality of the water services provided to citizens is of high standard, poor standard, polluted, not fit for human consumption or is not properly purified.

Answer: The majority of the municipal chief officials (66,7%) answered that water services provision is of poor standard in urban areas as there are water cuts experienced for several days whilst a number of rural villages are not being serviced. Councillors were however divided over this question since 50% answered that water is polluted, and the rest (50%) answered that the quality of water services was of a high standard. Fifty percent of citizens answered that they were not satisfied with the quality of water and sanitation services rendered by O. R. Tambo District Municipality and fifty percent were satisfied and again here to be noted the satisfied fifty percent is from urban areas.



Provincial chief officials were also divided on the quality of water provision since (50%) answered that the quality of water services is of high standard in some urban areas whilst the rest (50%) answered that it is poor, but all agreed (100%) that in isolated rural areas the quality of water services is not fit for human consumption. It was stated that this disparity is caused by the different levels of capacity among various water services authorities. There is no access to water services in specific villages and maintenance of infrastructure is non-existent.

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The citizens that were not satisfied motivated as follows:

- O. R. Tambo does not provide water and sanitation services in the rural villages as a result the rural hospital, St. Barnabas, situated in these villages pumps water from the local river and treat it using own budget and plant and therefore could not talk to the quality of services provided by this district whilst St. Elizabeth, an urban hospital enjoys water service only and depends on Public Works for sewage

as sewer ponds are old and overflowing. Big businesses relying mostly on water services were frustrated by the untimely water cuts.

- Water provided by O.R. Tambo is not clean enough for human consumption. At times chlorine levels are high and this poses serious health hazard.
- Septic tanks are small for the load of users and need periodic servicing
- There are burst water pipes
- Rural areas are provided with taps, however, there is no water coming out. They remain dry.
- The Mthatha prison in King Sabata Dalindyebo (KSD) Local Municipality is assisted by contractors appointed by the department of Public Works for sanitation services. This demonstrates a failure by the water services authority to provide water services to all its residents.



It can be deduced that the quality of water services rendered by O. R. Tambo District Municipality is poor. Big institutions are not provided with the water services as a result alternative means are utilized and therefore the quality cannot be discussed. It can be deduced that the quality of sanitation services needs improvement.

Question: Are you aware whether water is regularly tested to ensure its fitness for human consumption?

Answer: The majority of stakeholders namely (71, 4%) answered negatively to the awareness on regular testing of water and provided their explanation as follows:

- Such reports are not tabled on the statement of accounts sent to individuals households and institutions for inspection
- Access to such important and sensitive information is not provided to citizens
- Quality of water is poor even if the water is regularly tested.

From the above responses it can be deduced that O. R. Tambo District Municipality does not fulfil its responsibility in that a huge number of rural villages do not have access to clean water and a healthy sanitation to an extent that institutions like rural hospitals provide the services within the institutions to avoid outbreak of diseases. Water provided by O.R. Tambo District Municipality is not safe enough for human consumption. It can be deduced that there is shortage of technical expertise since it is reported that at times chlorine levels are high, a situation that poses a health hazard. Septic tanks are small for the load of users and need periodic servicing. It can be deduced that there is no maintenance plan in place to manage the frequency of burst water pipes. Rural areas are provided with taps, however, there is no water coming out. They remain dry. Again the question of accountability and transparency is debatable.

Question: Are you satisfied with the water services rendered by the O. R. Tambo District Municipality in the following matters:-

(a) Cost of water and tariff structure

Answer: The majority of the citizens (71, 4%) have demonstrated dissatisfaction in the cost of water and tariff structure charged by O. R. Tambo District Municipality. The participants have provided the following motivation:

- Cost of water is expensive compared to services rendered.

- There is inaccurate meter reading.
- Communities are paying for services that are not there or are poorly provided.
- Specific institutions use own sources

It can be deduced that the majority of stakeholders are dissatisfied with the cost of water and tariff structure as the billing fluctuates whilst the usage remains the same. This is due to inaccurate meter reading. It can also be deduced that citizens pay for services that are poorly provided.

Question: What are the main problems that you experience with the rendering of water and sanitation services?

Answer: The majority of the citizens (78, 6%) wrote on main problems experienced with the rendering of water and sanitation services as follows

- There are still a huge number of rural villages living without access to water and sanitation services which are supposed to be rendered by the O. R. Tambo District Municipality. In areas where there is such provision, there are constant water cuts without prior notification to citizens.
- There is no Operation and Maintenance Plan in place;
- Whilst infrastructure is ageing with dysfunctional water schemes and sometimes dry taps causing pump breakdowns, burst water pipes, sewage spillages and water leakages on one hand, there is a huge infrastructural backlog in rural areas on the other hand;
- There is a shortage of skilled personnel to perform the water services function.



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- Outbreak of diseases may be experienced due to dysfunctional sewer ponds, broken sanitation systems which are unsafe and there is lack of adequate sewer networks.
- Insufficient financial resources allocated to local municipalities hamper water services delivery;
- If local municipalities can be given the function to provide water services, stakeholders are of the view that these services would be enjoyed by the majority of communities;
- There are no ward based plan for water and sanitation;
- There is no appropriate coordination of water services by the O. R. Tambo District Municipality.
- The rural hospital has exhausted its budget in its attempt to provide safe water and sanitation services to its patients and medical staff as no assistance is forthcoming from O. R. Tambo District Municipality as a water services authority.



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From the above it can be deduced that the stakeholders see the problems in the rendering of water and sanitation as mainly the unavailability of skilled personnel in the technical department and insufficient financial resources for these essential services.

Statement The quality of water works is tested and equipment is regularly inspected

Answer: The MEC answered negatively to the above question and the majority of the provincial chief officials 75% also answered negatively to the regular testing of

equipment. There was 100% positive response from O. R. Tambo District Municipality's chief officials.

The motivation provided was as follows:

- There is a shortage of skilled personnel to perform the water services function
- There is poor Operation and Maintenance plan.
- Due to increased demand infrastructure is overloaded.
- Sixty percent of treatment water works has reached the end of the design period and will collapse due to poor maintenance and growing demand.



It can be deduced that the water works are not frequently treated as desired due to lack of human capacity. Infrastructure has reached its design period and needs to be replaced.

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Statement: The quality of water is regularly tested to ensure that it is fit for human consumption.

Answer: The MEC answered that the quality of water is not regularly tested whilst the majority of provincial chief officials 75% answered positively. The motivation supplied was that if the quality of water was tested there would be no reported cases of disease outbreak relating to unsafe water. The MEC stated that in urban areas yes, but in rural schemes no. There was 100% positive response from O. R. Tambo District Municipality's chief officials regarding the testing of the quality of water.

It therefore can be deduced that the quality of water is not regularly tested since the outbreak of water related diseases would be controlled if it was.

Question: What are the main problems with the rendering of water and sanitation services?

