Oversight Mechanisms in Local Government

A Case of Ekurhuleni Metropolitan Municipality in South Africa

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ABSTRACT

This article aims to enhance the understanding of the separation of powers governance framework in local government. The key objective of this article is to highlight how the Ekurhuleni Metropolitan Municipality established legislative mechanisms to foster greater oversight and separation of powers within their governance structures. It demonstrates that the relevance of the available mechanisms in current legislation can lead to the practical separation of executive and legislative powers as well as sound oversight within the municipality. The article acknowledges the conflation of executive and legislative functions in the municipal council as stipulated in the Constitution of the Republic of South Africa, 1996 section 151(2) which resulted in a lack of clarity of the roles of office bearers including an oversight deficiency. The exploration establishes that the use of mechanisms stipulated by the current legislation can enhance accountability and oversight to ensure checks and balances in the municipality. The article illustrates the importance of the section 79 committees as an oversight mechanism (established in respect of Section 43 of the Local Government: Municipal Structures Act, 1998 of the municipal council in relation to the separation of powers governance framework. The separation of powers governance model was utilised to obviate the concentration of abundant supremacy of the executive.

INTRODUCTION

Local government is significant because it is the sector of government closest to its citizens. The local government mandate as stipulated in the *Constitution of the Republic of South Africa*, 1996 (hereafter referred to as the Constitution) is to promote independent

and responsible government for local communities. According to the Department of Cooperative Governance and Traditional Affairs (COGTA) (2009:10), inadequate accountability and poor governance are the primary challenges in respect of service delivery in Gauteng. In responding to these challenges, the municipal council of the Ekurhuleni Metropolitan Municipality (EMM) approved a governance model based on the separation of legislative and executive powers in August 2011 (EMM 2011:08). The governance model seeks to promote effective oversight and accountability through the allocation of powers and functions among the legislative and the executive authority in the municipality. This article evaluates the role of the oversight committees in the separation of powers governance model in the municipality. The current legal status of the governance model of local government defines the roles, responsibilities and mandate for political structures including political office bearers is of significance for this article. While the 1996 Constitution clearly outlines the procedures for a separation of powers governance model in the national and provincial spheres of government, it is not explicit with regard to local government. Furthermore, the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) sanctions that all the powers and functions of a municipality are bestowed within the municipal council. The EMM separation of powers governance model was designed such that it complies with existing National and Provincial legislation relating to municipalities. The separation of powers governance model was implemented to prevent the concentration of excessive power in the hands of the executive. Therefore, the foundation for the creation of such checks and balances is to avoid the misappropriation of authority by the executive arm of the municipal council.

THEORETICAL FOUNDATIONS AND BACKGROUND

The intention of the separation of powers governance model is founded in John Locke and Charles de Montesquieu's constitutional theory (Landsberg and Graham 2017:62). The Constitution of the United States was established on the separation of powers, which stipulates a formal division between the legislature and the executive, ensuing in a presidential system of government with checks and balances. This was apparent when the American Constitution was approved and the contemporary understanding of the principle of the separation of powers was advanced. This system was divided into two fundamentals of separation contained within the principles of trias politica that is the division of functions and the division of personnel. Therefore, the diverse branches of the state is required to check on each other in order to uphold an equilibrium of supremacy between them (Mojapelo 2013:44). Charles de Montesquieu in Mojapelo (2013:38) asserts that it would be ineffective if the same individual, or the identical institution of officials implement these three authorities namely: construct laws, effect the demands of the community and mediate misconduct or disagreements of individuals. By authorising legal state power, the principle of the separation of powers establishes three distinct institutions which must ensure that each institution checks and balances each other. In South Africa, section 55 of the 1996 Constitution requires the legislature to establish mechanisms to uphold oversight over the national executive authority. Consequently, the invariable principles were applied in the separation of powers governance model in Ekurhuleni Metropolitan Municipality. This



separation limits conflict of interest, a referee/player status and is comparable to the role of portfolio committees in parliament.

