

# Accreditation of Municipalities to Administer Housing Programmes: The Decentralisation Dilemma

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**Abstract:** While the Constitution of the Republic of South Africa (RSA) (Act 108/1996) permits the shift of functions from one sphere of government to another, the reality has been that the two (2) top spheres (provincial and national) are not ready to defer their constitutional obligations to municipalities. This is, attributed to the power that accompanies functions and the 'lack of adequate capacity' at local government level. Local government as a sphere closest to communities finds it hard to deliver as expected due to lack of Constitutional mandate to implement on some functions. The housing function is one of the examples of the functional areas of concurrent national and provincial legislative competence listed under Schedule 4 Part A of the RSA Constitution. The Constitution provides for assignment of such function towards their shift from national and provincial sphere to local sphere if those functions would be administered effectively in municipalities and also if municipalities have amassed requisite capacity for administering those functions. The assignment that is envisaged herewith forms part of the subject of decentralisation which is a global debate. In pursuit of decentralisation, local governments should be strengthened towards delivery of social services to citizens. Some of the challenges around decentralisation are highlighted in order to understand the concomitant difficulties that governments are faced with whenever attempts to implement the idea are set in motion. This paper considers the Constitution as well as other pertinent pieces of legislation around powers and functions as distributed across spheres of government; as well as processes of transferring/shifting of those functions. The ensuing paper uses the theory of decentralisation in order to gain understanding of the drive behind empowering local government for improved delivery as well as meeting government targets. Recommendations around the issues of decentralisation as well as shift of powers and functions across spheres of government are made in possible amelioration of identified decentralisation and service delivery bottlenecks.

**Keywords:** Decentralisation, Capacity, Local government, Accreditation, Assignment, Delegation, Powers, Functions

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## 1. Introduction

This paper outlines some of the challenges of decentralising power from national and provincial governments. The focus of the argument centres on the competence of housing delivery. According to the Constitution of the Republic of South Africa (RSA), Act 108 of 1996 (hereafter referred to as the Constitution) the housing function is a national and provincial competence (RSA, 1996). The National Department of Human Settlements (DHS) is responsible for facilitation of a conducive policy environment for the delivery of integrated sustainable human settlements, whereas provincial departments (provinces) are responsible for the actual delivery. Unless in the context of accreditation of municipalities, housing delivery function remains an unfunded mandate in

local government since it is within a purview of national and provincial competence. The importance of the Accreditation and Assignment Programme becomes much clearer when looking at the challenges facing the human settlements (housing) sector. Concisely, the human settlements sector faces an ever-burgeoning housing backlog that cannot be easily addressed through the current mode of provincial delivery. The backlog of 2, 3 million people who are in need of adequate housing as well as the 1.5 million people in urban informal settlements are in dire need for shelter (Ojo-Aromokudu, 2013). Therefore, municipalities, as governance custodians of communities where service delivery takes place, should assist provinces by administering the human settlements/housing function in order to directly contribute in addressing the housing backlog. Involvement of municipalities in the

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housing delivery is possible through the Accreditation and Assignment Programme, among other means. In brief, the Accreditation Programme is all about building additional capacity in qualifying municipalities in order to enable them to administer/manage the housing function on behalf of provinces.

Important to consider is the current shift from the delivery of housing towards the delivery of integrated sustainable human settlements and improved quality of household life. According to the Breaking New Ground (BNG) Policy 2004, sustainable human settlements can be defined as “well-managed entities in which economic growth and social development are in balance with the carrying capacity of the natural systems on which they depend for their existence and result in sustainable development, wealth creation, poverty alleviation and equity” (DHS, 2004:17). This definition uplifts crucial aspects that are the nucleus of human settlements and those aspects are socio-economic growth, natural systems (resources), sustainable development, poverty alleviation, and equity. In essence, the delivery of human settlements should serve as a catalyst for these crucial aspects to be realised. This is one among other reasons for the shift towards implementing *catalytic human settlements projects*. Simply put, it means that effective human settlements delivery should give rise to socio-economic development, poverty alleviation, and equity among citizens. This shift necessitates the active involvement of local government, other sector departments, and other crucial stakeholders such as the entities of the Department of Human Settlements and the private sector.

## 2. The Challenge of Decentralisation and Assignment of Functions

While the desire is that of empowering local government and assigning legislative powers and administrative function, there exists a dilemma in terms of the actual execution of this desire. The transfer of powers and function to local government cannot be effectively applied mainly because of two (2) challenges. The first challenge relates to the lack of requisite capacity in local government units (Van der Walddt, 2002), and the second challenge pertains to the subtle disinclination of sub-national (provincial) and national governments to relinquish and defer their powers and functions to local government. Decentralisation has not yielded desired benefits because of reasons such as inadequate

competent personnel (human capacity) in municipalities, poor co-ordination, and inertia of central government to devolve powers to the districts (Ayee, 2000; Crawford, 2004; Taabazuing, 2010). As a result, national and provincial governments face a dilemma of whether or not to effect decentralisation (Sharma, 2004; Devas, 2005). Cameron (2012) adds that politics negatively affect decentralisation and service delivery in turn, and this sustains the *status quo* of poor delivery of social services which is evident through chronic community protests as well as mistrust towards government especially local government by communities. These challenges are experienced across countries (Onyach-Olaa, 2003; Kumi-Kyereme, Yankson & Thomi, 2006; Daemane, 2011). For the purposes of this article, the challenges highlighted are viewed through the decentralisation theory. The decentralisation theory may assist in shedding light with a view to resolving some of these challenges.

