



Wes-Kaapse Provinsiale Parlement  
Western Cape Provincial Parliament  
IPalamente yePhondo leNtshona Koloni

**MINUTES OF PROCEEDINGS**

**STANDING COMMITTEE ON COMMUNITY SAFETY**

Wednesday, 30 August 2017 (08h30), Committee Room 2, Fourth Floor, 7 Wale Street, Cape Town

**DoCS Briefing on its 2016/2017 PNP REPORT**

**ATTENDANCE**

**Members:**

**Democratic Alliance**

Wenger, M (Chairperson)

Kivedo, B

Mitchell, D

**African Christian Democratic Party**

Christians, F

**African National Congress**

Lekker, P

**Apologies**

Apologies were rendered on behalf Member T Dijana and Minister D Plato.

**Persons in attendance**

Mr G Morris, Head: Department of Community Safety

Adv Y Pillay, Chief Director: Secretariat for Safety and Security

Ms A Dissel, Director: Policy and Research

Mr B Simelane, Deputy Director: Policy and Research

**1. Welcome**

The Chairperson welcomed all present and provided the context for the meeting, which was to be briefed on the Department of Community Safety's 2016/2017 Policing Needs and Priority (PNP) Report. She noted that according to the Community Safety Act (2013), the MEC must report annually to the Provincial Parliament on his findings and it must be debated in the Standing Committee. Mr G Morris, the departmental head, provided a brief overview. The presentation was led by Ms A Dissel, Director for Policy and Research.

## **2. Key points emanating from the presentation on the PNP Report**

Ms A Dissel presented in terms of the legal mandate for PNP workshops, the successes and limitations of the PNP process and the community safety plans, feedback on the safety confidence scorecards as well as key recommendations emanating from stakeholders during the PNP process.

Section 23 of the Western Cape Community Safety Act (Act 3 of 2013), states that the Committee is required to consider the PNP report. The PNP process is largely informed by the public participation during the cluster based workshops. There are 16 policing clusters. The two day workshops are consultative in nature and are therefore dependent on those who attend and participate. Participants included representatives from the South African Police Service (SAPS), Community Police Forum (CPF) chairpersons, the CPF cluster chairperson, Neighbourhood Watch (NHW) members, municipal managers, ward councillors, law enforcement officers, community and faith based organisations and government representatives.

An estimated 2000 persons attended the PNPs across the various clusters. Despite this level of attendance, the Department reported that PNP participants are not fully representative of all interest groups. This is just one of the limitations of the PNP process. The Department stated that a key challenge is that due to time constraints, the discussions surrounding safety matters are not as comprehensive as they ideally should be.

Another limitation is that CPFs do not have the capacity to hold various stakeholders accountable for the full implementation of the safety plans. These safety plans are cluster specific and it is envisioned for these plans to be station specific, as just like each cluster, all precincts have varying challenges and safety concerns.

The safety scorecards addressed professional policing, SAPS' interaction with communities, SAPS' service delivery, police resources, CPF partnerships, safety in the home and the streets, open spaces and retail areas, and transport. The scorecard is formulated using the Likert system so as to elicit responses ranging from strongly agree to strongly disagree, as well as a 'not applicable' option.

Overall, the Department received several recommendations from participants across all the PNP engagements. In terms of professional policing, recommendations addressed matters related to the SAPS resourcing. Matters such as recruitment and training processes, vehicle allocation, lack of visible policing, police station upgrading, response times, corruption as well as gang strategies and domestic violence awareness campaigns. There were also recommendations regarding improved public spaces. These spaces include parks and public amenities, insufficient road and street lighting infrastructure, illegal and uninhabited buildings, clearing bushy areas as well as the safety of Emergency Medical Services staff. The Department also received recommendations about partnerships. Suggestions included (improved) partnerships between the various provincial and national government departments, the City of Cape Town, CPFs as well as youth and religious organisations. The Department is in the process of signing of Memoranda of Understanding with eight more municipalities. There are already MOUs signed with Theewaterskloof and Drakenstein Municipalities.

The Chairperson thanked Mr Morris and his team for the presentation and excused the departmental officials for the Committee to conduct its internal administration.

## **3. Request for information**

**3.1** The Committee requests a list of the eight Municipalities with which the Department will sign MOUs during 2017/2018.

