

<p>Kennis word hiermee gegee ingevolge Artikel 29(2) van die Plaaslike Regering: Munisipale Strukture Wet, 1998 (Wet 117 van 1998) soos gewysig, dat 'n Spesiale Raadsvergadering van die Munisipaliteit Witzenberg gehou sal word op Vrydag, 8 Desember 2023 om 15:30 in die Stadsaal, Voortrekkerstraat, Ceres.</p>	<p>Notice is hereby given in terms of Section 29(2) of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) as amended, that a Special Council meeting of the Witzenberg Municipality will be held in the Town Hall, Voortrekker Street, Ceres on Friday, 8 December 2023 at 15:30.</p>
---	---

Raadslede en amptenare / Councillors and officials		
Councillor TE Abrahams	Alderman K Adams	Councillor WJ Alexander
Councillor P Daniels	Councillor S de Bruin	Councillor GJ Franse
Councillor JP Fredericks	Councillor AL Gili	Councillor LA Hardnek
Councillor GG Laban (Executive Deputy Mayor)	Councillor JS Mouton	Councillor MJ Ndaba
Councillor N Nogcinisa	Councillor N Phatsoane	Councillor KA Robyn (Executive Mayor)
Councillor EM Sidego	Alderman HJ Smit	Councillor D Swart
Councillor IL Swartz	Alderman JJ Visagie	Councillor K Yisa
Councillor J Zalie		
Municipal Manager	Director: Finance	Director: Technical Services
Director: Corporate Services	Manager: Administration	Manager: Legal Services
Manager: Communication and Marketing	Chief Administrative Officer	Committee Clerk
Interpreter		



**COUNCILLOR P HERADIEN
SPEAKER**

6/10/23

A G E N D A

- 1. OPENING AND WELCOME / OPENING EN VERWELKOMING**

- 2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION**

- 2.1 Consideration of application for leave of absence, if any (3/1/2/1)**

*An Application for leave of absence form is attached as **annexure 2.1.***

NOTED

- 2.2 Confidentiality and Conflict of Interest Declaration (3/2/1)**

The Confidentiality and Conflict of Interest Declaration is attached as **annexure 2.2.**

- 3. RESERVED POWERS**

- 3.1 Draft Annual Report 2022/2023 (9/1/1)**

Memorandum from Director: Finance, dated 28 November 2023:

1. Purpose

The purpose of this report is to table the draft unaudited Annual Report for 2022/2023 to Council.

2. Legal framework

In terms of Section 127(2) of the Municipal Finance Management Act (Act 56 of 2003), the mayor of a municipality must, within seven months after the end of a financial year, table in the municipal council the annual report of the municipality and of any municipal entity under the municipality's sole or shared control. In terms of the Municipal Finance Management Act Council must adopt the final Audit Report within two months after the tabling of the Annual Report. The Annual Report will now be advertised for public comments. In terms of Council's delegations, the Municipal Public Accounts Committee is the oversight

Agenda: Special Council meeting 8 December 2023
Agenda: Spesiale Raadsvergadering 8 Desember 2023

committee which must compile an oversight report for consideration by Council before the Annual Report is adopted. The Annual Report includes the audited Financial Statements as well as the Audit Report of the Auditor-general of South Africa.

3. Discussion

The draft annual report will be distributed at the council meeting."

RECOMMENDED

- (a) *that notice be taken of the Draft Witzenberg Municipality Annual Report for 2022/2023.*
- (b) *that a Public Participation Process be followed as prescribed by law.*
- (c) *that the Municipal Public Accounts Committee (MPAC) compiles an oversight report on the Draft Annual Report as per its delegated powers.*
- (c) *that the following schedule for consideration of the report be adopted:*
 - (i) *Advertisement in local newspaper on or before 15 December 2023.*
 - (ii) *The Municipal Public Accounts Committee compiles an oversight report on the Draft Annual Report on or before 17 January 2024.*
 - (iii) *Council considers approval of the Annual Report and oversight report on or before 25 January 2024.*

**3.2 Report from Speaker on alleged charges against Councillors
(3/2/2)**

**3.3 Council matters: Council recess for festive season 2023/2024
(3/1/2/3)**

RECOMMENDED

- (a) *that the recess period of Council for the 2023/2024 festive season will be from 14 December 2023 until 12 January 2024.*
- (b) *that if the Speaker needs to call a Council meeting all Councillors must be available for a virtual Council meeting at all times.*
- (c) *that the Executive Mayor and Deputy Executive Mayor will be on standby during the recess period.*

**3.4 Reconnection of electricity over the festive season
(5/12/1/R)**

A memorandum from the Director: Finance, dated 28 November 2023, is attached as **annexure 3.4**.

RECOMMENDED

Option 1

that normal credit control measures be implemented during the festive season.