Answer: The MEC wrote that the main problem is the refusal by water services authorities to appoint local municipalities as water services providers. The majority of the provincial chief officials (100%) answered as follows:

- Lack of technical capacity to enable municipalities to render these services.
- Lack of funding to eradicate the rural backlog.
- Limited infrastructure
- No Operation and Maintenance plan designed by water services authorities.



O. R. Tambo District Municipality as a water services authority responded in the following manner.

It can be deduced that the reluctance by water services authorities to appoint local municipalities as water services providers poses a problem. It can also be deduced that lack of financial resources and human capital to eradicate rural backlog and to maintain existing infrastructure emerged as key source to the problem.

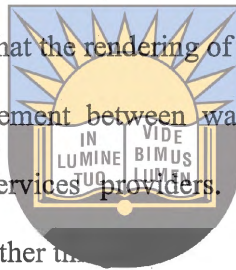
Question: What remedial actions do you propose would improve the rendering of water and sanitation services?

Answer: The majority of provincial chief officials and the majority of municipal chief officials (100%) provided the following answers on remedial actions to improve the rendering of water and sanitation services:

- Signing of service level agreements between the authority and the preferred services providers including water boards

- Development of an Operational and Maintenance plan
- Allocation of financial resources to local municipalities and the allocation of the water services provision function to address the community concerns
- Use of ward based plan for all wards in respect of water and sanitation
- Improve communication channels

From the above it can be deduced that the rendering of water services can be improved by the signing of service level agreement between water services authorities and local authorities as preferred water services providers. Improvement of communication channels is also necessary among other things.



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It can be deduced that the quality of water services is of poor standard and not fit for human consumption to areas where these services are inaccessible. It can also be deduced that water services are not adequately provided to a huge number of citizens living in rural villages by the O. R. Tambo District Municipality. Citizens stay without water for days in areas where these services are provided due to water cuts. It can be deduced that rural hospitals provide own water services whilst urban institutions depend on the Department of Public Works once there are water cuts and overflowing sewer ponds. There is no Operation and Maintenance Plan in place.

It can also be deduced that there is inadequate capacity to test the quality of water and this may result to the outbreak of disease. It can be deduced that inadequate technical skills and funding strongly relate to the inability by the water services authority to address the huge infrastructure backlog faced by the rural villages. It was explained that

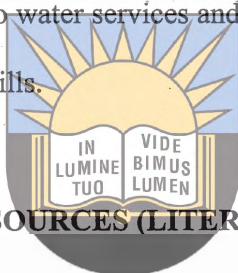
O. R. Tambo District Municipality tests the quality of water works but the district municipality owns seventeen water pumping stations that are to service King Sabata Dalindyebo Local Municipality alone, however, only one such water pumping station is in a working condition.

It was explained that the Province of the Eastern Cape as a whole does not have sufficient water resources to meet the increasing demand of its citizens. This province relies on borehole water and dams that are not sufficient to manage the load. Dams that are at O. R. Tambo District Municipality are insufficient. Bulk and underground infrastructure has not kept pace with the population growth within O. R. Tambo District Municipality. It was proved that water services are not adequately provided to citizens since not all areas have access to water services. Citizens stay without water for days in areas where there are water cuts. This is due maintenance of infrastructure which is a major problem. It was proved that the quality of water services is poor.

It was proved that due to the above mentioned inaccessibility to water services by rural communities, alternative sources of water used are not fit for human consumption. At the same breadth it was proved that the frequency of water cuts is a symptom of poor quality of water services provision. It was proved that sixty percent of treatment works has reached the end of the design period and will collapse due to poor maintenance and growing demand if not funded and replaced. There are huge infrastructural backlogs in rural villages. Since there is no adequate operations and maintenance plan in place water leaks are repaired in an ad hoc manner and therefore take too long to be repaired. There is an acute shortage of skilled personnel to perform the water services function. Water

schemes are problematic as they are dysfunctional. Outbreak of diseases may be experienced as sewer ponds are dysfunctional and there are no sewer networks.

It was proved that the quality of water works is not regularly tested due to the shortage of personnel and related technical skills to render the service. It was also proved that water quality is not adequately tested because if it was, there would be no reported cases of disease outbreak relating to unsafe water services. It was proved that there is a relationship between accessibility to water services and inadequate funding as well as the availability of requisite technical skills.

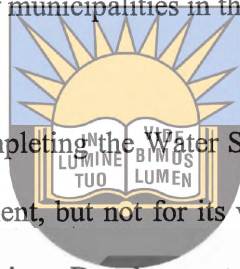


5.6 FINDINGS FROM OTHER SOURCES (LITERATURE)

According to the National Water Services Sector Report (Mahlangu *Report: Volume 1*, (2007:60. 70-71, 82, 98, 105, 112) the broad challenges faced by municipalities especially the water services authorities are huge infrastructure backlogs, low revenue base, Municipal Infrastructure Grant (MIG) funding that is still calculated on the 2001 household figures with a formula that is difficult to understand, the determination of MIG formula allocation which needs to be further explored as it fails to address the municipality's backlogs, low institutional capacity within municipalities, difficulty in attracting needed expertise by municipalities without a reliable tax base, sparsely populated areas with households far apart from each other as a result making it difficult to install connecting pipes since the majority of households are poor.

Provision of sanitation service is slower than the provision of water service. This is due to underfunding and the need to satisfy the requirements of the client. This would include

the request of a flushed toilet in a sparsely populated and rocky area for example. Sustainability of completed projects is threatened as a result of non- functionality of some toilets. This is compounded by inadequate technical knowledge in some municipalities as well as the lack of post implementation community education. It therefore can be deduced that the low revenue base of municipalities coupled with the MIG funding which is still reliant on a 2001 household based formula and under capacitated municipalities are the primary challenges faced by municipalities in the rendering of water services

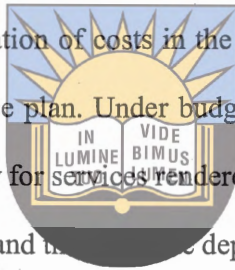


Water services authorities are completing the Water Services Development Plan merely because it is a legislative requirement, but not for its value as a water services planning tool. Even where the Water Services Development Plan has been completed, water services authorities are still not using them for implementation, or monitoring progress against this plan. Lack of planning was also identified. This lack of planning is illustrated by the non alignment of Integrated Development Plans (IDPs) to the Water Services Development Plan. The regional officials of the Department of Water Affairs Forestry (DWAF) are not assisting in ensuring that all Water Service issues identified in the Water Services Development Plans are included in Municipal IDPs nor do these DWAF regional officials attend IDP hearings in provinces. Sanitation projects are not catered for in detail in Water Services Development Plans by the water services authorities. Lastly, there is insufficient funding, including Equitable Share (*Masibambane report: Volume 1, 2007: 74*). It therefore can be deduced that a water services development plan must be aligned to the IDP of a municipality. Linking the water services development plan to the

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IDP is also insufficient if a service delivery and budget implementation plan does not exist.