The systems theory provides a theoretical base for institutionalising the separation of powers governance model. Accordingly, the systems approach to management, an institution as a group of interconnected parts with a single resolution is necessary to remain in equilibrium. Thornhill and Van Dijk (2015:182) posit that the systems theory acknowledges the complex nature of governance given the existence of subsystems, interrelatedness and interdependence. For the effective implementation of the separation of powers governance model, the municipality implemented oversight mechanisms to advocate accountability of the executive. From the systems perspective of management, administration should maintain a balance between the various parts of the organisation including the executive and the legislature to ensure effective oversight of activities. The association between the executive and the legislature should be goal-orientated to ensure the systems are aligned to achieve improved services in the municipality. The systems approach accentuates that the activities in one part of an organisation affect those in another. Similarly, the executive must effect the municipal council decision while the legislature is required to conduct its oversight role. The systems approach also implies that the whole is greater than the sum of its part, which implies that synergy between the executive and the legislature is imperative (Smit and Cronje 2013:62).

SEPARATION OF POWERS

The separation of powers system was derived from statutory principle five of the *Interim Constitution of South Africa*, 1993 which acknowledged the separation of powers between the legislature, executive and judiciary with suitable checks and balances to guarantee answerability, transparency and honesty. Consequently, the Constitution approved in 1996 had to validate this principle. The 1996 Constitution dedicates three distinct chapters on the separation of powers. Chapter 4 of the 1996 Constitution confers explicit functions and powers to the legislature. Chapter 5 describes the president and national executive while chapter 8 is dedicated to the courts and administration of justice (Venter and Landsberg 2013:52).

Separation of powers

The objective of the separation of powers of the three spheres of government, executive, legislature and judiciary is to circumvent the exploitation of authority. According to Landsberg and Graham (2017:62), the principles of the separation of powers is that permissible political authority may not be assigned to individuals or a single institution in a state. Admittedly the nature of a state and its powers are essentially interdependent and interrelated, therefore, complete separation is impossible. Mojapelo (2013:37) describes the separation of powers as the division of explicit roles, obligations, and tasks to individual institutions with a defined interpretation of competence and authority. The legal framework of the fundamentals of the legislative, executive and judicial authority is as follows:

• Legislative authority in all spheres of government has a number of generic functions namely: law-making, control, financial, reconciliation and representation functions

- (Thornhill 2012:39). Thornhill (2012:149) further argues that legislatures have the final say regarding legislation and budgetary proposals submitted to them.
- Thornhill and Van Dijk (2015:63) posit that the executive authority gives effect to the decisions made by legislatures.
- In the judicial authority, the regulations and rules of the state are understood, defended and prescribed (Thornhill 2012:18).

The separation of powers underscores that one of the three spheres of government is responsible to enact laws. Consequently, the institution is neither responsible for the implementation of laws nor take judicial decisions (Mojapelo 2013:37). Section 41(1) of the 1996 Constitution, guides the three spheres of government to honour its authentic position in another sphere and not to assume any authority or role apart from those conferred on them. According to De Villiers (2008:4), co-operative government implies that all partisan formations and other partakers must honour, value and support the presence of the three spheres of government. Furthermore, Van der Vyver in Mojapelo (2013:37-38) hold that the concept of the separation of powers ultimately advanced into a model encompassed the following basic principles:

- The principle of the *trias politica* comprises of a recognised division of the three autonomous structures of government authority.
- The value of the separation of personnel requires that the same staff not be allowed to serve more than one organ of state simultaneously.
- The principle of the separation of powers and functions of the three organs of state authority must inhibit interference or performance of tasks entrusted by law in another government structure.
- The principle of checks and balances requires each organ be assigned distinct rules intended to serve as a check of the application of functions.

According to the principle of the separation of functions, each structure of the state authority should be assigned for suitable purposes only. The legislature ought to enact laws, the executive confine its actions to managing the activities of the state while the judiciary limits itself to the role of judgement.

OVERSIGHT

The purpose of the separation of roles between the executive and the legislature is to strengthen the oversight function of public representatives in Ekurhuleni Metropolitan Municipality. Moreover, it seeks to achieve the objects of local government as stipulated in section 152 of the 1996 Constitution, that is, foster a democratic and accountable government.