Option 2

- (a) that all residents have access to electricity and that no credit control measures be implemented for the period 21 December 2023 until 3 January 2024.*
- (b) Consumers whose electricity are disconnected because of tampering with their meters are excluded from this resolution.*
- (c) that the 30 % auxiliary be implemented for all consumers with prepayment electricity meters whose accounts are in arrears.*
- (d) that conventional consumers pay a deposit of R 1 000 ,00 as their electricity is supplied in advance.*
- (e) That the debt collection target for the 2023/2024 financial year be reduced with 2 % .*

3.5 Mafoko Security Services

**3.6 Proposed Council meeting program: January until June 2024
(3/1/2/3)**

Memorandum from Manager: Administration, dated 5 December 2023:

1. Purpose

To obtain the approval of the Executive Mayoral Committee as well as Council for the proposed Council meeting program for January until June 2024.

2. For decision

Council.

3. Executive summary

The Council meeting program and meeting schedule for January until June 2024 is attached as **annexure 3.6**. It is recommended that the attached program for the period January until June 2024 be approved. SALGA and the Western Cape Government have requested that municipalities finalise their own Council calendar dates in order for them to synchronise dates with everybody. SALGA indicated that due to the National and Provincial elections during the first semester of 2024, they are unable to plan any SALGA Working Group meetings during this period. Dates will be made available after the elections. The Council meeting program takes the position of SALGA into consideration and includes meeting dates from January until June 2024. The meeting dates for July until December 2024 will be tabled after the elections.

Council is requested to approve the meeting program for January until June 2024. The Council meeting program of the Witzenberg Municipality has been synchronised with the meeting dates of the Cape Winelands District Municipality and is now submitted to Council for approval.

4. Discussion

4.1 Background and discussion

In terms of Section 19 of the Local Government Municipal Systems Act (Act 32 of 2000) the Municipal Manager must give notice to the public in a manner determined by the Municipal Council of the time, dates and venues of every ordinary meeting of the Council and special or urgent meetings of the Council except when time constraints make this impossible.

The proposed Council meeting program for January until December 2023 provides the list of scheduled meetings of Council, the Executive Mayoral Committee, the various Section 80 Committees, Municipal Public Accounts Committee (MPAC), Performance, Risk and Audit Committee (PRAC), the Local Labour Forum (LLF) and the Senior Management with the applicable time, date, venue or modus of the meetings.

Senior Management meetings are once again proposed to be held every Monday, Section 80 Committee meetings on the third Tuesday and Thursday of every month, but meetings of the Committee for Housing Matters on the last Thursday of the month, Council workshops on the day prior to the Council meeting and Council meetings on the last Tuesday of the month, depending on specific circumstances. Council meetings are also synchronised with the Council meetings of the Cape Winelands District Municipality. Meetings of the Executive Mayoral Committee are scheduled twice a month. All meetings can be held virtually or in contact depending on circumstances at the time.

4.2 Constitutional and policy implications

Compliance with any health regulation in case of contact meetings and compliance with municipal IT Policy in case of virtual meetings.

4.3 Environmental implications

This program has no environmental implications.

4.4 Financial implications

The monthly Council meetings are published in the local community newspaper, the cost of which is duly budgeted for.

4.5 Legal implications

In terms of Section 19 of the Local Government Municipals Systems Act (Act 32 of 2000) the Municipal Manager must give notice to the public in a manner determined by the Municipal Council of the time, date and venue or modus of every ordinary meeting of the Council and special or urgent meetings of the Council except when time constraints make this impossible.

Council meetings are planned for every month except for June 2024. This exceeds the minimum requirement of one meeting per quarter as prescribed.

All legislative and policy requirements are complied with."

RECOMMENDED

that the proposed Council meeting program for January until June 2024 be approved.

4. MOTIONS AND NOTICE OF SUGGESTIONS

**4.1 Request for withdrawal of motion of no confidence in Speaker and Executive Mayor
(3/2/2)**

A letter dated 4 December 2023, requesting the withdrawal of a motion of no confidence in the Speaker and Executive Mayor as submitted on 24 November 2023, is attached as **annexure 4.1**.

RECOMMENDED

For consideration.

**4.2 Motion: No confidence and removal of Speaker from office
(3/2/2)**

A request, dated 4 December 2023, for an urgent meeting to table a motion of no confidence and the removal of the Speaker from office is attached as **annexure 4.2**.

RECOMMENDED

For consideration.

**4.3 Election of a Speaker
(3/1/1/4)**

LEGAL BACKGROUND

In terms of Section 36 of the Local Government: Municipal Structures Act, 1998 (Act 117/1998):

Each municipal Council must have a chairperson who will be called the Speaker. At its first sitting after its election, a municipal Council must elect its Speaker from among the Councillors.

The Municipal Manager of the municipality or, if the Municipal Manager is not available, a person designated by the MEC for local government in the province, presides over the election of a Speaker.

The procedure set out in Schedule 3 of the Structures Act applies to the election of a Speaker.

A Councillor may not hold office as Speaker and Mayor at the same time.