The above data demonstrates a situational analysis and the journey that these services still need to take. From the above findings it can be deduced that the reasons for the deceleration of the rendering of water services is a combination of a plethora of causes which mainly is underpinned by inadequate funding for the huge backlog in rural villages. This is followed by escalation of costs in the infrastructure that is left to decay as there is no adequate maintenance plan. Under budgeting for repairs and maintenance on assumption that citizens will pay for services rendered did not take into cognizance the unemployment rate, poverty index and the dependency syndrome on grants.



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This is coupled by the inability to manage the indigent plan as the cross subsidization from the affluent to the poor. This is proved by the low revenue generated by municipalities. Table 1 indicates revenue for O. R. Tambo District Municipality. The recent outcome of capacity assessment of municipalities on the rate and the ability to render water services to communities conducted by the Municipal Demarcation Board in August 2007 was presented to the Eastern Cape MEC for Local Government and Traditional Affairs in November the same year.

Below is a table illustrating the rate in which these water services are being rendered by O. R. Tambo District Municipality. This district municipality is selected precisely because of its history, a homeland, known by this study as a Black state. It was only established during the transformation of municipalities and therefore never provided water services. Interestingly, population figures and households figures were last counted in the year 2001; however, this table demonstrates that little was done to provide either

RDP water or RDP sanitation despite them disputing the number of households in order to benefit more from the MIG funding.

Table 2: Municipal Demarcation Board Capacity Assessment 2007

Municipal Demarcation Board Name/Municipality Name	Population	RDP Sanitation levels (Actual number of households)	RDP Sanitation service levels (%)	RDP Water service levels (Actual number of households)	HH with RDP Water service levels (%)	RDP Water backlog (%) within municipality
DC15 O. R. Tambo District Municipality	1676580	28550	8.30%	96271	27.99%	72.01%
EC151 Mbizana Local Municipality	245728	1194	2.57%	8214	17.70%	82.30%
EC152 Ntabankulu Local Municipality	135797	544	2.01%	5287	19.54%	80.46%
EC153 Qaukeni Local Municipality	254479	1836	3.60%	11127	21.79%	78.21%
EC154 Port St Johns Local	146966	1237	4.19%	5673	19.23%	80.77%

Municipality						
EC155 Nyandeni Local Municipality	274415	1473	2.67%	12674	23.00%	77.00%
EC156 Mhlontlo Local Municipality	202850	1217	2.75%	14525	32.86%	67.14%
EC157 King Sabata Dalindyebo Local Municipality	416345	21049	23.23%	38771	42.78%	57.22%

Municipal Demarcation Board Capacity Assessment 2007

Legend: HH stands for House holds

EC stands for Eastern Cape

RDP stands for Reconstruction and Development Programme

The above figures in this table relate to O. R. Tambo District Municipality which is a water services authority. The information on the number of households was obtained from Stats SA and draws on the census results for 2001. This table clearly demonstrates that whereas O. R. Tambo households were 343 950 in 2001 only 96 271 households have been provided with RDP water by 2007. This is despite the fact that there is population growth and therefore household figures are not static and may have drastically changed.

From the above data it has been proved whereas the Census 2001 household figures for O. R. Tambo District Municipality are 343 950 the households that have been provided

with RDP sanitation are 28 550. These figures indicate that little has been done to improve the rendering of water services by the O. R. Tambo District Municipality. It should be recalled that both services were devolved to the district municipalities in 2003.

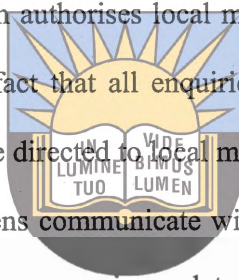
A synopsis of the above Municipal Demarcation table seeks to prove that in terms of the statistic of *Stats S. A.* EC 154, O. R. Tambo District Municipality in Port St Johns, a small coastal town that is predominantly rural, which has 25 600 households, renders RDP level of water services to 5 673 whilst only 1 237 provided RDP level of sanitation services. This MDB report reveals that both services need attention, however, sanitation needs special attention.



5.7 CONCLUSION **University of Fort Hare** *Together in Excellence*

The analyzed data has proved that the idea of devolution of water services to municipalities is necessary as it seeks to promote effective rendering of the water services by municipal authorities who are nearer to the citizens and who can feel the pulse of such citizens. However, the existing arrangements which give a water services authority an option to either provide these water services by itself or to appoint a service provider of its own choice has killed the notion of bringing the service nearer to the people, because if the first option is taken by the water services authority, as is the case with O. R. Tambo District Municipality, this means that these water services are still far removed from the citizens.

It can thus be concluded that since local municipalities have been rendering the water services to municipalities from the previous dispensation to 2003 these municipalities are better positioned to provide the service in an efficient, affordable and sustainable manner to all citizens. The rendering part of these water services should be given to local municipalities whilst the authority continues to reside with the district municipality. The delegation of authority could be achieved through a service level agreement or through an amendment to the legislation which authorises local municipalities to provide the water services. This is premised on the fact that all enquiries on non availability, defects or disruptions to the water services are directed to local municipalities and not to the district municipality by the citizens. Citizens communicate with their ward councillors who are the members of local municipalities on services related matters whilst there are no such wards in district municipalities and therefore the citizens would not know where to begin channelling their dissatisfaction on non availability or disruption of these services.



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It can be concluded that other available options do exist. These include appointment of other local municipalities, water boards or CBO where a water services authority lacks the requisite capacity to render such services. Those water services authorities that are unable to appoint local municipalities as water services providers may appoint water boards and these water services authorities are in a position to assess and monitor progress.

It can also be concluded that where there is no accountability, transparency does not exist and where these two principles do not co-exist co-ordination does not triumph. It can be concluded that the tool for co-ordination is communication and where it does not

exist there is no service delivery. Citizens should pronounce on the level of services desirable and should be notified on the financial status of a municipality to minimise high expectations. Where there is no such communication trust thins.

It can be concluded that since water services are essential services, adequate financial and human resources are required for the effective provision of water services. Capacity building is essential for the water services authority and for the local municipalities which are the recipients of water services.



It was proved that water services development plan that is linked to the IDP is insufficient if a service delivery and budget implementation plan does not exist. It can be concluded that all the cited operation and maintenance problems emanate from inadequate linkages to budget and budgeting. Municipalities should refrain from ensuring the existence of a water services development plan as a compliance to the requirement of the MIG funding that emphasizes on the its availability before such funding is transferred to a municipality.

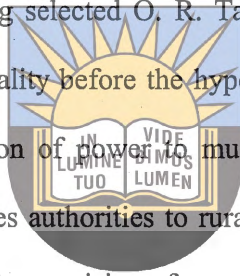
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It has been concluded that there is a relationship between the quality of water services and the availability adequate and human capital.