## 3. Theoretical Framework

This paper adopted the decentralisation theory which is the theory that describes the effective transfer of power from top spheres/tiers of government to local/municipal spheres. The basic tenets of this theory are deconcentration, delegation, and devolution. Decentralisation has been understood and approached differently in different continents and regions and this makes it cumbersome to generate a definition that commands universal acceptance and appeal across the board. That notwithstanding, for the purposes of this article, decentralisation is considered as the transfer of power from central government to sub-national and local government levels in a political, administrative, economic, and territorial hierarchy (Crook & Mano, 1998, Agrawal & Ribot, 1999). Authors indicate that there are various forms of decentralisations. For example, Fleurke, Hulst and De Vries (1997), Neven (2002), Falleti (2004), and Yuliani (2004) identify four (4) forms of decentralisation which are political, administrative, fiscal, and market decentralisation. In all four (4) forms, the decentralisation theory supports continuous strengthening of local government towards the delegation of functions and authority, and ultimate transfer of those to local government.

While the general theory of decentralisation describes the transfer of powers and functions from one sphere of government to another, the administrative decentralisation best describes the

situation when legislative powers over social service(s)/functions are transferred from one sphere of government to another which in this case in point is referred to as 'assignment' (DHS, 2012:26). As cited in Gregersen, Contreras-Hermosilla, White, and Phillips (2004), the World Bank (2000) indicates that in a case of administrative decentralisation, local governments perform functions that are delegated to them especially through constitutional/legislative provisions.

Falleti (2004:3) argues that "administrative decentralisation comprises the set of policies that transfer the administration and delivery of social services such as education, health, social welfare, or housing to sub-national governments". She adds that this form of decentralisation entails devolution of powers to make decisions over these policies and also the transfer of revenues from central government to local government in order to meet the costs of the administration and delivery of social services. As such, administrative decentralisation is funded accordingly and it coincides with fiscal decentralisation (Falleti, 2004). Yuliani (2004) and Ekpo (2008) argue that it is imperative to make a distinction between three (3) concomitant concepts which are the tenets of the decentralisation theory. The concepts are *deconcentration*, *delegation* and *devolution*.

Neven (2002) makes an attempt to distinguish the three (3) concepts in this way: *Deconcentration* is a form of decentralisation which is common in unitary states as it redistributes decision making powers, financial, and management of responsibilities among various levels of the central government wherein responsibilities are shifted from the central government to those working in districts. This enhances local administrative capacity under the supervision of central governments. On the other hand, *delegation* is a form of decentralisation wherein central governments transfer of decision-making powers and administration responsibilities to semi-autonomous organisations is not wholly controlled by the central government, however those organisations are accountable to the central government. As part of decentralisation, governments delegate responsibilities when they create public organisations such as: transportation authorities, housing authorities, regional development corporations, semi-autonomous school districts, or even special project units. *Devolution* is when governments devolve functions through transferring authority for decision-making, finance,

and management to quasi-autonomous units of local government with corporate status. This form of administrative decentralisation usually transfers responsibilities for services to municipalities that elect their own mayors and councils, and raise their own revenue. In a devolved administrative system, local governments have legally recognised jurisdictions over which they exercise authority and perform public functions (Neven, 2002). In considering the possible origin of decentralisation, it was found that the idea evolved in response to a perceived failure of central governments. Proponents of decentralisation argue that the proclivity towards decentralisation was driven by push and pull factors to reduce central bureaucracies and increase economic liberalisation and market orientation, and also to grow commitment towards a socially just and equitable government administration as well as to bring government closer to the people (Enters, Durst & Victor, 2000; Neven, 2002). Neven (2002) goes on to raise a number of advantages as well as conditions for effective decentralisation:

- decentralisation assists in addressing bottlenecks in decision-making that are inherent in central government planning processes.
- decentralisation reduces complex bureaucratic procedures and increases government sensitivity to the needs of communities.
- decentralisation assists national governments to reach communities for delivery of social services with ease.
- decentralisation relieves executive management in central governments of their regular everyday tasks in order to focus on policy issues.
- decentralisation enhances opportunities for participation by residents.
- decentralisation may lead to more inventive and responsive programmes by allowing for experimentation at local level.
- decentralisation increases political stability and cohesion by allowing citizens to take control and ownership of public programs at the local level.