In terms of Section 38 of the said act, the Speaker is elected for a term ending when the next Council is declared elected, subject to that in terms of Section 39 a Speaker vacates office during a term if that person -

- Resigns as Speaker;
- Is removed from office by a resolution of Council; or
- Ceases to be a Councillor

PROCEDURE

Schedule 3 of the said Act, which deals with the election of municipal office-bearers, reads as follows:

"Application

1. *The procedure set out in this Schedule applies whenever a municipal Council meets to elect a Speaker.*

Nominations

2. *The person presiding at a meeting to which this schedule applies must call for the nomination of candidates at the meeting.*

Formal requirements

3. (1) *A nomination must be made on the form determined by the Municipal Manager.*
(2) *The form on which a nomination is made must be signed by two members of the municipal Council.*
(3) *A person who is nominated must indicate acceptance of the nomination by signing either the nomination form or any other form of written confirmation.*

Announcement of names of candidates

4. *At a meeting to which this schedule applies, the person presiding must announce the names of the persons who have been nominated as candidates, but may not permit any debate.*

Single candidate

5. *If only one candidate is nominated, the person presiding must declare that candidate elected.*

Election procedure

6. *If more than one candidate is nominated -*
a) *a vote must be taken at the meeting by secret ballot,*
b) *each Councillor present at the meeting may cast one vote; and*
c) *the person presiding must declare elected the candidate who receives a majority of the votes.*

Elimination procedure

7. (1) *If no candidate receives a majority of the votes, the candidate who receives the lowest number of votes must be eliminated and a further vote taken on the remaining candidates in accordance with item 6. This procedure must be repeated until a candidate receives a majority of the votes.*
(2) *When applying sub item (1), if two or more candidates each have the lowest number of votes, a separate vote must be taken on those candidates, and repeated as often as may be necessary to determine which candidate is to be eliminated.*

Further meetings

8. (1) *If only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, a further meeting must be held within seven days at a time determined by the person presiding.*
- (2) *If a further meeting is held in terms of sub item (1), the procedure in this Schedule must be applied at that meeting as if it were the first meeting for the election in question."*

The prescribed nomination form is attached as **annexure 4.3**.

RECOMMENDED

That the Speaker be elected.

**4.4 Acceptance speech by the Speaker
(03/1/1/4)**

RECOMMENDED

That the Speaker be granted the opportunity to address the Council.

**4.5 Handing over the chair to the Speaker
(3/1/1/4)**

The Speaker takes the chair and addresses the Council.

The various political parties are granted the opportunity to congratulate the Speaker on his/her election.

RECOMMENDED

For information.

**4.6 Motion: No confidence and removal of Executive Mayor from office
(3/2/2)**

A request, dated 4 December 2023, for an urgent meeting to table a motion of no confidence and the removal of the Executive Mayor from office is attached as **annexure 4.6**.

RECOMMENDED

For consideration.

**4.7 Election of Executive Mayor
(3/1/1/4)**

If a Municipal Council chooses to have an Executive Mayor it must, in terms of Section 55(1) of the Structures Act, elect an Executive Mayor and, if the MEC for Local Government in the province so approves, also a Deputy Executive Mayor, from among its members at a meeting that must be held within 14 days of the Council election.

In terms of Section 4 of the Section 16 Amendment Notice, Witzenberg Municipality is authorised to elect a Deputy Executive Mayor.

If a municipality chooses to have an Executive Committee System in terms of Section 48 of the Structures Act, it must elect a member of its Executive Committee as the Mayor and, if the MED for Local Government in the province so approves, another member of the Executive Committee as the Deputy Mayor of the municipality.

The procedures set out in Schedule 3 of the Structures Act apply to the election of an Executive Mayor and Deputy Executive Mayor and read as follows:

**"Act No 117, 1998 LOCAL GOVERNMENT : MUNICIPAL STRUCTURES ACT,
1998**

SCHEDULE 3

The election of a Mayor and Deputy Mayor takes place when the Executive Committee is elected or when it is necessary to fill a vacancy.

Election of municipal office-bearers

Application

1. *The procedure set out in this Schedule applies whenever a municipal Council meets to elect a Speaker, an Executive Mayor, an Executive Deputy Mayor, a Mayor or Deputy Mayor.*

LEGAL BACKGROUND

In terms of Section 48(1) of the Local Government : Municipal Structures Act, 1998 (Act 117 of 1998) a municipal Council must elect a member of its executive committee as the Mayor of the municipality.

Agenda: Special Council meeting 8 December 2023
Agenda: Spesiale Raadsvergadering 8 Desember 2023

The election of a Mayor takes place when the executive committee is elected or when it is necessary to fill a vacancy.