Significance of oversight

The term oversight is used to define a large number of activities executed by legislatures in relation to the executive. According to the South African Legislative sector (2012:2),



oversight can be defined as the active interface between a legislature with the executive and administrative structures that improve the delivery of predetermined objectives of government priorities. Griffin (2005:1206) argues that legislatures efficiently position themselves as overseers of the executive and act as protectors of morality on behalf of the residents. The 2009 South African accountability model describes oversight as a constitutionally assigned function of the legislative structures to analyse and evaluate the work of the executive organ of state. Furthermore, oversight entails overseeing the work of the executive in the quest to enhance service delivery to achieve improved living conditions for all residents. Where service disruptions transpire or grievances arise, instruments should be available to hold the executive to respond in terms of their decisions or lack of action (EMM 2011:9). The *Local Government: Municipal Structures Act*, 1998 (Act 117 of 1998) provides basic requirements for the establishment of committees. Therefore, section 79 committees should assist the municipal council to conduct oversight.

Oversight and accountability

"Public administration must be accountable" is one of the basic morals and principles enshrined in Section 195 of the 1996 Constitution. According to Brugge (2008:2), accountability can be described as a social rapport. The ministers, departments and state owned entities are compelled to explain and validate their actions to the accountability sector, which in this instance refers to the legislature. This generally refers to giving account on actions and spending. In the South African context, this definition responds to the Public Finance Management Act, 1999 (Act 1 of 1999) concept of public officials being administratively accountable. At local government, the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) requires municipalities to prepare and adopt annual reports to encourage accountability to the residents for services rendered during the year by the municipality. Hedger and Blick (2008:15) argue that the accountability relationship is a horizontal one, and is made possible by the well-defined separation of powers between the executive and the legislative authority. Furthermore, this lays a foundation of an independent system of government. Consequently, the promotion of accountability by the executive is linked with the requirement to accelerate good governance. According to the World Bank (2012:xii), good governance refers to a policy approach that highlights the roles of the political, organisational and economic standards of lawfulness and efficacy in the daily operations of the public sector. In this regard the legislature makes use of oversight committees to promote good governance, which implies that government and in this instance local government should fulfil their responsibilities while oversight committees assist to create greater accountability on behalf of the executive.

EKURHULENI METROPOLITAN MUNICIPALITY OVERSIGHT COMMITTEES

The municipal council regulates as well as delegates the functions and powers of oversight committees. The Local *Government: Municipal Structures Act,* 1998 (Act 117 of 1998)

stipulates that the executive is entitled to receive reports from oversight committees and refer these with recommendations to the municipal council.

Establishment of oversight committees

The South African Local Government Association (SALGA discussion document 2015) states that municipalities must clearly understand the difference between section 80 portfolio committees, reporting to the mayoral committee and section 79 committees of council which are accountable to the municipal council. The discussion document further asserts that the legislative and oversight structure refers to the speaker of the municipal council including the chairpersons of section 79 oversight committees and its members. Furthermore, the discussion documents identify section 79 oversight committees as another mechanism for effective oversight and accountability in municipalities. Although the 1996 Constitution assigns the legislative and executive power to the municipal council in its entirety, it should not implement restrictions on oversight. The legislative framework for municipality's consents adequate opportunity to promote oversight and scrutiny. Thornhill and Cloete (2014:87) posit that the *Local Government: Municipal Systems Act*, 2000 (Act 32 of 2000) was reformed on numerous occasions to provide for the essential fundamentals, instruments and practices that are crucial to assist municipalities to advance societal and financial growth. The separation of power governance model can be considered as one of the instruments.

Section 79 oversight committees: Legislative framework

In 2011 Ekurhuleni Metropolitan Municipality approved the system of the separation of powers governance model, establishing section 79 oversight committees as per schedule 5 of the Local Government: Municipal Structures Act 1998 (Act 117 of 1998). These oversight committees comprised of a chairperson elected by the municipal council, members of the committee were selected by the chief whip of the municipal council, as well as a committee secretary and a researcher. Thornhill and Cloete (2014:59) argue that every municipal council and its members play a prominent role to achieve the goals of the legislative and governmental functions that directly affect their organisational tasks. Section 53 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) defines the specific governance roles and areas of accountability of each political institution. Furthermore, in terms of section 59 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), the municipal council must create a system of delegation that will improve its administrative and operational efficiency and deliver satisfactory checks and balances. Furthermore, the municipal council is required to delegate institutional powers to a political structure, political office bearer, and councillor or staff member. In terms of section 79 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) a municipal council may form committees to enhance performance. The latter committees play an oversight role which is in contrast to section 80 portfolio committees because they do not report to the executive. Section 79 oversight committees permit the legislature to play an appropriate role in the separation of powers governance model. The committees can be delegated any function of council, the primary of which is scrutiny and oversight over the executive (EMM 2011).