With regards to conducive environment for successful decentralisation, Neven (2002) raises the following key conditions:

- decentralisation programme must link local financing and fiscal authority to service delivery responsibilities and functions of local government entities.
- community must be informed about service delivery costs and options as well as sources of funds so that they take meaningful decisions to ensure value for money.
- there must be a mechanism for communities to express their preferences in a way that binds political principals for better incentive towards community participation.
- there must be a system of transparent accountability that enables communities to monitor local government performance so that politicians and officials are responsive.
- legal and institutional frameworks, service delivery structures, and intergovernmental fiscal system should be designed to support political objectives (Neven, 2002).

It appears that governments and citizens stand to gain with the application of decentralisation. Notwithstanding the resounding advantages raised by the proponents of decentralisation, criticisms against decentralisation abound. Without delving much into those, it is worth noting that the detractors of decentralisation contend that the application of decentralisation may lead to macro-economic instability, budget constraints, and clientelism, (Stein, 1998; Rodden, 2000; Rodden & Wibbels, 2002). This may result in negative outcomes in some countries where the decentralisation programme is implemented.

#### **4. Accreditation and Housing Delivery in South Africa**

*Accreditation* is a recognised status of municipalities by MECs for Human Settlements that whilst municipalities have met certain criteria and standards, such municipalities require additional capacity support before assuming full responsibilities of administering the housing function (DHS, 2012). As part of the decentralisation agenda, accreditation is implemented on the following principles: efficient and integrated human settlements delivery, accountability must accompany responsibility and funding follows function, accreditation must

build capacity, adequate, transparent, and realistic resourcing, prioritised universal and flexible application across the country, and cooperative governance (DHS, 2012). As part of this recognition, some responsibilities within the housing function are delegated from provinces to municipalities that are accredited. The Accreditation and Assignment Programme serves as a continuous capacity building and support mechanism for municipalities until they are ultimately assigned with the housing in accordance with Section 156(4) of the Constitution which states that "the national government and provincial governments must assign to a municipality, by agreement and subject to any conditions, the administration of a matter listed in Part A of Schedule 4 or Part A of Schedule 5 which necessarily relates to local government, if (a) that matter would most effectively be administered locally; and (b) the municipality has the capacity to administer it" (RSA, 1996).

From an intergovernmental relations (IGR) point of view, the Accreditation and Assignment Programme compels the three (3) spheres of government to work together in the spirit of IGR. The Programme also obliges the housing sector within the spheres to liaise with various sector departments and with various organs of states as key stakeholders. The National Department of Human Settlements (as the facilitator and policy custodian of the Programme) works with all provinces, municipalities, the South African Local Government Association (SALGA), Department of Performance Monitoring and Evaluation (DPME) in the Presidency, National Treasury, South African Cities Network (SACN), Department of Cooperative Governance and Traditional Affairs (CoGTA), as well as Finance and Fiscal Commission (FFC) on all policy issues regarding accreditation and assignment of municipalities. A forum for these stakeholders was established and it is known as the National Accreditation Task Team (NATT). The NATT Forum is chaired by the DHS and it serves to discuss issues regarding the Accreditation and Assignment Programme and make recommendations to the strategic for the human settlements to take decisions on such issues.

Accreditation has three (3) levels, which are level 1, level 2, and assignment level (which was previously referred to as level 3 in accordance with the erstwhile Municipal Accreditation Framework, 2006) to which functions are allocated (DHS, 2012). Accreditation



levels 1 and 2 are mainly characterised by capacity building and delegation of provincial functions to municipalities. However, when municipalities are accredited at the ultimate level, such municipalities are assigned with the housing function. According to the Municipal Accreditation Framework (2012), *assignment* is the formal transfer of the housing function from the provincial sphere to a municipal sphere which implies the shifting of planning, financial, and legal accountability from the assigning to the receiving authority, taking over financial accountability for the housing function which includes the right to receive the funds as well as all assets necessary to perform the housing function (DHS, 2012). When a municipality is assigned, such a municipality signs an executive assignment agreement with a province which allows such a municipality to administer all housing programmes in the Housing Code which gives such a municipality the status and role that is normally played by provinces. In such a case, housing function is no longer an unfunded mandate to such a municipality since one among the principles of the accreditation programme provides that, '...funding follows function', and as such, the function has been transferred to a municipality (DHS, 2012:12).

## 5. Policy Environment

With regards to the housing policy, the following are some of the overarching policy instruments around decentralisation (Accreditation and Assignment Programme) in the context of housing delivery in South Africa:

### 5.1 Comprehensive Plan for Sustainable Human Settlements Development: BNG Policy, 2004

The Comprehensive Plan for the Development of Sustainable Human Settlements: Breaking New Ground (BNG) Policy 2004 was introduced to provide a ten-year review of the housing delivery in South Africa since 1994. Very important to note about the BNG policy is its emphasis to the delivery of sustainable human settlements by stimulating property market, spatial restructuring of human settlements, densification, social integration, upgrading of informal settlements, and job creation (DHS, 2004). With its implementation, the BNG proves to be a key policy solution to the housing challenges identified in the democracy in South Africa (Trusler, 2009; Landman, 2010).