A Mayor is elected for the duration of that person's term as a member of the executive committee, but vacates office during a term if that person-

- (a) resigns as Mayor ;
- (b) is removed from office as a member of the Executive Committee in terms of Section 53 of the Local Government : Municipal Structures Act, 1998 (Act 117 of 1998) or

Nominations

- 2. *The person presiding at a meeting to which this schedule applies must call for the nomination of candidates at the meeting.*

Formal requirements

- 3. (1) *A nomination must be made on the form determined by the Municipal Manager.*
- (2) *The form on which a nomination is made must be signed by two members of the municipal Council.*
- (3) *A person who is nominated must indicate acceptance of the nomination by signing either the nomination form or any other form of written confirmation.*

Announcement of names of candidates

- 4. *At a meeting to which this Schedule applies, the person presiding must announce the names of the persons who have been nominated as candidates, but may not permit any debate.*

Single candidate

- 5. *If only one candidate is nominated, the person presiding must declare that candidate elected.*

Election procedure

- 6. *If more than one candidate is nominated –*
 - (a) *a vote must be taken at the meeting by secret ballot;*
 - (b) *each Councillor present at the meeting may cast one vote; and*
 - (c) *the person presiding must declare elected the candidate who receives a majority of the votes*

Elimination procedure

7. (1) *If no candidate receives a majority of the votes, the candidate who receives the lowest number of votes must be eliminated and a further vote taken on the remaining candidates in accordance with Item 6. This procedure must be repeated until a candidate receives a majority of the votes.*
- (2) *When applying sub item (1), if two or more candidates each have the lowest number of votes, a separate vote must be taken on those candidates, and repeated as often as may be necessary to determine which candidate is to be eliminated.*

Further meetings

8. (1) *If only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, a further meeting must be held within seven days at a time determined by the person presiding.*
- (2) *If a further meeting is held in terms of sub item (1), the procedure prescribed in this Schedule must be applied at that meeting as if it were the first meeting for the election in question.*
- (3) *If at the further meeting held in terms of sub item (1) only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, the person presiding at such meeting must determine by lot who of the two candidates will hold the office for which the election has taken place."*

The prescribed nomination form is attached as **annexure 4.7**.

RECOMMENDED

That the Speaker calls for nominations for the election of Executive Mayor.

4.8 Acceptance speech by the Executive Mayor (03/1/1/4)

RECOMMENDED

That the Executive Mayor be granted the opportunity to address the Council.

5. COUNCIL-in-COMMITTEE

These items are dealt with in the confidential agenda.

Verwysing / Reference: 3/1/2/1/

MUNISIPALITEIT WITZENBERG MUNICIPALITY

AANSOEK OM VERLOF TOT AFWESIGHEID / APPLICATION FOR LEAVE OF ABSENCE
 (Moet by kantoor van Munisipale Bestuurder ingedien word voor aanvang van vergadering / Must be handed in at office of Municipal Manager before commencement of meeting)

Naam van raadslid / Name of councillor: _____

Ek doen hiermee aansoek om verlof tot afwesigheid van / I hereby apply for leave of absence from:

VERGADERING / WERKSWINKEL / FORUM MEETING / WORKSHOP / FORUM	DATUM / DATE
Rede vir afwesigheid / Reason for absence:	

 DATUM / DATE

 HANDTEKENING / SIGNATURE



CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

**Special Council meeting, held in the Town Hall, Voortrekker Street, Ceres on Friday,
8 December 2023**

I, the undersigned, hereby declare:

- That as a Councillor and a participant of this meeting, I shall maintain strict confidentiality in respect of any information of a confidential nature to which I may become privy at meetings of the Witzenberg Council and shall only disclose such information as may become necessary or required for the proper performance of my duties and functions.
- That as a Councillor and a participant of this meeting, I shall declare any conflict of interest that may arise at every meeting and remove myself from any proceedings, in relation to that matter, giving rise to that conflict.

COUNCILLORS

Surname	Initials	Signature
Abrahams	TE	
Adams	K	
Alexander	WJ	
Daniels	P	
De Bruin	S	
Franse	GJ	
Fredericks	JP	
Gili	AL	
Hardnek	LA	

Surname	Initials	Signature
Heradien	P	
Laban	GG	
Mouton	JS	
Ndaba	MJ	
Nogcinisa	N	
Phatsoane	N	
Robyn	KA	
Sidego	EM	
Smit	HJ	
Swart	D	
Swartz	IL	
Visagie	JJ	
Yisa	K	
Zalie	J	

WITZENBERG

MUNISIPALITEIT UMASIPALA MUNICIPALITY

- MEMORANDUM -

AAN / TO: Municipal Manager

VAN / FROM: Director: Finance

DATUM / DATE: 28 November 2023

VERW. / REF.: 05/12/1/R

RECONNECTION OF ELECTRICITY OVER THE FESTIVE PERIOD

1. PURPOSE

To consider the reconnection of all electricity consumers over the festive period from 21 December 2023 until 3 January 2024.

2. LEGAL FRAMEWORK

In terms of Section 96 of the Municipal Systems Act (act 32 of 2000 as amended), Council must collect all money that is due and payable to it.

The accounting officer of a municipality must take all reasonable steps to ensure that the municipality has effective revenue collection systems in terms of Section 64 of the Municipal Finance Management Act (act 56 of 2003)

3. DISCUSSION

It has become customary for Council to reconnect the electricity supply of defaulters over the festive period. This is in the spirit of goodwill and to ensure that all households enjoy the festive season. In the past Council has drawn a distinction between the prepaid and the conventional consumers, they must pay a deposit of R 1 000-00 because the electricity is supplied in advance. If the deposit is not levied Council will incur a loss.