## **4. Resolutions**

The Committee RESOLVED to:-

- 4.1 Consider the Policing Needs and Priority 2016/2017 Report after it has been submitted to the Provincial Parliament by the Minister of Community Safety and referred to the Committee as contemplated in Section 23 of the Western Cape Community Safety Act (Act 3 of 2013).
- 4.2 Have the Policing Needs and Priority 2016/2017 Report uploaded to the Western Cape Provincial Parliament's website and invite public representations on the Report; and
- 4.3 Engage with the PNP report in more depth and include stakeholder participation and public hearings for the 2018 Report.

The meeting was adjourned at 10:00.

A handwritten signature in black ink, appearing to read 'Ms MM Wenger', written over a faint, larger version of the same signature.

**MS MM WENGER, MPP**

**CHAIRPERSON: STANDING COMMITTEE ON COMMUNITY SAFETY**





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11/4/1/2/9

**MINUTES OF PROCEEDINGS**

**STANDING COMMITTEE ON COMMUNITY SAFETY**

*Friday, 18 August 2017 (at 10h50), Committee Room 2, 4<sup>th</sup> Floor, Cape Town*

**PRESENT**

**Members:**

**Democratic Alliance**

Wenger, M (Chairperson)

Kivedo, B

Mitchell, D

**African National Congress**

Lekker, P

**African Christian Democratic Party**

Christians, F

**Alternate**

Dijana, T

(See attached list of departmental officials and members of the public who were in attendance.)

**1. Welcome and introduction**

The Chairperson opened the meeting and welcomed the Members of the Committee, the Minister of Community Safety and his departmental officials, as well as of the public.

**2. Consideration of Vote 4: Community Safety in the schedule to the *Western Cape Adjustments Appropriation (Emergency Funds) Bill, 2017 [B 5-2017]***

Minister D Plato and Mr G Morris, the Head of the Department, gave brief overviews of the Emergency Funds of the Department. The Committee proceeded to a page-by page-discussion of the Adjusted Estimates of the Provincial Expenditure (Emergency Funds) relevant to the Department. The Committee deliberated and examined the Department on its Emergency Funds. Thereafter the Chairperson opened the meeting for submissions from the public.

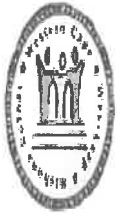
Having concluded the business of the day, the Chairperson thanked the Members of the Committee, the Minister and the Department for its contribution.

The Committee adjourned at 11:50

**MS MM WENGER, MPP**

**CHAIRPERSON: STANDING COMMITTEE ON COMMUNITY SAFETY**





WESTERN CAPE PROVINCIAL PARLIAMENT

STANDING COMMITTEE ON COMMUNITY SAFETY

ATTENDANCE REGISTER FOR DEPARTMENTAL OFFICIALS AND VISITORS

Date: ~~16~~ August 2017

18 August 2017

*WNA*

Committee Room 2, 4<sup>th</sup> Floor, 7 Wale Street

NAME	DESIGNATION	DEPARTMENT/INSTITUTION	CONTACT NO/EMAIL ADDRESS
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Lethem Phisoa	ASD	PT	<i>[Signature]</i>
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Wes-Kaapse Provinsiale Parlement  
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**MINUTES OF PROCEEDINGS**

**STANDING COMMITTEE ON COMMUNITY SAFETY**

Wednesday, 2 August 2017 (08h30), Committee Room 1, 7 Wale Street, Cape Town

**Liquor Regulations Update – Department of Community Safety and the WC Liquor Authority**

**ATTENDANCE**

**Members:**

**Democratic Alliance**

Wenger, M (Chairperson)  
Kivedo, B  
Mitchell, D

**African National Congress**

Lekker, P

**Alternate**

Dijana, T (ANC)

Please see the attached registers for a list of persons in attendance.

**Apology**

An apology was rendered on behalf of Member FC Christians.

**1. Welcome**

The Chairperson opened the meeting by welcoming all Members, officials from the Department of Community Safety (the Department) and the Western Cape Liquor Authority (WCLA).

**2. Presentation by the Western Cape Liquor Authority and the Department of Community Safety**

The WCLA and the Department presented separately. However, there was overlap in the presentations. The following therefore incorporates the key matters that emanated from both discussions on both presentations.