With regards to decentralisation, the BNG Policy (2004) supports the decentralisation agenda by proposing the development of a policy framework to govern the accreditation and assignment of municipalities to administer the housing function in South Africa. The policy states that it "envisages the accreditation of municipalities particularly the metropolitan areas, secondary towns and ultimately to all municipalities. A framework is to be established to address various policies, constitutional and legislative aspects in order to enable municipalities to manage the full range of housing instruments within their areas of jurisdiction. In order to be accredited, municipalities will have to demonstrate their capacity to plan, implement, and maintain both projects and programs that are well integrated within IDPs and within the 3 year rolling capital investment programs mandated by the Municipal Finance Management Act (MFMA) (DHS, 2004:31).

### 5.2 National Housing Code, 2009

In 2009, the National Housing Code was published in accordance with the Housing Act and as a review of the edition that was first published in 2000. The Code sets out principles, standards, norms, and guidelines for the application and implementation of the housing programmes. The Code provides for a number of programmes that are available to assist the housing/human settlements sector towards achieving the Constitutional access adequate housing (DHS, 2009). The Accreditation and Assignment Programme is one of the housing programmes contained in the Housing Code. The national housing programmes in the Code are compliant to the BNG policy principles which are the basis for the delivery of integrated sustainable human settlements (Tissington, 2011). Regarding the decentralisation agenda, the Housing Code (2009) supports the implementation of the Accreditation and Assignment Programme. Under the financial intervention section of the Code, it states that "the rationale behind the move towards the accreditation of municipalities is dictated to primarily by provisions in the Constitution, and further, by the logic of cooperative governance and current constraints in the housing delivery process. The accreditation of a municipality involves the delegation and, subsequently, assignment of certain clearly defined functions in respect of the administration of National Housing Programmes, leading to eventual assignment of all the functions by formal

proclamation of assignment by the Premier in the Government Gazette" (DHS, 2009:10).

### **5.3 National Development Plan, 2011**

The National Development Plan (NDP) focuses on the vision that portends the manner in which the country will be by the year 2030. Of paramount importance to human settlements practitioners is Chapter 8 of the NDP which is about the transformation of human settlements and the national space economy. The Chapter provides for the continuous empowerment of municipalities in order to drive national spatial economy through the delivery of human settlements (National Planning Commission, 2011). Continuous strengthening of municipalities is at the kernel of the Accreditation and Assignment Programme.

### **5.4 Municipal Accreditation Framework, 2012**

With regard to the Accreditation and Assignment Programme, the Municipal Accreditation Framework (2012) provides for the implementation of the Programme detailing the processes that should be followed when accrediting and assigning municipalities with the housing function. The Framework also provides for the capacity support, governance, and oversight arrangements, as well roles and responsibilities for various spheres of government in support of the Accreditation and Assignment Programme (DHS, 2012).

### **5.5 Legislative Environment**

The legislative framework is provided by the Constitution, with specific reference to Section 26 which provides for the right of access to adequate housing for everyone and Section 156(4) which provides for the assignment of municipalities (RSA, 1996). Other legislative provisions are drawn from the Housing Act, 1997, Act 107 of 1997 which provides for, among other things, the roles and responsibilities of the three (3) spheres of government concerning the housing function and Section 10 which provides for the accreditation of municipalities (RSA, 1997a). The Municipal Systems Act, 2000 (Act 32 of 2000) which sets out processes to be followed for assignments to municipalities in sections 9 and 10 (RSA, 2000). The Financial and Fiscal Commission (FFC) Act, 1997 (Act 99 of 1997) requires that the FFC be consulted in instances when assignment occurs, and also the transfer of

assets and liabilities from one sphere to another (RSA, 1997b). The Inter-Governmental Relations Framework Act, 2005, (Act 13 of 2005) which provides for the mechanism of intergovernmental relations as well resolution of intergovernmental disputes (RSA, 2005). The Inter-Governmental Fiscal Relations Act, 1997, (Act 97 of 1997) which promotes inter-spherical cooperation on financial, budgetary, and fiscal matters (RSA, 1997c). In addition to the above noted Acts of Parliament, the annual editions of the Division of Revenue Act (DoRA) accompany the national budget annually and set out a framework for financing various spheres of government. The Municipal Finance Management Act, 2003, (Act 56 of 2003) regulates financial matters in local government, set out treasury norms and standards, and clarifies responsibilities of both political and administrative office bearers (RSA, 2003). The Public Finance Management Act, 1999, (Act 1 of 1999) regulates financial management in national and provincial government and also to ensure that revenue, expenditure, assets, and liabilities of those governments are effectively managed (RSA, 1999).