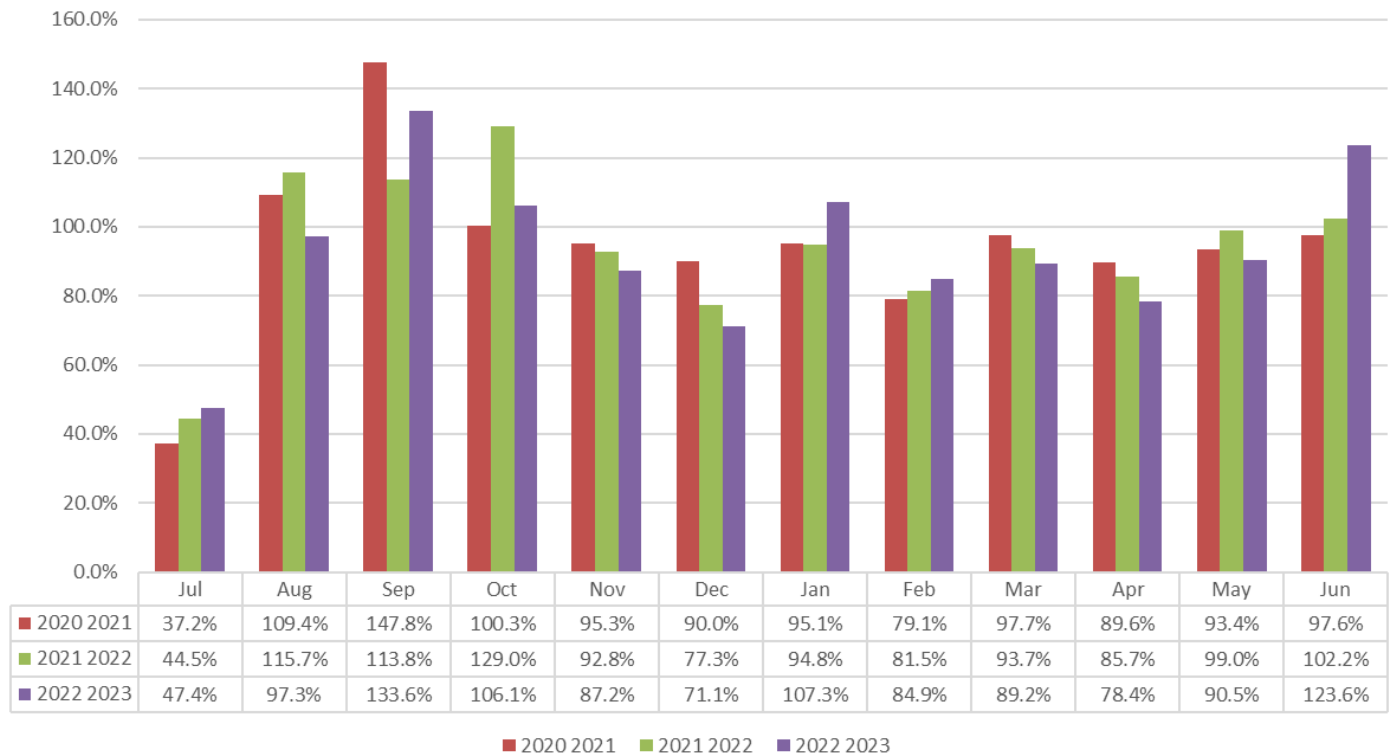
This act of goodwill had a negative effect on the debt collection performance of the municipality.

Although many people receive bonus payments in November or December the historic debt recovery for December is lower than other months. Unfortunately, some consumers who normally pay their accounts do not pay during December that create additional problems during January when they are expected to pay accounts for two months.

The following graph shows that the debt collection during December for the last two years were 77 and 71 percent respectively while our target is 94 percent. This low recovery percentage for December results in an additional 2% under recovery for the financial year.

The current year to date collection rate as 28 November is 87.3 percent compared to a target of 94 percent.

MONTHLY COLLECTION RATE



RECOMMENDATION

Option 1

That normal credit control measures be implemented during the festive season.

Option 2

- (a) that all residents have access to electricity and that no credit control measures be implemented for the period 21 December 2023 until 3 January 2024.
- (b) Consumers whose electricity are disconnected because of tampering with their meters are excluded from this resolution.
- (c) that the 30% auxiliary be implemented for all consumers with prepayment electricity meters whose accounts are in arrears.
- (d) that conventional consumers pay a deposit of R 1 000 ,00 as their electricity is supplied in advance.
- (e) That the debt collection target for the 2023/2024 financial year be reduced with 2%.