It has been concluded that the Province of the Eastern Cape as a whole does not have sufficient water resources to meet the increasing demand of its citizens. This province relies on borehole water and dams that are not sufficient to manage the load and the demand of the citizenry. It has also been concluded that due to inaccessibility to water

services by rural communities, alternative sources of water used are not fit for human consumption. It was further proved that the frequency of water cuts is a symptom of poor quality of water services provision. It has been proved that sixty percent of treatment works has reached the end of the design period and will collapse due to poor maintenance and growing demand if not funded and replaced.

Above all issues raised and having selected O. R. Tambo District Municipality which never existed as a district municipality before the hypothesis of the researcher has been confirmed that, after the devolution of power to municipalities in 2003, provision of water services by the water services authorities to rural villages, some of which did not even exist or were not considered for provision of water services, still remains inadequate or nonexistent.



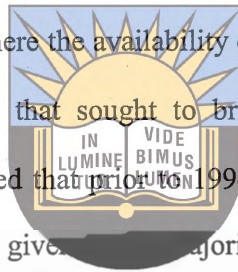
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CHAPTER SIX

CONCLUSION AND RECOMMENDATIONS

6.1 INTRODUCTION

This study was undertaken because there was a growing concern on the sudden collapse of the provision and quality of water services specifically in rural areas after devolution of power to municipalities in 2003. This study started by painting a picture of despondency in a rural scenario where the availability of water services has been nothing but a dream despite all attempts that sought to bring the water services nearer to communities. This study has proved that prior to 1994 rendering of water services was urban biased and little regard was given to the majority of Blacks living in rural areas. However, after 1994, when these services were directly headed by the transformed Department of Water Affairs and Forestry in rural areas a difference was experienced by a number of rural communities in that there was access to clean and safe water. There was livelihood in specific areas.

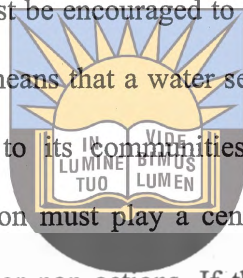


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A policy decision was taken that the water services be brought closer to the people through devolution of power and allocation of water and sanitation services to district municipalities, metropolitan cities and a specific number of local municipalities. The intention of the National and Provincial Spheres of Government was to provide support specifically to low capacity municipalities with vast rural settlements. However, the pace of provision of both services declined after devolution of power and this study seeks to investigate the causes of such down slope decline of these essential services. Whilst studies and strategies are tested, the reality is that the expectations of municipal citizens

that was once there is fast vanishing. The study has proved that there are still rural areas without access to water services and in those areas wherein safe and clean water was rendered, the only remnants are dry schemes and taps.

From the previous chapters it was stated that administration requires the exercise of political neutrality when rendering services to communities. Services must be rendered to all without bias and the public must be encouraged to participate in municipal activities, such as policy formulation. This means that a water services authority has an obligation of rendering the water services to its communities in an efficient, affordable and sustainable manner. Public opinion must play a central stage with the administration being accountable for its actions or non actions. If this is a fact, the study intends to provide remedial actions such that communities actively participate by providing solutions to the problems experienced relating to the availability and quality of water services provided to them and the municipal councils on the other hand must demonstrate an obligation to account for services the municipalities render to communities. This chapter, will firstly, outline important issues raised in the previous chapters which are findings of the study and secondly, concluding remarks will be made which would be lastly, followed by the researcher's recommendations.



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6.2 FINDINGS OF THE STUDY

In chapter one the researcher drew a road map in the form of a study plan. A historical background on the rendering of water services to communities was given; the purpose of the study was outlined. This was closely followed by the hypothesis and objectives of the study. The study plan revealed that the local sphere of government in South Africa has been experiencing important constitutional changes since 1993. It explained that during the previous dispensation local authorities were racially and geographically segregated into Whites, Blacks, Coloreds and Indian local authorities. This was a duplication of administration and services which overlapped thus exhausting the annual budgets of the government. The level of services provided to different population groups was not the same thus resulting into some population groups being seriously disadvantaged.



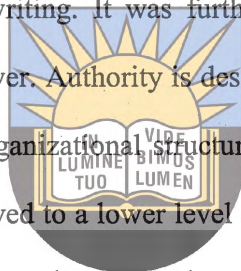
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The Black people with the majority residing in rural areas were the most denied of population groups with respect to water, sanitation, and electricity. The study seeks to evaluate the effectiveness of the devolution of power to district municipalities after 2003 and to relate the stated objectives to the findings. Chapter one dealt with a description of the background outlined above, problem statement, research hypothesis, objectives, and study plan, limitations of the study and definition of terms.

Chapter two provided of a theoretical base and framework for the empirical research. In this chapter it was explained that organizing as one of generic administrative process brings together in an orderly manner, the human and financial resources in the work situation. It makes possible for the personnel to perform work and accomplish goals

efficiently and effectively. Organizing unites people by determining the part each person plays in the total endeavor and how the various roles relate to each other. It was also explained that if authority is delegated, an equal amount of responsibility must be allocated.

It was further explained that responsibility or accountability cannot be delegated. The delegation should in fact be in writing. It was further explained that delegation and authority are closely related to power. Authority is described as a legitimate right, which is inherent in a formal internal organizational structure of an institution. It was further explained that power can be devolved to a lower level of government. Devolution is thus a form of relocating specific functions that were otherwise performed either at national or provincial sphere of government to the local sphere of government and this is accompanied by an authority to exercise a power and perform the devolved function. It was explained that the greater the division of power to subordinate institutions or levels/spheres of government, the closer government will be brought to the individual and less remote, alienated and distrustful individual citizens will feel. It was found that for effective devolution to take place, local government must be given corporate status and the power to raise sufficient resources to perform specific functions. It was further explained that devolution implies the need to develop the local government institutions in the sense that local authorities are perceived by local citizens as the providers of services that satisfy needs and as government units over which the citizens have some influence.



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In chapter three it was found that a municipality is established in terms of a section 12 notice which is promulgated after boundaries have been altered, realigned and determined to give effect to specific considerations including manageable and sustainable municipalities. The notion of establishing municipalities, given the history of previously designed settlements, seeks to promote the economies of scale in the provision of municipal services. Municipalities vary in terms of the population density, development, and an intense movement of people, goods and services and have been categorized accordingly. Within categories are types of municipalities that demonstrate where the executive authority resides. The categorization of municipalities assists the process of assignment of functions and powers.



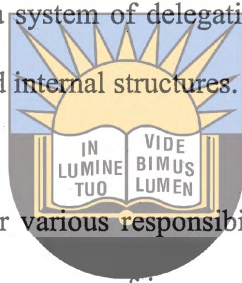
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It was also found that water services were allocated to district municipalities who were to see to the provision of this service across the whole district, thus extending the service to the rural communities. In the case of the Eastern Cape, only local municipalities in the Cacadu District Municipality and Buffalo City were appointed as water services authority by the Minister. Cacadu District Municipality is only responsible for the District Management Area (DMA). It was also found that local municipalities depend on the appointment by water services authorities to be water service providers. Being a service authority is not automatic.