### **5.6 Planning Approach**

All hope is reduced to proper planning in order to address the human settlements problem. Proper planning in the human settlements sector should consider these three (3) elements: the nature and extent of the human settlements backlog, spatial analysis, and the dynamism of demographic information upon which planning is based. In the delivery of human settlements, challenges are noted regarding the mushrooming of informal settlements, scarcity of well-located land, and assisting the gap market. An emerging challenge is the budget cut on the human settlements over the Medium-Term Expenditure Framework (MTEF) period. The 3 elements coupled with the four (4) challenges constitute the problem statement of the human settlements sector. In an attempt to state/define the problem statement, consideration should be made on backlog, challenges, and demographics. The estimates for housing backlog sit above 2 million houses. Ojo-Aromokudu (2013) notes that about 2,3 million people are in need of adequate housing, whereas Moodley (2013) indicates that the backlog is at 2.1 million housing units with almost 10 million potential beneficiaries on the waiting list as cited in Scheepers (2014). On average, about 120 000 housing opportunities are delivered per annum. Delivery trends indicate

a decline in housing delivery opportunities from 2006/07 –2014/15 financial years (South African Broadcasting Corporation, 2016). Thus, planning has shifted towards prioritising possible benefits of well-located and integrated sustainable urban housing projects (Baily, Haworth, Manzi, Paranagamage & Roberts, 2006; Rogers, 1997).

### 5.7 Legislative and Policy Frameworks for Planning

Given the problem statement, the government wishes to turn things around for the betterment of the country. What is important to consider is the legislation and policies around planning in the country. From a legislative point of view, the Spatial Planning and Land Use Management Act (SPLUMA) was adopted in 2013. The SPLUMA serves to provide for spatial planning and management of land use, to determine the relationship on spatial planning systems across the spheres, to determine policies, principles, norms, and standards for spatial development planning and management of land use; to address apartheid spatial and dogmatic disproportion; to establish tribunals for planning in municipalities (RSA, 2013). The SPLUMA and the NDP align particularly with regards to the provisions for spatial transformation to enhance economic growth in the country. As such, human settlements can serve as an economic drive that champions other sectors towards economic growth.

At a provincial level, the common planning tool is the Provincial Growth and Development Strategy (PGDS). According to the PGDS guidelines, provinces play a role in contextualising national imperatives, and guide municipalities to develop and implementation of Integrated Development Plans (IDPs), and other programmes for sustainable development (Presidency, 2005). Therefore, PGDS serve as pivotal guides for coordination and allocation of resources across the spheres as well as private sector investment to achieve sustainable development outcomes (Fuo, 2013). The guidelines also advise that the PDGS gives direction for provincial development programmes and projects on long-term perspective, focussed on addressing implementation logjams and issues as well as institutional reform, and enable intergovernmental alignment to guide activities of various role-players (Presidency, 2005).

The Municipal Systems Act (MSA) provides that municipalities must undertake developmentally-oriented

planning through the IDP, and such planning must align across the spheres of government (RSA, 2000). The IDP is contemplated in the mentioned MSA as an overarching municipal planning instrument that integrates plans from various sectors into one plan. The IDP is translated into a Spatial Development Framework (SDF) which clearly shows the exact geographic locations where planned developments of all sectors are spatially configured. Section 26(e) of the MSA requires municipalities to develop SDF as an integral cog of the IDP (RSA, 2000). According to the SDF guidelines, a credible SDF should have a vision and planning principles for equity and sustainability, be aligned with provincial and national policies as well as sector plans, guide land use management, and have an implementation plan (Department of Rural Development and Land Reform, 2011).

## 6. Housing/Human Settlements Planning

According to the Minister of Human Settlements, Hon. Lindiwe Sisulu (MP), the starting point of turning things around is to develop a human settlements master spatial plan (DHS, 2014). This uplifted the mandate of the Housing Development Agency (HDA) into a developer of choice for the sector. As such, the HDA was tasked with a responsibility to develop a Master Spatial Plan (MSP) in order to guide planning towards meeting the 2014-2019 Outcome 8 MTSF targets and beyond (HDA, 2014). The MSP outlines the principles of spatial development, spatial (targeting) principles, and the criteria for investment and prioritisation in human settlements across municipalities (HDA, 2014). As part of the spatial targeting principles, the MSP focuses on the UN-Habitat development goals which are about compacting, connecting, and integrating settlements by delivering catalytic projects which require the sector to focus on spatial development principles (HDA, 2015).

For human settlements projects and programmes, planning starts from the municipalities through the IDP process where consultation with communities and all relevant stakeholders including other departments is held. As part of the IDP, a five-year plan that shows the pipeline planning of the human settlements sector within a municipality is developed and reviewed annually. That five-year plan is known as the Housing Sector Plans (HSP) or Housing Chapter of the IDP (South African Cities Network, 2014). In metropolitan municipalities,

Built-Environment Performance Plans (BEPPs) are developed in order for the Urban Settlements Development Grant (USDG) to be released in accordance with the USDG framework and guidelines. The HSP is developed in phases which include the situational *analysis phase*, *strategic phase*, *project formulation phase*, and lastly *the approval phase* where the HSP is consolidated into the IDP for adoption by a municipal council.