Yours faithfully

H J Kritzinger
DIRECTOR FINANCE



COUNCIL MEETING SCHEDULE: JANUARY UNTIL JUNE 2024

MONTH	DATE	TIME	VENUE	MEETING
January	15	10:00	Council Chambers	MPAC
	18	14:00	Town Hall, Ceres	Local Labour Forum
	22	09:00	Virtual meeting / Council Chambers	Senior Management
	23	10:00	Town Hall, Ceres	Council workshop meeting
	24	10:00	Town Hall, Ceres	Council meeting
	25	10:00	Town Hall, Ceres	Committee for Housing Matters
	26	09:00	Virtual meeting / Council Chambers	Performance, Risk and Audit Committee (PRAC)
	29	09:00	Virtual meeting / Council Chambers	Senior Management
	30	10:00	Council Chambers	Executive Mayoral Committee
February	5	09:00	Virtual meeting / Council Chambers	Senior Management
	6	10:00	Council Chambers	Executive Mayoral Committee
	12	09:00	Virtual meeting / Council Chambers	Senior Management
	13	10:00	Town Hall, Ceres	Committee for Corporate and Financial Services
		14:00	Town Hall, Ceres	Committee for LED & Tourism
	15	10:00	Town Hall, Ceres	Committee for Community Development
		14:00	Town Hall, Ceres	Committee for Technical Services
	19	09:00	Virtual meeting / Council Chambers	Senior Management
	20	10:00	Council Chambers	Executive Mayoral Committee
	22	14:00	Town Hall, Ceres	Local Labour Forum
	26	10:00	Town Hall, Ceres	Council workshop meeting
	27	10:00	Town Hall, Ceres	Council meeting
	29	10:00	Town Hall, Ceres	Committee for Housing Matters

MONTH	DATE	TIME	VENUE	MEETING
March	4	09:00	Virtual meeting / Council Chambers	Senior Management
	5	10:00	Council Chambers	Executive Mayoral Committee
	11	09:00	Virtual meeting / Council Chambers	Senior Management
	12	10:00	Council Chambers	Executive Mayoral Committee
	14	14:00	Town Hall, Ceres	Local Labour Forum
	18	09:00	Virtual meeting / Council Chambers	Senior Management
	19	10:00	Town Hall, Ceres	Council workshop meeting
	20	10:00	Town Hall, Ceres	Council meeting
	27	10:00	Town Hall, Ceres	Committee for Housing Matters
April	2	10:00	Council Chambers	Executive Mayoral Committee
	8	09:00	Virtual meeting / Council Chambers	Senior Management
	9	10:00	Town Hall, Ceres	Committee for Corporate and Financial Services
		14:00	Town Hall, Ceres	Committee for LED & Tourism
	11	10:00	Town Hall, Ceres	Committee for Community Development
		14:00	Town Hall, Ceres	Committee for Technical Services
	12	10:00	Virtual meeting / Council Chambers	Municipal Public Accounts Committee
	15	09:00	Virtual meeting / Council Chambers	Senior Management
	16	10:00	Council Chambers	Executive Mayoral Committee
	18	14:00	Town Hall, Ceres	Local Labour Forum
	19	09:00	Virtual meeting / Council Chambers	Performance, Risk and Audit Committee (PRAC)
	22	09:00	Virtual meeting / Council Chambers	Senior Management
	23	10:00	Council Chambers	Executive Mayoral Committee
	25	14:00	Town Hall, Ceres	Committee for Housing Matters
	29	10:00	Town Hall, Ceres	Council Workshop
30	10:00	Town Hall, Ceres	Council Meeting	
May	6	10:00	Virtual meeting / Council Chambers	Senior Management meeting
	7	10:00	Council Chambers	Executive Mayoral Committee
	13	10:00	Virtual meeting / Council Chambers	Senior Management meeting
	14	10:00	Council Chambers	Executive Mayoral Committee
	16	14:00	Town Hall, Ceres	Local Labour Forum
	20	10:00	Virtual meeting / Council Chambers	Senior Management meeting
	21	10:00	Council Chambers	Executive Mayoral Committee
	27	10:00	Town Hall, Ceres	Council workshop meeting
	28	10:00	Town Hall, Ceres	Council meeting
	31	10:00	Town Hall, Ceres	Committee for Housing Matters

MONTH	DATE	TIME	VENUE	MEETING
June	3	09:00	Virtual meeting / Council Chambers	Senior Management
	4	10:00	Council Chambers	Executive Mayoral Committee
	10	09:00	Virtual meeting / Council Chambers	Senior Management
	11	10:00	Town Hall, Ceres	Committee for Corporate and Financial Services
		14:00	Town Hall, Ceres	Committee for LED & Tourism
	12	10:00	Town Hall, Ceres	Committee for Housing Matters
	13	10:00	Town Hall, Ceres	Committee for Community Development
		14:00	Town Hall, Ceres	Committee for Technical Services
	18	09:00	Council Chambers	Executive Mayoral Committee
24	09:00	Virtual meeting / Council Chambers	Senior Management	

The Speaker – Cllr P Heradien

Witzenberg Municipality

50 Voortrekker Road

CERES

6835



Date : 4 DECEMBER 2023

REQUEST FOR WITHDRAWAL OF A MOTION OF NO-CONFIDENCE IN THE SPEAKER AND EXECUTIVE MAYOR SUBMITTED BY THE UNDERSIGNED COUNCILLORS ON THE 24TH OF NOVEMBER 2023

We the undersigned Councillors of Witzenberg Municipality hereby request to withdraw the motion of no-confidence in the Speaker and Executive Mayor submitted on the 24th of November 2023.