It was proved that only a council in a municipality has a right to govern. The council in its own right has a legislative and an executive authority. The council should meet at least quarterly. This helps to assess progress and to review its policies regarding the rendering

of services to its communities. A council may develop a system of delegation to its political structures and administration for specific functions to be performed in order to maximize administrative and operational efficiency and to provide for adequate checks and balances. It was proved that the council can establish a water services committee. The council must strive to ensure that everyone does have basic and affordable services such as access to clean water, waste removal and sewerage. This is an oversight role of the council as a whole, however, a system of delegation and specific legislation assign specific functions to individuals and internal structures.

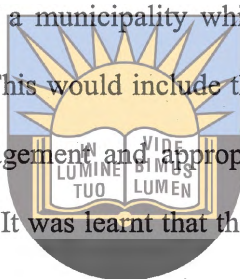


An executive mayor among his/her various responsibilities must develop a strategy on ways to attract public views and a process of incorporating these public views into the system. It is clear that a municipality has a constitutional obligation of planning its processes in order to give priority to the basic needs of the community. These basic needs include water and sanitation. It was proved that a municipality should have a single, inclusive development plan which seeks to link, integrate and co-ordinate other plans. This plan would then form basis for a policy framework on which annual budgets must be based. By implications the executive mayor would remain being a coordinator of plans and therefore municipal services. The water services development plan which must be aligned to the IDP, is essential for the provision or for causing the provision of water services in municipalities.

It was found that service delivery and implementation plan is critical and is a form of a road map that indicates what a municipality will do, at which area and at what time. Also

it can be deduced that presenting the current financial position of the municipality and inviting public views on services to be rendered, workable solutions and strategies would lift the load and burden of the executive mayor as this would promote transparency and trust between the municipality and the community.

It is also clear that the municipal manager must inculcate a culture of work ethics to staff in order to meet the objectives of a municipality which include rendering sustainable water services to the community. This would include the availability of a customer care section and flyers. Financial management and appropriate implementation of by laws related to water services is crucial. It was learnt that the notion of upholding the code of conduct for staff would promote customer satisfaction



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In chapter four the research methodology was discussed. In this chapter, the researcher opted to blend the qualitative and quantitative approach when designing the questionnaires. A sample was drawn from the population of municipalities within the Eastern Cape Province. The targeted participants were selected and these were municipal councilors, chief officials and citizens from within O. R. Tambo District Municipality, selected provincial chief officials and MEC from the Department of Local Affairs and Traditional Affairs and the MEC from the Department of Health. Respondents were classified according to gender, age and qualifications. The response rate was explained.

Chapter five deals with the analysis and interpretation of the research data collected. The purpose was to determine whether or not the stated problem, hypothesis and objectives

relating to the investigation of the deceleration of the rendering of water services once the power was devolved to municipalities in 2003 is indeed a reality. This chapter was divided into the following sections for the purpose of analysis and contextualization of the research data, namely

- Devolution of power to render municipal water services
- Principles for the devolution of power to municipalities
- Legislative framework for municipal water services
- Quality of water services



When analyzing the research data on the first section that relates to devolution of power to render municipal water services it was found that

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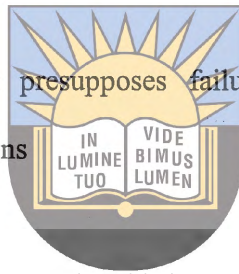
- The idea of devolution of water services to municipalities is necessary as it seeks to promote effective rendering of the water services by municipal authorities who are nearer to the citizens and who can feel the pulse of such citizens.
- Local municipalities wish to sign a service level agreement that will delegate the function to render the water services to all citizens because presently water services are rendered by O. R. Tambo District Municipality.

When analyzing the research data on the second section that relates to the principles for the devolution of power to municipalities it was found that:

- The O. R. Tambo District Municipality has failed to purposefully render the water services to all its citizens in an efficient, affordable and sustainable manner.
- The existing arrangements which give a water services authority an option to either provide these water services by itself or to appoint a service provider of its

own choice has killed the notion of bringing the service nearer to the people, because if the first option is taken by the water services authority, as is the case with O. R. Tambo District Municipality, this means that these water services are still far removed from the citizens.

- There is no co-ordination of activities by O. R. Tambo District Municipality and there is lack of communication.



- Failure to be transparent presupposes failure to be accountable to local municipalities and the citizens

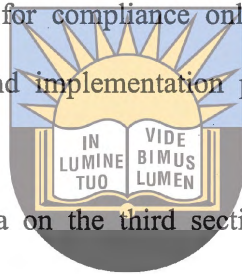
When analyzing the research data on the third section that relates to the legislative framework for municipal water services it was found that:

- An amendment to the legislation which will regulate the appointment of local municipalities as water services providers is desirable. The basis for this proposal is that enquiries on non availability, defects or disruptions to the water services are directed to local municipalities and not to the district municipality by the citizens whilst the O.R. Tambo District Municipality is not transparent on its activities and fails to account to the local municipalities and citizens.
- The O. R. Tambo District Municipality has failed to ensure access to water services by all its citizens in an efficient, affordable and sustainable manner.
- One shortcoming identified with the existing legislation is the protection of the capacity of local municipalities from being assessed in the event a district

municipality wishes to appoint such a local municipality as a water services provider.

- The communities were never consulted when water services authorities were selected.
- It is a statutory requirement that only water services authorities must have a water services development plan which must be aligned to the IDP of a municipality.

This requirement is done for compliance only for there is no accompanying service delivery budget and implementation plan to give effect to the water services development plan.



When analyzing the research data on the third section that relates to the legislative framework for municipal water services it was found that:

- The Eastern Cape Province as a whole does not have sufficient water resources to meet the increasing demand of its citizens. This province relies on borehole water and dams that are not sufficient to manage the load of the population growth.
- The quality of water services is of poor standard and not fit for human consumption to areas where these services are inaccessible.
- The rendering part of these water services should have been given to local municipalities whilst the authority continues to reside with the district municipality.
- Water services are not adequately provided to a huge number of citizens living in rural villages by the O. R. Tambo District Municipality due to the fact that not all areas have access to water services and citizens stay without water for days due to water cuts in areas where these services are provided.

- Big institutions like rural hospitals and prisons provide own water services whilst urban institutions depend on the Department of Public Works once there are water cuts and overflowing sewer ponds.
- Water treatment works are not regularly tested due to shortage of the human capital
- There is inadequate capacity to test the quality of water and this may result to the outbreak of diseases.
- Inadequate technical skills and insufficient funding strongly relate to the inability by the water services authority to address the huge infrastructure backlog faced by the rural villages.
- Remedial actions should include injection of huge capital by government to address the infrastructure backlog.