At the provincial level, there is a planning instrument referred to as the Multi-Year Housing Development Plan (MYHDP) which provides for pipelining of housing projects in a particular province. This MYHDP has to be informed by the combination of housing sector plans that are developed in various municipalities under a particular province (Presidency, 2005). There are also Annual Performance Plans (APPs) that are drafted provincially to outline the targets that a province aims to achieve. The provincial departments of human settlements utilise business plans informed by the PDGS which links the human settlements plans with plans from other sectors within the provincial priorities.

The National Department prepares a business plan template that the provinces should utilise to compile the business plans that they submit in order to receive the Human Settlements Development Grant (HSDG). An HSDG business plan is drafted in accordance with the Housing Code to guide the provinces to demonstrate the plans that they have for a particular financial year on each of the programmes in the Housing Code. Also, the provincial plans are directly aligned to the MTSF targets that are set at the national level and approved by Cabinet.

## 7. Conclusion

Considering the arguments by proponents which outweigh the critiques of the decentralisation programme in this regard, it is only fair and rational to give the decentralisation programme an opportunity for implementation. Clearly, there is desire to shift towards a situation where local government units are empowered in order to implement government policies and deliver social services to the communities on a sustainable basis. However, the intent is faced with challenges of capacity in local government and difficulty on the part of national and sub-national governments to devolve powers and functions to local government. Other challenges of poor governance and service delivery

result as part of the uncertainties around whether to decentralise or not. The decentralisation policy was utilised to view the issue of delegating and transferring powers and functions to local government. Recommendations on some policy issues to be considered towards the implementation of the decentralisation programme as well as for future studies around the subject are provided.

## 8. Recommendations

It is important to consider the nature of the state in terms of its ambitions to strengthen local governments. In order to address the dilemma of whether or not decentralisation should occur, it is important to take bold steps which are in the best interest of the communities and put politics aside. The following recommendations can be considered:

- Reaffirmation of commitment towards improving government efficiency and effectiveness should be emphasised in order to reassure the electorate that governments are committed to serve the interests of the electorate.
- Central and sub-national governments should overcome all fears and invest in robust campaigns of building capacity in local governments in terms of all aspects of capacity developments in order for local governments to deliver in line with the expectations of the citizens.
- Sustainable implementation of accreditation and delegation programmes as a precursor to assignment or formal transfer of powers and functions to local government which is the sphere closer to communities.
- Depoliticisation of the decentralisation programme so that the effectiveness of the programme does not rely on whether politicians are absolute determinants of whether the programme exists or not.
- Massive monitoring and evaluation programme should be implemented robustly in instances where decentralisation has taken place and contingency plans to maintain positive status.
- Vigilance on the development of credible implementation protocols and executive transfer agreement in terms of delegation and transfer of function should be ensured.



- Institutional arrangements should be set in place to support effective implementation of the decentralisation programme.

It is also recommendable for future studies on the same subject to conduct studies on the same subject thereby profiling best practices from which countries that aspire for decentralisation can adopt some lessons.