Dated and signed at CERES on the 4th DECEMBER 2023

1. PATEIC DANIELS
Name & surname

Signature

2. LEA ANGETTA HARTNER
Name & surname

Signature

3. KARRIEN ADAMS
Name & surname

Signature

4. TREVOR ABRAHAMS
Name & surname

Signature

5. Dirk Swart




5. ~~LEA ANNETA HARDING~~
Name & surname



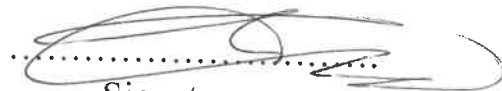
Signature

6. Hennie Smit
Name & surname



Signature

7. ELIZABETH SIDECOT
Name & surname



Signature

8. John P. Fredericks
Name & surname



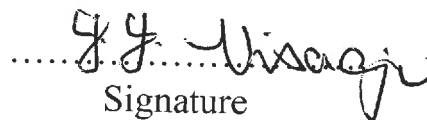
Signature

9. Gert Lubbe
Name & surname



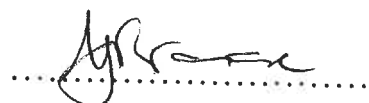
Signature

10. Ronald Visagie
Name & surname



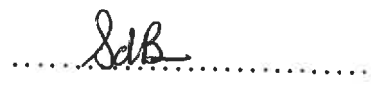
Signature

11. Gwen Franse
Name & surname



Signature

12. Sophia De Bruin
Name & surname



Signature

4.23/2/2

The Speaker
Witzenberg Municipality
50 Voortrekker Road
CERES
6835



Date : ...4... DECEMBER 2023

REQUEST FOR AN URGENT MEETING TO TABLE A MOTION OF NO CONFIDENCE AND TO REQUEST THE REMOVAL OF THE SPEAKER FROM OFFICE

In terms of Section 29 of the Local Government Municipal Structures Act 117/1998 as amended by Act 3 of 2021 effective from November 2021 in terms of Section 18(2) when the majority of Councillors request the Speaker in writing to convene a Council Meeting, the Speaker must convene a meeting at a time set out in the request.

We the undersigned majority of councillors of Witzenberg Municipality hereby request you as Speaker to convene an urgent Special Council Meeting on the ...8th DECEMBER 2023... at .9h.00... in the Ceres Town Hall, 50 Voortrekker Road, Ceres, 6835. In terms of the said Act as well Rule 6(a) of the Witzenberg Council's Rules of Order, the majority of council can request a Special Council meetin by given 72 hours notice which is regarded as reasonable notice.

You are requested to give instructions to the Municipal Manager before14h.00... on .4... DECEMBER 2023..... to prepare the Council Agenda and for you to sign off failing which the Municipal Manager will be requested to comply with his responsibility in terms of Section 29(1)(A) of the amended Municipal Structures Act.

The business of the day at the urgent Special Council meeting will be :

- (a) To table a motion of no confidence in the Speaker and have the Speaker removed;
- (b) To elect a new Speaker of the Witzenberg Council

Legislative background :

In terms of Section 40 of the Local Government Structures Act 117 of 1998, a municipal council by resolution may remove its Speaker from office. Prior notice of an intention to move a motion for the removal of the Speaker must be given.

The reason for the vote of no-confidence in the Speaker is a result of :

1. The Speaker being partial in Council meetings;
2. The majority of Councillors having a total lack of trust and confidence in the Speaker to exercise his oversight and other responsibilities in terms of the said Structures Act;
3. The Speaker putting his political party interest before the interest of Council.

Dated and signed at CERES on the ...4th DECEMBER 2023

NAME AND SURNAME	SIGNATURE
1. GERT LABAN	
2. JOHN FREDERICKS	
3. LEA HARDNEK	
4. ELIZABETH SIDEGO	
5. TREVOR ABRAHAMS	
6. HENNIE SMIT	
7. PATRIC DANIELS	
8. KARRIEM ADAMS	
9. DIRK SWART	
10. SOPHIA DE BRUIN	
11. GWEN FRANSE	
12. RONALD VISAGIE	

Receiving acknowledgement.

Councillor P Heradien

Mnr David Nasson

Speaker

Municipal Manager

.....

.....