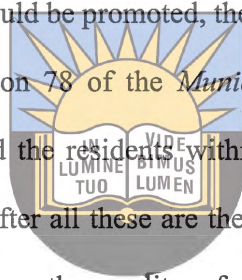


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6.3 CONCLUDING REMARKS

In this study it was found that indeed the problem namely, water provision has decelerated once the water and sanitation function was devolved to municipalities to perform is real and yet remains not resolved. The researcher confirms the hypothesis that after the devolution of power to municipalities in 2003, provision of water services by the water services authorities to rural villages, some of which did not even exist for example those municipalities in the previous Republic of Ciskei and Transkei, or were not considered for provision of water services, still remains inadequate or nonexistent. It is inadequate or nonexistent because these district municipalities as water services authorities lack experience in the provision of water services and do not have adequate

financial and human capital. As a result of the above situation there is a hue and cry on water services that have not been extended to rural communities as yet, yet there are local municipalities who claim to have the necessary experience of rendering water services to communities but these municipalities are denied such an opportunity. The ability of local municipalities to render water services, for example King Sabata Dalindyebo, needs to be tested. In this case the responsibility would be shared without compromising standards. In this arrangement accountability would be promoted, there would also be transparency and communication, because the section 78 of the *Municipal Systems Act, 2000* process requires that organized labour and the residents within a ward (ward based planning) must be part of the negotiations, after all these are the beneficiaries of the services. One other benefit is that complaints on the quality of water services and inspection of treatment of waterworks would be managed appropriately.

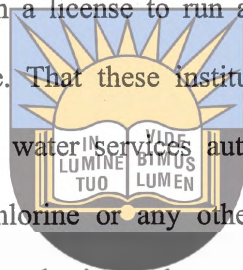


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Secondly, it was stated above, that legislation must be amended to also include that local municipalities with demonstrable institutional capacity must provide water services. This means that a local municipality must be subjected to capacity assessment before it could be delegated with a responsibility to be a water services provider. If it is part of the legislation the reluctance by water services authorities to delegate the provision of water services would be managed

Thirdly, it was found that when the policy decision was taken on devolution of power, little regard was given to the fact that there was no infrastructure available in rural areas and the available reticulation network in the urban areas would be overloaded due to

population growth hence the irregular water cuts. Due to the above finding the funding for water services should not be limited to the MIG funding only and its calculation should not depend on the 2001 households from Statistic South Africa. Donor funding should be sourced and these essential services be prioritized by all spheres of government and all departments. To bring people to an established institution and not to provide essential services thereafter is illegal as is the case with the prisons and hospitals. Likewise to give a going concern a license to run a business and later withdraw the essential services is irresponsible. That these institutions decide to make alternative arrangements does not mean the water services authority is blameless. Any mistake incurred in the application of chlorine or any other chemical by an institution not authorized to be a water services authority is the responsibility of such a water service authority. A genuine costing and deliberate phased approach on infrastructural backlog is desirable. There is no substitute for funding. Level and standard of the infrastructure should be discussed with the beneficiaries. There should be a standardized way of understanding the real backlog of water services and this should be commonly understood by all. All departments and municipalities should work together addressing the commonly known backlog in an integrated manner

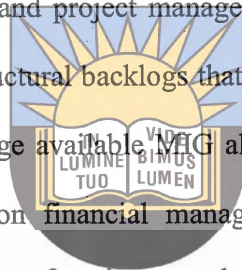


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Fourthly, it was observed that no single municipality can afford the installation of new infrastructure in rural areas and provision of water services remain a dream if all government departments do not integrate budgets and fund water and sanitation services. If all government departments can budget and access donor funding for these essential services the load would be lighter for municipalities. By this it is meant that if the

Department of Housing builds rural houses, such a project as it impacts to water and sanitation must be reflected in the IDPs of both the local and district municipalities as this project will be an added responsibility to the water services authority in the long run.

Fifthly, if a water services authority as stated can abandon a sanitation project midway without an obligation to account to beneficiaries or affected local municipality, then this means there are serious financial and project management deficiencies that need to be addressed. There are huge infrastructural backlogs that may run into billions of Rands, if municipalities are unable to manage available MIG allocation, how will a municipality manage such billions. Training on financial management therefore cannot be over emphasized. There is also a shortage of engineers and technical staff in the relevant water field and this is coupled by the fact that it is difficult to attract such technical staff due to poor tax base.



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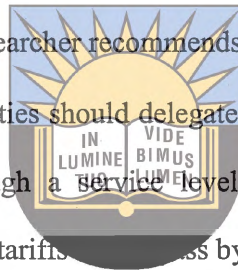
Lastly, given the above exposition, a multiple-approach system whereby partnerships are entered into with institutions of higher learning with an aim to send technical services managers to block training sessions with tuition of multidisciplinary modules which would include planning, financial management, civil engineering, project management, architecture and others is desirable. Each municipality should manage the turnover of its trained managers by entering into a contractual obligation with managers that will receive such formal training to serve the municipality for a fixed term before moving to municipalities with lucrative salaries. This formal training would move parallel with the on the job training with mentors being seconded and paid for by the national sphere of

government. There is also an option of shared services by those municipalities that cannot afford a qualified engineer. The civil engineer will fix a fee that two or more water services authorities will share. The appointed engineer will then rotate municipalities on days agreed to by parties concerned.

6.4 RECOMMENDATIONS

Given the above exposition the researcher recommends as follows:

- The water services authorities should delegate the rendering of water services to local municipalities through a service level agreement in order to promote monitoring, to regulate on tariffs and to pass by-laws.
- The legislation needs to be amended to clearly separate powers and functions to be performed by the two tiers of local government which are local and district municipalities. This means that related functions must be performed by one tier of local government. Capacity of local municipalities should also be assessed and those local municipalities that demonstrate a potential in rendering water services should be appointed as water services providers.
- All three spheres of government need to inject meaningful funding for the infrastructure capital projects in order to address backlogs, replace infrastructure that has reached the end of its design period and to maintain the existing infrastructure.
- Since no single municipality can afford the installation of new infrastructure in rural areas all government departments must budget for these essential services;



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however, the budget should be appropriately coordinated and should be aligned to the Integrated Development Plans of municipalities.

- There should be an extensive institutional capacity building programme for municipalities, a programme that must be supported and funded by both national and provincial spheres of government. Focus should be on financial management and on technical services. Water and sanitation should form part of the curriculum in schools starting from grade seven.



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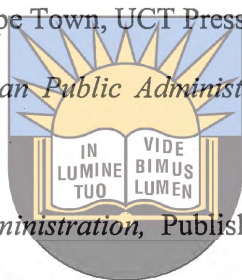
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INTERNET

www.etu.org.za

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1.3 Does your municipal authority render water services in your area?

1.3.1 If yes, have you signed a service level agreement with the responsible water services authority?

Yes	No
-----	----

1.3.2 If no, who provides water and sanitation services in your municipality?



Yes	No
-----	----

2. PRINCIPLES FOR THE DEVOLUTION OF POWER TO MUNICIPALITIES
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2.1 Does the O. R. Tambo District Municipality render water services?