The structure of oversight committees

Section 79 oversight committees replaced section 80 portfolio committees. Table 1 compares section 79 oversight committees to section 80 portfolio committees.

Table 1: Section 79 and 80 committees: comparison

Section 79 Oversight Committee	Section 80 Portfolio Committee	
Municipal council regulates functions and may delegate powers and duties.	Executive Mayor delegates powers and duties.	
Municipal council elects the chairperson.	Chairperson appointed by Mayor.	
Oversight committee may invite non –councillors.	Committee comprises of councillors only.	
Oversight committee plays an oversight role of the actual performance of the municipal council.	Committee is designed to assist only the Mayor.	

Source: Ekurhuleni Metropolitan Municipality councillor handbook 2011

Section 79 oversight committees have the power to request departments and members of the mayoral committee to account on the outputs and performance of their functions (EMM Oversight Committee Terms of Reference 2011). Section 80 portfolio committees serve at the sole discretion of the executive mayor.

Responsibilities and functions of oversight committees

Through the implementation of the separation of powers governance model the following responsibilities were assigned to the legislature: law-making, oversight and public participation.

Table 2: Oversight committee's responsibilities and functions: law making

Responsibility	Function	
The municipal council regulates the functions and may delegate authority and tasks to the oversight committees.	Develop and adopt policies, plans, strategies and programmes.	
Municipal council appoints oversight committee chairpersons.	Chairpersons oversee the development of the annual performance plan of the oversight committee.	
Oversight committee may initiate by-laws and review thereof.	Recommendations to municipal council to approve by-laws.	
Oversight committee consider all matters reserved for the municipal council.	Develop recommendations for the municipal council.	

Source: Ekurhuleni Metropolitan Municipality council agenda August 2011

The activities involved in law making include, initiating and approving policies, plans and programmes as well as the setting of service standards. Legislatures scrutinise the law making process to influence the final legislation.

Table 3: Oversight committee's responsibilities and functions: oversight

Responsibility	Function	
Oversight committee plays an oversight role for the actual performance of the executive.	 Review quarterly service delivery budget implementation plan (SDBIP). Review the municipality's annual report. 	
Oversight committee monitor the implementation of by-laws.	Scrutinise compliance with the constitutional obligations by the executive on the implementation of by-laws.	
Oversight committee monitors the executive's programmes: Conduct inspections in loco.	Conduct oversight of the delivery of services to communities such as oversight visits. Focus on intervention studies.	
Oversight committee monitors the spending of the municipal budget.	Monitor spending patterns, for example, overspending and under-spending of votes.	

Source: Ekurhuleni Metropolitan Municipality council agenda August 2011

Oversight entails an analysis of whether the executive is conducting their business in a manner that is legally compliant and based on good governance principles. In particular, it will encompass areas in the competency of audit and risk management. At a local sphere, it may pay particular attention to the Auditor-General's audit report including the internal auditors and audit committees such as the service delivery budget implementation plan. Oversight is crucial to support processes of clean audit and prevent issues highlighted in the Auditor-General's report from being repeated (Ekurhuleni Metropolitan Municipality Councillors Handbook 2011).

Table 4: Oversight committee's responsibilities and functions: public participation

Responsibility	Function	
Oversight committee must ensure community involvement.	Engage community on integrated development plan.	
Ensure community empowerment to enable meaningful participation.	Ensure access to information to municipal documents.	
Stakeholder involvement.	Engage with interest groups. Encourage deputations to oversight committees.	
Initiate by-laws.	Hold public hearings on by-laws.	

Source: Ekurhuleni Metropolitan Municipality council agenda August 2011

Public participation must inspire an ethos of municipal governance that compliments official representative government. Participatory governance includes community involvement and relationship building. Community empowerment is vital to enable meaningful participation. Public hearings give the public in general or stakeholders in particular the opportunity to comment on pertinent issues.

THE OVERSIGHT COMMITTEES' ROLE IN COUNCIL DECISION-MAKING

Section 79 committees are linked to a specific executive department as referred to in the system of delegation in the Ekurhuleni Metropolitan Municipality. The committees are



responsible for monitoring and overseeing the department's budget, consider reports as well as make recommendations to council.