Dr L Mdunyelwa, the WCLA's Chief Executive Officer, provided a brief overview and thereafter allowed Mr P Prinsloo, Deputy Director: Communication, Education & Stakeholder Relations, to present on behalf of the WCLA. Mr Morris, Head of the Department of Community Safety, led the presentation on behalf of the Department.

The presentations included the salient amendments to the Regulations, as well as the preparation and challenges faced by WCLA in implementing the amended Regulations. These amendments include:

the appointment of substitute members of the Liquor Licensing Tribunal (LLT); the provisions that empower the Presiding Officer of the LLT to appoint managers under certain circumstances, the provisions that empower the LLT to conditionally grant applications for the transfer and removal of licences, and, the provisions that empower the Liquor Licensing Tribunal to grant applications for the letting of licensed premises.

Also amended is the introduction of a right of appeal or application for review of decisions of the Presiding Officer and Deputy Presiding Officers, in respect of temporary and event liquor licences. Another amendment is the introduction of a biennial renewal of licences.

The appeals process was also simplified to the extent applicants need not be present when an appeal is considered because the case file has to now include the reasons for the application being declined. Appellants may however request a hearing and to be present at it.

And there were also amendments to the administrative notices to be served on illegal traders by Liquor Inspectors, which includes issuing notices to illegal traders that it is an offence to trade without a licence, as well as information on how to apply for a licence. Another salient amendment is the fees and fine structure. The Department presented an argument to justify the use of a sliding scale that directs liquor licence holders to pay fees and/or fines commensurate to the volume of alcohol traded. The sliding scale approach has not yet been implemented and will be considered during the Alcohol Harms Reduction Green Paper review process.

Some of the WCLA's preparation for the implementation of the Regulations included using various platforms to communicate the amendments to the public and licence holders. Dr Mdunyelwa reported that the WCLA received positive feedback from the public at its recent roadshow in the Eden District. The roadshow dealt mostly with providing clarity regarding the liquor licence application processes. In terms of the Liquor Licensing Administration, there is a dual process of training staff in previous and amended legislation, the Standard Operating Procedures have been appropriately amended as well as the Liquor Management and Tracking System. There has also been streamlined implementations to assist the LLT as well as initiatives with law enforcement agencies to identify illegal traders.

Mr Prinsloo stated that despite successes with improved internal systems and business processes, there are capacity constraints within the LLT, the Liquor Licensing Administration, and Inspectors. Mr Morris informed the Committee that the City of Cape Town has been requested to revisit its (re)zoning rules. He added that there is a study being conducted to identify all the illegal liquor outlets in the province.

Mr Morris also reported that illegal traders purchase alcohol for trade from legal distributors. He further stated that the LLT has authority to fine up to R100 000 per case, for those legal distributors that sell alcohol to illegal outlets. This fining process takes place without the need for court involvement.

### **3. Resolution**

The Committee unanimously RESOLVED to support the idea of the introduction of a sliding scale to determine liquor licencing fees.

### **4. Requests**

The Committee REQUESTED the Department of Community Safety to please provide:

4.1 A copy of the research study being conducted on the problems within the liquor industry, specifically relating to sub-outlets and zoning, upon the completion of the research.

The Committee REQUESTED the Western Cape Liquor Authority to please provide:

- 4.2 The number of liquor licence applications received; the number of applications declined; the number of appeals and the successful appeals within this calendar year.
- 4.3 From 2016/2017 and 2017/2018 to date: (a) the number and (b) the value of fines issued.
- 4.4 In respect of the recent Education Amendment Act concerning the sale of alcohol by schools, to please provide the Committee with information on the Liquor Licencing Tribunal's role (if any) in considering licences for events at schools.

The meeting adjourned at 10:10am.

A handwritten signature in black ink, appearing to read 'Ms MM Wenger', written in a cursive style.

**Ms MM WENGER, MPP**  
**CHAIRPERSON: STANDING COMMITTEE ON COMMUNITY SAFETY**  
**WESTERN CAPE PROVINCIAL PARLIAMENT**

Annexure A



**WESTERN CAPE PROVINCIAL PARLIAMENT**  
**STANDING COMMITTEE ON COMMUNITY SAFETY**  
**ATTENDANCE REGISTER FOR DEPARTMENTAL OFFICIALS AND VISITORS**

Date: 02 August 2017  
 Committee Room 2, 4<sup>th</sup> Floor, 7 Wale Street

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