Yes	No
-----	----

2.1.1 Purposefully to all citizens within your municipality?

2.1.2 Does your municipal authority participate in the co-ordination of water services by O. R. Tambo District Municipality?

Yes	No
-----	----

2.1.3 Is your municipal authority satisfied with the existing policy requirements for service providers?

Yes	No
-----	----

2.1.4 Are water services rendered in a transparent manner?

Yes	No
-----	----

2.1.5 Are you satisfied with the existing accountability arrangement?

Yes	No
-----	----

2.1.6 Do you agree that water services should be rendered as specialised and essential services?



Yes	No
-----	----

2.1.7 Do you have any comments on the above?

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3. LEGISLATIVE FRAMEWORK FOR MUNICIPAL WATER SERVICES

3.1 Are the existing legislative measures, such as the Water Services Act of 1996, sufficient to ensure the water services rendering?

Yes	No
-----	----

3.1.1 If no, what are the shortcomings of the existing legislation?



3.2 O. R. Tambo District Municipality is responsible for ensuring that citizens

have access to efficient, affordable and sustainable water services
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Strongly agree	Agree	Neutral	Disagree	Strongly disagree
----------------	-------	---------	----------	-------------------

3.3 Does your municipality have a water services development plan?

Yes	No
-----	----

3.3.1 If yes, is it linked to the municipal Integrated Development Plan (IDP)?

3.3.2 What are the appropriate mechanisms to implement such a plan?

3.4 Are you satisfied in the manner in which water services authorities were selected in the past?

Yes	No
-----	----

3.4.1 If no, motivate



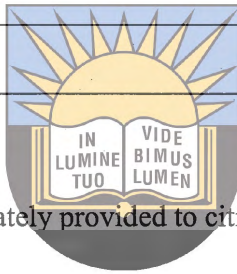
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4. QUALITY OF WATER SERVICES

4.1 Does your municipal authority have sufficient water resources to supply the increasing demands of your citizens?

Yes	No
-----	----

4.1.1 If no, please motivate



4.2 Water services is adequately provided to citizens

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4.3 The quality of the water services provided to citizens is of:

High standard	
Poor standard	
Polluted	

Not fit for human consumption	
Not properly purified	

4.4 What are the main problems that you experience with the rendering of water and sanitation services?



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4.5 What remedial actions do you propose would improve the rendering of water and sanitation services?

SUPPLEMENT B: QUESTIONS TO STAKEHOLDERS/CITIZENS

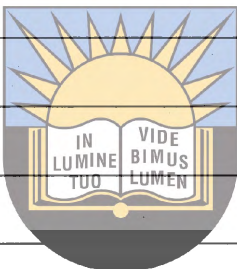
1. Are you satisfied with the water services rendered by the O. R. Tambo District

Municipality regarding the following matters:-

Yes	No
-----	----

1.1 Quality of water and sanitation

1.1.2 If no, explain



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1.2 Availability of water

Yes	No
-----	----

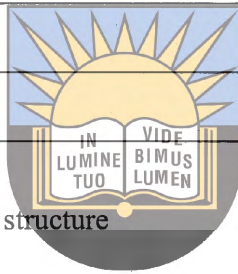
1.1.2 If no, explain

YES	No
-----	----

1.3 Availability of sanitation

2. 1.1.2 If no, explain

3.



3.1 Cost of water and tariff structure

Yes	No
-----	----

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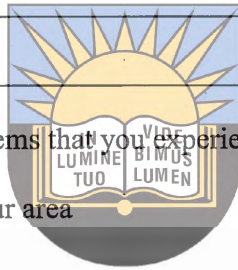
4. 1.1.2 If no, explain

4.1 Are you satisfied with the existing sanitation services?

Yes	No
-----	----

4.1.1 If no, please motivate

4.2 What are the main problems that you experience regarding water and sanitation services in your area



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4.3 Are you aware whether water is regularly tested to ensure its fitness for human consumption?

Yes	No
-----	----

4.3.1 If this does not happen , please explain

4.4 Are you satisfied with the existing arrangement with your local municipality and O. R. Tambo District Municipality for the provision of water and sanitation services?



YES	No
-----	----

4.4.1 If no, please motivate

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SUPPLEMENT C: QUESTIONS TO THE PROVINCE

Devolution of Water Services

1.1 Are the existing Legislative measures such as Municipal Systems Act of 2000 sufficient to ensure the water services rendering?

Yes	No
-----	----

1.2 In your opinion, is the existing arrangement for devolution of powers working effectively?



Yes	No
-----	----

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If yes, please motivate your answer

- a) _____

- b) _____

- c) _____

1.3 Do all water service authorities render water services in the province?

Yes	No
-----	----

If no, which water services authorities do not render water services?

- a) _____

- b) _____

- c) _____

- d) _____

- e) _____

- f) _____



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If yes, who else provide water and sanitation services on behalf of the municipalities?

- a) _____
- b) _____
- c) _____
- d) _____
- e) _____
- f) _____

Question 2

Principles

2.1 Water services should be rendered purposefully to all citizens

Strongly Agree	Not sure	Disagree	Strongly disagree
----------------	----------	----------	-------------------

2.2 Does your provincial authority participate in the co-ordination of water services in the O. R Tambo District Municipality?



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Yes	No
-----	----

If no, what are the problems?

- a) _____

- b) _____

- c) _____

- d) _____

e) _____

f) _____

g) _____



2.3 Is your provincial department satisfied with the existing policy requirements and arrangements to water services?

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Yes	No
-----	----

If no, please motivate

a) _____

b) _____

c) _____

d) _____

e) _____

2.4 Are water services rendered in a transparent manner?

Yes	No
-----	----

If no, please motivate?



a) _____

b) **University of Fort Hare**
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c) _____

QUALITY OF WATER

3.1 Do water services authorities have sufficient water resources to supply the increasing demands of your citizens?

3.1.1 If no, please motivate

3.2 Do all water provision installations operate effectively and at maximum capacity?

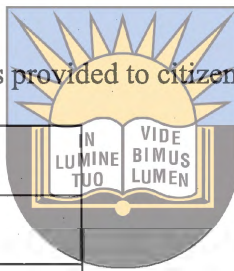
3.2.1 If no, what are the reasons?

3.3 Water services is adequately provided to citizens

3.3.1 If no, what are the reasons.

3.4 The quality of the water services provided to citizens is of

High standard	
Poor standard	
Polluted	
Not fit for human consumption	
Not properly purified	



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3.5 The quality of water works is tested and equipment is regularly inspected

Yes	No
-----	----

3.5.1 If no, please motivate

a)

b)

c)

3.6 The quality of water is regularly tested to ensure that it is fit for human consumption



Yes	No
-----	----

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3.6.1 If no, please motivate

a) _____

b) _____

c) _____

d) _____

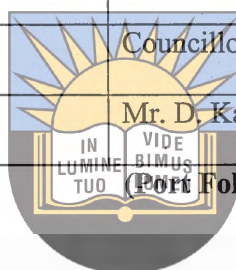
3.7 What are the main problems with the rendering of water and sanitation services?