Interface between the legislature and the executive

The process flow for municipal council decision-making outlines the interface between the legislature and the executive including the role of the oversight committees in recommendations to the municipal council.

The first step is the submission of reports and information from the municipal departments to the mayoral committee cluster to consider whether the matter impacts on more than one department or if it has to be considered by the mayoral committee who may finalise matters in terms of their delegated authority. The mayoral committee reports on matters that are reserved for council, to the leader of executive business, speaker of council and thereafter to the programming committee. Based on the programming

Interface between the Legislature and the Executive: Order of Process flow for Council decision making The procedure for ensuring Council decisions in respect of matters emerging from the executive to the legislative arm of Council should be as follows: **Municipal Departments Mayoral Committee (Clusters) Executive Mayor and Mayoral Committee Leader of Executive Business** Speaker **Programming** Depending on committees decision Section 79 Council **Oversight Committees** Council

Figure 1: Interface between the legislature and the executive

Source: Ekurhuleni Metropolitan Municipality council agenda August 2011

committee's decision, the matter is referred to the relevant section 79 oversight committee and finally to the municipal council. In the case of the draft budget the mayoral committee refers the document directly to the municipal council for consideration and thereafter to the section 79 oversight committees for further input. Finally, the draft budget is returned to the municipal council for final approval (Ekurhuleni Metropolitan Municipality Council Agenda 2011:28).

RESEARCH METHODS

Primary data was attained through interviews and focus group deliberations with councillors and officials. The purpose of the individual interviews with the oversight committee members was to assess their experiences and opinions of their roles and functions. Semi-structured interviews were conducted which comprised of a programmed set of questions as listed in the interview schedule. The same questions were posed as well as order was followed for each interviewee. Kumar (2014:178) describes an interview schedule as a printed list of questions, open-ended or closed, pretested for standardise language as well as for significance and interpretation. The primary advantage of this method is that uniform information is received which assures the comparability of the primary data. The method also enables the interviewer to clarify the questions. However, the disadvantage is that interviews are time consuming and the value of the gathered data is dependent on the quality of the interaction of the two parties.

Research population

"Sampling is the procedure of choosing a small number (sample) from a larger group (the sample population) as the foundation of understanding a status quo or an outcome regarding the bigger group" (Kumar 2014:229). A purposive sampling method was used to select a sample from among the councillors and administrative support officials of the legislative arm of council. Purposive sampling is a non-probability sampling method. This method materialises when fundamentals are carefully selected for the sample by the researcher. In purposive sampling, the respondents are selected by virtue of their proximity and knowledge of the subject matter (Kumar 2014:243). In this article the respondents were selected on the basis of the experience they have in working with the separation of powers governance model in the Ekurhuleni Metropolitan Municipality. The respondents were perceived as the most experienced and given their diversity in understanding the model, their contribution was substantial. In total 34 interviews were conducted with the legislative arm of council. The following respondents were interviewed for the purposes of collecting primary data:

- The Chair of Chairpersons
- Chairpersons of the Oversight Committees
- Members of the Oversight Committees
- Researchers of Oversight Committees
- Secretaries of Oversight Committees
- Manager of the Researchers



Table 5: Profile of councillors interviewed

Councillors Profile	Ward	Proportional Representative
Respondent	ANC	DA
ANC	13	
DA	8	
FF+		1
UDM		1
APC		1
Chairpersons	5	4
Chair of Chairs	1	

Source: Table compiled by authors

The councillors were selected from various political formations as well as wards and proportional representation. Municipalities are divided into areas called wards and a ward councillor is a public official who represents the ward. Proportional representation was utilised to select party representatives based on the proportion of votes their political party was granted in the election.

RESEARCH FINDINGS

The research findings identified four significant areas namely: the application of the separation of powers governance model, role clarification, delays in decision-making and functionality and impact of the separation of powers governance model.