Date:

Date: 09/12/2023



**NOMINASIEVORM VIR DIE AMP VAN SPEAKER
NOMINATION FORM FOR OFFICE OF SPEAKER**

Ek, die ondergetekende, nomineer hiermee die volgende raadslid vir die amp van Speaker:
I, the undersigned, hereby nominate the following councillor for the office of Speaker:

Naam van nomineerder / Name of nominator	
Handtekening van nomineerder / Signature of nominator	
Datum / Date	

Ek, die ondergetekende, aanvaar hiermee my nominasie as Speaker
I, the undersigned, hereby accept my nomination as Speaker

Naam van genomineerde / Name of nominee	
Handtekening van genomineerde / Signature of nominee	
Datum / Date	

The Speaker
Witzenberg Municipality
50 Voortrekker Road
CERES
6835



Date : 4th DECEMBER 2023

REQUEST FOR AN URGENT MEETING TO TABLE A MOTION OF NO CONFIDENCE AND TO REQUEST THE REMOVAL OF THE EXECUTIVE MAYOR FROM OFFICE

In terms of Section 29 of the Local Government Municipal Structures Act 117/1998 as amended when the majority of Councillors request the Speaker in writing to convene a Council Meeting, the Speaker must convene a meeting at a time set out in the request.

We the undersigned majority of councillors of Witzenberg Municipality hereby request you as Speaker to convene an urgent Special Council Meeting on the 4th DECEMBER at 9. h.o.o. in the Ceres Town Hall, 50 Voortrekker Road, Ceres, 6835. In terms of the said Act as well Rule 6(a) of the Witzenberg Council's Rules of Order, the majority of council can request a Special Council meetin by given 72 hours notice which is regarded as reasonable notice.

You are requested to give instructions to the Municipal Manager before 14. h.o.o. on 4 DECEMBER 2023 to prepare the Council Agenda and for you to sign off failing which the Municipal Manager will be requested to comply with his responsibility in terms of Section 29(1)(A) of the amended Municipal Structures Act.

The business of the day at the urgent Special Council meeting will be :

- (a) To table a motion of no confidence in the Executive Mayor and have the Executive Mayor removed;
- (b) To elect a new Executive Mayor of the Witzenberg Council

Legislative background :

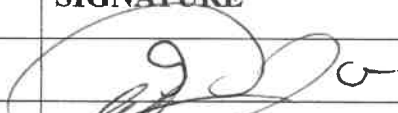
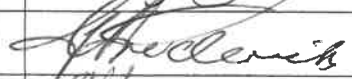
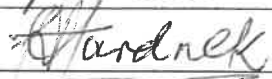

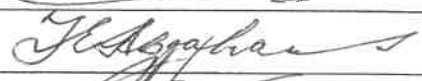

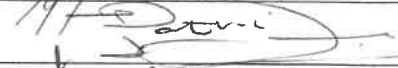
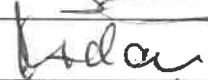
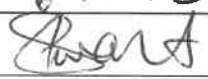
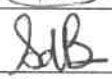
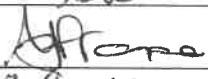
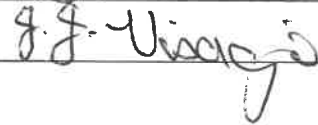
In terms of Section 58 of the Local Government Structures Act 117 of 1998, amended in terms of Act 3 of 2021 a municipal council by resolution may remove its Executive Mayor from office. Prior notice of an intention to move a motion for the removal of the Executive Mayor or the Deputy Executive Mayor must be given.

The reason for the vote of no-confidence in the Executive Mayor is a result of :

1. The failure of the Executive Mayor to act in good faith, honesty and transparent according to the Code of Conduct set out in Schedule 7 of Act 117 of 1998 as per Local Government Structures Amendment Act, 2021;
2. The majority of Councillors having a total lack of trust and confidence in the Executive Mayor to exercise the Functions and Powers of executive mayor in terms of Section 56 of the said Structures Act;

3. The Executive Mayor, Cllr Katriena Robyn, has her own interest and that of her political party at heart and not the interest of the Municipality and the broader community of the Witzenberg.

Dated and signed at CERES on the ~~14~~¹⁷ DECEMBER 2023

NAME AND SURNAME	SIGNATURE
1. GERT LABAN	
2. JOHN FREDERICKS	
3. LEA HARDNEK	
4. ELIZABETH SIDEGO	
5. TREVOR ABRAHAMS	
6. HENNIE SMIT	
7. PATRIC DANIELS	
8. KARRIEM ADAMS	
9. DIRK SWART	
10. SOPHIA DE BRUIN	
11. GWEN FRANSE	
12. RONALD VISAGIE	

Receiving acknowledgement.

Councillor P. Heradien

Speaker

.....

Date:.....

Mr. David Nasson

Municipal Manager


.....

Date: 24/12/2023



**NOMINASIEVORM VIR DIE AMP VAN UITVOERENDE BURGEMEESTER
NOMINATION FORM FOR OFFICE OF EXECUTIVE MAYOR**

Ek, die ondergetekende, nomineer hiermee die volgende raadslid vir die amp van Uitvoerende Burgemeester:
I, the undersigned, hereby nominate the following councillor for the office of Executive Mayor:

Naam van nomineerder / Name of nominator	
Handtekening van nomineerder / Signature of nominator	
Datum / Date	

Ek, die ondergetekende, aanvaar hiermee my nominasie as Uitvoerende Burgemeester
I, the undersigned, hereby accept my nomination as Executive Mayor

Naam van genomineerde / Name of nominee	
Handtekening van genomineerde / Signature of nominee	
Datum / Date	