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SUPPLEMENT D: LIST OF TABLES**Table 3 : DETAILS OF O. R. TAMBO DISTRICT MUNICIPALITY (2006)**

Population	1 740 664
Employees	448
Operating Budget	R237 665 385
Capital Budget	R520 716 588
Executive Mayor	Councillor R. N. Capa
Municipal Manager	Mr. D. Kannemeyer



Portfolio of Municipalities 2006: 246)

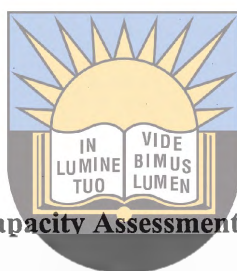
Table 4 QUESTIONNAIRE USED AND RECEIVED

QUESTIONNAIRE	USED	RECEIVED	PERCENTAGE
		BACK	
ONE	18	15	83.3%
TWO	23	18	78.2%
THREE			86%
TOTAL			

Table 5 Municipal Demarcation Board Capacity Assessment 2007

Municipal Demarcation Board Name/Municipality Name	Population	RDP Sanitation levels (Actual number of households)	RDP Sanitation service levels (%)	RDP Water service levels (Actual number of households)	HH with RDP Water service levels (%)	RDP Water backlog (%) within municipality
DC15 O. R. Tambo District Municipality	1676580	28550	8.30%	96271	27.99%	72.01%
EC151 Mbizana Local Municipality	245728	1194	2.57%	8214	17.70%	82.30%
EC152 Ntabankulu Local Municipality	135797	544	2.01%	5287	19.54%	80.46%
EC153 Qaukeni Local Municipality	254479	1836	3.60%	11127	21.79%	78.21%
EC154 Port St Johns Local Municipality	146966	1237	4.19%	5673	19.23%	80.77%
EC155 Nyandeni Local Municipality	274415	1473	2.67%	12674	23.00%	77.00%

Municipality						
EC156 Mhlontlo Local Municipality	202850	1217	2.75%	14525	32.86%	67.14%
EC157 King Sabata Dalindyebo Local Municipality	416345	21049	23.23%	38771	42.78%	57.22%



Municipal Demarcation Board Capacity Assessment 2007

Legend: HH stands for House holds

EC stands for Eastern Cape

RDP stands for Reconstruction and Development Programme

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SUPPLEMENT E: LETTERS OF PERMISSION TO CONDUCT RESEARCH



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No. 6 Leighton Road
Amalinda
East London
03 March 2008.

The Superintendent General
The Department of Local Government and Traditional Affairs
Private Bag X 5535
Bisho

Dear Sir

**REQUEST FOR PERMISSION TO CONDUCT RESEARCH IN THE
DEPARTMENT REGARDING THE PROVISION OF WATER SERVICES BY
MUNICIPALITIES AFTER DEVOLUTION OF POWERS AND FUNCTIONS TO
MUNICIPALITIES.**

I am at present doing research at the University of Fort Hare and I hereby request permission to do research in your department on the following topic:

“(a)n examination on the provision of water and sanitation by selected municipalities in the Eastern Cape after the devolution of powers and functions in 2003”

University of Fort Hare

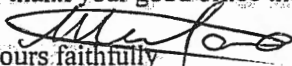
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The research will be in a form of questionnaires which will be mailed to the following divisions:

- Integrated Development Plan;
- Free Basic Services;
- Municipal Infrastructure Grant (MIG);
- Institutional Capacity; and
- Public Participation.

I am confident that this research, as well as your department's inputs will eradicate the bottlenecks which prevent the acceleration of the water services to municipalities. I wish to thank your good office in advance for your favourable consideration.

Yours faithfully


Mandisa Wongiwe Mama

No.6 Leighton Road
Amalinda
East London
03 March 2008.

The City Manager
Nelson Mandela Metro Bay
The Municipal Manager: Alfred Nzo D. M.
Cacadu D. M.
O. R. Tambo D. M.
Kouga L. M.
Koukamma L. M.

**REQUEST FOR PERMISSION TO CONDUCT RESEARCH ON WATER
PROVISION IN YOUR MUNICIPALITY.**

Dear Sir:



The above matter has reference. I am conducting research at the University of Fort Hare. I therefore hereby request for permission to do research at your municipality on the following topic:

University of Fort Hare

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“(a)n examination of the water and sanitation provision after devolution of powers and functions to selected municipalities in the Eastern Cape after 2003.”

Your municipality has been selected because it is a water services authority. The research will be in the form of questionnaires mailed to Municipal Manager, Technical Services BUM or manager responsible for water services, the portfolio chairperson and the executive mayor.

I hope that with your assistance my research will contribute to the solutions needed to accelerate water service provision in the identified problematic areas. I thank you in anticipation of your positive response.

A handwritten signature in black ink, appearing to read 'Mandisa', is written over a horizontal line.

Yours faithfully

Mandisa Wongiwe Mama



Province of the
EASTERN CAPE
LOCAL GOVERNMENT
& TRADITIONAL AFFAIRS

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Tyamzashe Building • Phalo Avenue • Private Bag X0035 • Bisho • 5605
Eastern Cape • REPUBLIC OF SOUTH AFRICA
Tel: +27 (0)40 609 5856 • Fax: +27 (0)40 609 2168 • website: www.ecprov.gov.za/lgtat/



Ref. No:
Enquiries:
Ms A:
Mqokuse:

University of Fort Hare
Together in Excellence

Dear Ms M. Mama

This correspondence seeks to grant you permission to conduct research in my department as I strongly feel that its outcome will be of benefit to the department as a whole. This department wishes you success in your endeavours.

S. MACLEAN: SUPERINTENDENT GENERAL

Local Government and Traditional Affairs

Date: 2009/11/5

O R TAMBO DISTRICT MUNICIPALITY

OFFICE ADDRESS:
OR Tambo House
Nelson Mandela Drive

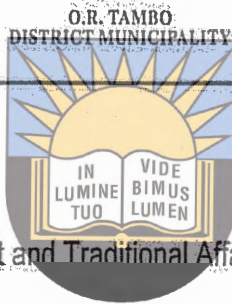
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E-mail: ortambodm@ortambodm.org



08 January 2009

Ms Mandisa W. Mama
Department of Local Government and Traditional Affairs
Bisho
Eastern Cape

University of Fort Hare
Together in Excellence

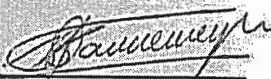
Dear Madam,

REQUEST FOR MPA RESEARCH STUDY ON WATER AND SANITATION PROVISION

This serves to confirm that your request to conduct a MPA research study on water and sanitation provision in O.R. Tambo District Municipality has been granted.

Wishing you great success in your studies.

Sincerely yours,


B.W. KANNEMEYER
Municipal Manager