## References

- Agrawal, A. & Ribot, J. 1999. Accountability in Decentralization: A Framework with South Asian and West African Environmental Cases. *The Journal of Developing Areas*, 33:473-502.
- Ayee, J.R.A. 2000. Sub-district structures and popular participation: A preliminary Assessment, in *A Decade of Decentralization and Local Government Reform in Ghana: Retrospect and Prospects*, edited by W. Thomi, P.W.K. Yankson & S.Y.M. Zanu. Accra: Ministry of Local Government and Rural Development.
- Baily, N., Haworth, A., Manzi, T., Paranagamage, P. & Roberts, M. 2006. Creating and sustaining mixed income communities: A Good Practice Guide. United Kingdom: Chartered Institute of Housing.
- Cameron, R. 2012. Vertical Decentralization and Urban Service Delivery in South Africa Does Politics Matter? Working Paper No. 2012/87. UNU-WIDER. <https://www.wider.unu.edu/sites/default/files/wp2012-087.pdf>. Accessed 11 March 2017.
- Crawford, G. 2004. Democratic decentralization in Ghana: Issues and prospects. School of Politics and International Studies Working Paper 9. University of Leeds: 1-35.
- Crook, R. & Manor, J. 1998. Democracy and Decentralisation in South Asia and West Africa. Cambridge: Cambridge University Press.
- Daemane, M.M.M. 2011. Decentralization in Lesotho: Prospects and Challenges. Unpublished Doctoral dissertation. Johannesburg: University of the Witwatersrand.
- Department of Human Settlements. 2004. Breaking New Ground: A Comprehensive Plan for the Development of Sustainable Human Settlements. Pretoria: Government Printer.
- Department of Human Settlements. 2009. National Housing Code 2009. Pretoria: Government Printer.
- Department of Human Settlements. 2012. Accreditation and Assignment Framework for Municipalities to Administer National Housing Programmes. Managing the Capacitation of Municipalities for the Assignment of Housing Function to Local Government. Pretoria: Government Printer.
- Department of Human Settlements. 2014. Speech by L N Sisulu, Minister of Human Settlements on the Occasion of the Budget Vote of the Ministry of Human Settlements 15 July 2014 National Assembly Chamber, Parliament. <http://www.dhs.gov.za/sites/default/files/speeches>. Accessed 25 November 2016.
- Department of Human Settlements. 2015. Strategy for the Revised Approach to the Accreditation Programme. [Unpublished].
- Department of Human Settlements. 2016. Address by LN Sisulu, MP, and Minister of Human Settlements at the launch of the Campaign to Celebrate 4.3 Million Houses and Housing Opportunities 21 April 2016, Cosmo City. <http://www.dhs.gov.za/content/speeches>. Accessed 11 March 2017.
- Department of Rural Development and Land Reform. 2011. Spatial Development Framework Guidelines. <http://www.ruraldevelopment.gov.za/services/299-spatial-planning-and-land-use-management/538-sdf-guidelines#.WPcrMYpBvMI>. Accessed 15 March 2017.
- Devas, N. 2005. Metropolitan governance and urban poverty. *Public Admin. Dev.*, 25:351-361. doi: 10.1002/pad.388.
- Ekpo, A.H. 2008. Decentralisation and Service Delivery: A Framework. Prepared for the African Economic Research Consortium (AERC), Nairobi, Kenya. Nairobi: AERC.
- Enters, T., Durst, P.B. & Victor, M. (eds). 2000. Decentralization and Devolution of Forest Management in Asia and the Pacific. RECOFTC Report N.18 and RAP Publication 2000/1. Bangkok: FMB, FAO, and RECOFTC.
- Falletti, T.G. 2004. A Sequential Theory of Decentralization and its Effects on the Intergovernmental Balance of Power: Latin American Cases in Comparative Perspective. Working Paper # 314. July 2004. <https://kellogg.nd.edu/publications/workingpapers/WPS/314.pdf>. Accessed 15 March 2017.
- Fleurke, F., Hulst, R. & De Vries, P.J. 1997. Decentraliseren met beleid. The Hague: SDU.
- Fuo, O.N. 2013. A Critical Investigation of the Relevance and Potential of IDPs as a Local Governance Instrument for Pursuing Social Justice in South Africa. *PER*, 16 (5):221-282.
- Gregersen, H., Contreras-Hermosilla, A., White, A. & Phillips, L. 2004. Forest Governance in Federal Systems: An Overview of Experiences and Implications for Decentralization Interlaken Workshop on Decentralization in Forestry. 27-30 April 2004. Interlaken, Switzerland.
- Housing Development Agency. 2014. Concept Note: Human Settlements Spatial Planning Framework (SPF). Final Draft. October 2014. [http://www.thehda.co.za/uploads/files/Human\\_Settlements\\_MSP\\_final\\_document\\_25\\_May.pdf](http://www.thehda.co.za/uploads/files/Human_Settlements_MSP_final_document_25_May.pdf). Accessed 15 March 2017.
- Housing Development Agency. 2015. Request for Expression of Interest Registration of Private Sector Human Settlement Catalytic Projects. HDA/001/2015. [http://www.thehda.co.za/uploads/files/tenders/private\\_sector\\_call\\_for\\_human\\_settlement\\_catalytic\\_projects\\_specification\\_may\\_2015.pdf](http://www.thehda.co.za/uploads/files/tenders/private_sector_call_for_human_settlement_catalytic_projects_specification_may_2015.pdf). Accessed 15 February 2017.
- Kumi-Kyereme, A., Yankson, P.W.K. & Thomi, W. 2006. Challenges of decentralisation in Ghana: district assembly's responsiveness to community needs. *IFE Psychology IA...* 14(1):60-76
- Landman, K. 2010. A home close to opportunities in South Africa: top down vision or bottom up demand? *Town and Regional Planning*, (56):8-17.