Application of the separation of powers governance model

The findings underscored that the application of the separation of powers model, particularly the section 79 oversight committees as a replacement for the section 80 portfolio committees, resulted in greater benefit for oversight and accountability in Ekurhuleni Metropolitan Municipality because the mayoral committee had to comply with a more transparent process of decision-making. It presented an opportunity for extensive scrutiny of the performance of municipal departments, explained the meaningful contribution by all councillors in council decision-making and revealed potential for structured public engagement. In particular oversight visits and focus intervention studies such as physical inspections to test the validity of the information by the legislature is selected as the most significant tool for oversight and accountability. Oversight affords the municipal council an opportunity to investigate the actions of the executive and to acquire a clearer understanding of the impact of such actions. Moreover, the departments need to reflect not only on key performance areas but also on the impact of their actions on communities and councillors.

Role clarification

Several participants raised role clarification during the interviews. This was linked to the lack of separation of powers legislation at the local sphere of government. Although the respondents reported that the model had improved significantly since its inception, there were still signs of tension and lack of common understanding of the governance model between the executive and the legislature. Instances were highlighted of departments not providing the oversight committee with relevant and up to date information. This resulted in conflict because it affected the delivery of services because of a lack of an agreement between the two branches of the municipality.

Delays in decision-making

The respondents held that the separation of powers governance model may unintentionally delay decision-making. This is a significant matter that requires further scrutiny to establish its root cause because it could inevitably undermine the benefits of the model. The following reasons could be considered: the length of time taken by administration to finalise matters, some of which may be urgent and the late submission of items to the programming committee, which often results in committees being pressurised and in turn deemed ineffective. The legislator is confronted by a lack of capacity, councillor's part-time status, or other systemic issues associated with the absence of a legislative framework that guides the overall implementation of the model in the local sphere may further exacerbate this challenge.

Functionality and impact of the separation of powers model

This section assessed how the new governance model functioned in the municipality, particularly its impact on the overall performance of the municipality since its introduction. The respondents highlighted that it was largely because of the implementation of the governance model that the municipality was able to attain a clean audit outcome for the 2013/14 financial year. The majority of the respondents accentuated that the achievements of the executive was a result of the governance model which authorised the legislature to oversee the work of the executive. The respondents confirmed that the executive having to account to the legislature has had a positive impact as a result of the governance model. Consequently, the legislative arm of council has additional impact than previously.

RECOMMENDATIONS

It is significant to investigate whether part-time councillors who serve on the oversight committees become full-time councillors. Councillors who attain full-time status will ensure that the rewards of the separation of powers model is realised at the local sphere of government. This is one of the distinguishing factors between those who perform the oversight function at the national and provincial spheres of government and those who are expected to perform a similar function at the local sphere of government.



The current municipal flow of processes must be amended to resolve the challenges of the submission of overdue reports and irregular provision of information by the executive. In its current flow of processes including that of the council's value chain does not allow the oversight committees adequate time to receive, debate and process executive reports before tabling recommendations to the municipal council. A review of the council processes and the frequency of its meetings may assist to alleviate this challenge. Moreover, the *Local Government: Municipal Structures Act,* 1998 (Act 117 of 1998) stipulates quarterly council meetings. Another option could be the classification and categorisation of council items in terms of what would constitute a reasonable turnaround time for such items. It is recommended that the municipality investigates and implements a competent resolution tracking system. The reported non-responsiveness by the members of the executive could be as a result of a poor resolution tracking system that the municipality relies upon. The legislature may need to improve the lack of non-responsiveness to ensure improved implementation of policy decisions taken by the municipal council.

CONCLUSION

The article considered the significance of oversight at the local sphere to ensure effective governance. The separation of powers governance model in Ekurhuleni Metropolitan Municipality does not endeavour to separate the municipal council but attempts to institute a governance model. Oversight is one of the characteristics of good governance because it advocates the municipality's accountability of the executive. The separation of powers seeks to create an environment conducive to oversight and accountability. The article also underscored the extensive scrutiny of the municipal departments and reporting systems as tools of oversight.

The separation of powers governance model has its own benefits in respect of scrutiny and oversight of the implementation of decisions by the municipal council. Furthermore, it has ushered in a new process of accountability. However, these will be difficult to maintain and expound upon in the lack of an appropriate legislative framework guiding the governance model. A thorough analysis of the current legislative regime is necessary to enhance the separation of powers model at the local sphere of government. An effective roll out of the aforementioned governance model will ensure effective oversight and accountability as well as ensure public involvement in municipal processes that will positively influence public perception of local government, that is, value the accountability, transparency and responsiveness of the municipality.

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