- Ojo-Aromokudu, J. 2013. Housing Subsidy Criteria and the Housing Backlog in South Africa. The Southern African Housing Foundation International Conference, Exhibition & Housing Awards 18-19 September 2013, South Africa "Public Private Partnerships". School of Built Environment and Development Studies University of KwaZulu-Natal.
- Onyach-Olaa, M. 2003. The challenges of implementing decentralisation: Recent experiences in Uganda. *Public Admin. Dev.* 23:105-113.
- National Planning Commission. 2011. National Development Plan: Vision for 2030. <http://www.nationalplanningcommission.org.za/Pages/NDP.aspx>. Accessed 15 February 2017.
- Neven, I. 2002. Background paper on 'decentralisation'. Contribution to Cost-Action E19 National Forest Programmes in the European Context. Alterra Institute –Green World Research, Wageningen. <http://www.metla.fi/eu/cost/e19/neven.pdf>. Accessed 15 February 2017.
- Presidency. 2005. Provincial Growth and Development Strategy Guidelines. <http://www.thepresidency.gov.za/docs/pcsaplanning/pgdsguidelines.pdf>. Accessed 11 February 2017.
- Republic of South Africa. 1994a. White Paper on Reconstruction and Development. Pretoria: Government Gazette.
- Republic of South Africa. 1994b. White Paper: A New Housing Policy and Strategy for South Africa. Pretoria: Government Gazette.
- Republic of South Africa. 1996. The Constitution of the Republic of South Africa, 1996. Act 108 of 1996. Pretoria: Government Gazette.
- Republic of South Africa. 1997a. Housing Act, 1997. Act 107 of 1997. Pretoria: Government Gazette.
- Republic of South Africa. 1997b. Finance and Fiscal Commissions Act, 1997. Act 99 of 1997. Pretoria: Government Gazette.
- Republic of South Africa. 1997c. Inter-Governmental Fiscal Relations Act, 1997. Act 97 of 1997. Pretoria: Government Gazette.
- Republic of South Africa. 1999. Public Finance Management Act, 1999. Act 1 of 1999. Pretoria: Government Gazette.
- Republic of South Africa. 2000. Local Government: Municipal System Act, 2000. Act 32 of 2000. Pretoria: Government Gazette.
- Republic of South Africa. 2003. Municipal Finance Management Act, 2003. Act 56 of 2003. Pretoria: Government Gazette.
- Republic of South Africa. 2005. Intergovernmental Relations Framework Act, 2005. Act 13 of 2005. Pretoria: Government Gazette.
- Republic of South Africa. 2013. Spatial Planning and Land Use Management Act, 2013. Act 13 of 2013. Pretoria: Government Gazette.
- Rodden, J. 2000. The Dilemma of Fiscal Federalism: Hard and Soft Budget Constraints around the World. Paper read at Decentralization and Democracy in Latin America, University of Minnesota, 11-13 February.
- Rodden, J. & Wibbels, E. 2002. Beyond the Fiction of Federalism: Macroeconomic Management in Multitiered Systems. *World Politics*, 54(4):494-531.
- Rogers, R. 1997. Cities for a Small Planet. London: Butler and Tanner, Ltd.
- Saito, F. 2001. Decentralization Theories Revisited: Lessons from Uganda Faculty of Intercultural Communication. Ryukoku: Ryukoku University.
- Scheepers, E.Y. 2014. Sustainable Subsidy Housing Provision: A Housing Approach. Unpublished Masters dissertation. Potchefstroom: University of North West.
- Sharma, C.K. 2004. Decentralization Dilemma: Measuring the Degree and Evaluating the Outcomes. *The Indian Journal of Political Science*, 67(1):48-64.
- Stein, E. 1998. Fiscal Decentralization and Government Size in Latin America, 95-119. In Kiichiro Fukasako and Ricardo Hausmann, (eds). Democracy, Decentralization and Deficits in Latin America. Washington, DC: IADB-OECD.
- South African Broadcasting Corporation. 2016. Sisulu Optimistic about Turn Around in Housing Delivery. <http://www.sabc.co.za/news/a/00086c004ca11a13b7bbf7c8166c74bf/Sisulu-optimistic-about-turn-around-in-housing-delivery-20160305>. Accessed 15 February 2017.
- South African Cities Network. 2014. From Housing to Human Settlements Evolving Perspectives. Johannesburg – Braamfontein: SACN.
- Taabazuig, J. 2010. Towards Effective Participation of Chiefs in Ghana's Decentralisation Process: The Case of Wenchi District. Unpublished Doctoral dissertation. Pretoria: University of South Africa.
- Tissington, K. 2011. A Resource Guide to Housing in South Africa 1994-2010. Legislation, Policy, Programmes and Practice. [http://www.urbanlandmark.org.za/downloads/SERI\\_Housing\\_Resource\\_Guide\\_Feb11.pdf](http://www.urbanlandmark.org.za/downloads/SERI_Housing_Resource_Guide_Feb11.pdf). Accessed 15 February 2017.
- Trusler, R.K. 2009. Is 'Breaking New Ground' As a Comprehensive Plan For Housing Delivery, A Realistic Solution to the Housing Problem Faced in South Africa? [http://repository.up.ac.za/dspace/bitstream/handle/2263/19878/Trusler\\_Breaking\(2009\).pdf?sequence=1&isAllowed=y](http://repository.up.ac.za/dspace/bitstream/handle/2263/19878/Trusler_Breaking(2009).pdf?sequence=1&isAllowed=y). Accessed 25 February 2017.
- Van der Waldt, G. 2002. Key challenges for local government – the road where to? Word in Action, Summer 2002. No. 382. Bureau for Scholarly Journals. <http://dspace.nwu.ac.za/bitstream/handle/10394/13519/Key%20local%20government%20challenges.pdf?sequence=1>. Accessed 15 February 2017.
- White, S. 2011. Government Decentralization in the 21<sup>st</sup> Century. A Literature Review. Washington, DC: Centre for Strategic and International Studies.
- Yuliani, E.L. 2004. Decentralization, deconcentration and devolution: What do they mean? Presented at the Interlaken Workshop on Decentralization, 27-30 April 2004, Interlaken, Switzerland. [http://www.cifor.org/publications/pdf\\_files/interlaken/Compilation.pdf](http://www.cifor.org/publications/pdf_files/interlaken/Compilation.pdf). Accessed 25 January 2015.