



VOICES OF THE POOR

WORKSHOP REPORT - CAPE TOWN, 26 MAY 2007

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Urban LandMark

MAKING URBAN LAND MARKETS WORK FOR THE POOR

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Introduction

The workshop took place on Saturday the 26th of May 2007, at the River Club, in Observatory, Cape Town. The aim of the workshop was to explore key issues relating to access to urban land by the poor. The goal was to gather the experiences and perspectives of the poor with regard to access to urban land. The workshop was not very well-attended in terms of the number of organisations present. Only three out of a confirmed ten organizations attended, plus one representative of another organization attended for part of the day. The organisations that were present for the whole event were the Ndabeni Communal Property Trust (NCPT), SANCO Langa and the Hangberg Informal Settlement Steering Committee. These communities are very diverse in terms of their struggles to access urban land and their engagement with the state in this regard.

The Ndabeni Communal Property Trust consists of a group of land claimants who were forcefully removed to Langa between 1927 and 1936. In 1996 they lodged a claim with the Land Claims Commission to be compensated for their forced removal from Ndabeni. Their claim was successfully settled on the 13th of October 2001 - the second largest restitution settlement in Cape Town after District Six. The claimants were awarded 54.8 hectares of the 100 hectare government-owned Wingfield site, which is a prime piece of land. Even though the group's claim was settled in 2001, they have to date not been able to settle on the land awarded to them. The reasons are varied and complicated and some of these will be touched upon later on in the report. SANCO Langa is a community based organization whose role it is to take up various community issues and to act as an intermediary between the community and the government as well as other private stakeholders. The Hangberg Informal Settlement Steering Committee represents a group of former backyard dwellers who occupied council-owned land in the area of Hout Bay in the early 1990s. The group was given permission by the council to occupy land, i.e. they were given 'occupancy rights' and were thus not occupying the land illegally. The settlement has grown significantly over the years as more and more people (mostly grown children of residents living in the council flats in Hout Bay) have moved onto the land.

Presentations

Ndabeni Communal Property Trust

The speaker from the Ndabeni Communal Property Trust reflected primarily on the plans that the community have devised for the eventual development of the Wingfield land. These plans include different components; education, recreation, business development and the long-term sustainability of the Trust, job creation as well as housing and transport provision. They plan to build schools where children from the community can be educated. Great emphasis would be placed on skills development and training of the youth and unemployed in particular. It is envisaged that part of the land will be used for retail and other business developments. The aim of this would be to



create jobs and provide a long-term source of income for the Trust through the rental of the business space. Housing should be provided that would cater for different household types. For example there would be standard family houses and flats/ duplex style housing for singles. According to the speaker, the plan is to “build homes, not backyard hokkies”. The site would also provide recreational facilities like a health centre and sports fields. As many of the original claimants are senior citizens, it is envisaged that their needs should be catered for through specialized housing and transport facilities to transport them to church, day hospitals, etc. This “community transport” would be owned and managed by the community.

As was stated before, the Ndabeni land claimants have yet to settle on the land which was awarded to them in 2001. The group faces several challenges; some of which account for the fact that they are not currently occupying their land. The most important challenge is access to finance. The subsidy grants available from the government are not sufficient to develop the land and the group has identified a need for fundraising and to generate additional finances. One of the challenges for the group is to access decent, good quality housing at affordable prices. In the word of one of the representatives from the NCPT “*we don’t want RDP houses, but the houses have to be affordable to different income groups*”. The installation of bulk infrastructure and services on the site has also been a major obstacle. The City of Cape Town has been rather reluctant to finance the provision of bulk infrastructure and services to the Wingfield site, the cost of which would amount to more than twenty million rand. Another big concern for the group, especially since the majority of the claimants are pensioners, is the availability of transport to day hospitals, churches in Langa, etc. The group was asked by one of the workshop participants whether the Wingfield site will only be open to members of the Ndabeni Trust. The response was that the members of the Ndabeni trust would receive first priority and thereafter other people can be accommodated.

SANCO Langa

The South African National Civic Organisation (SANCO) is a broad-based civic organization which was formed in 1992 with the aim of “organizing and mobilizing South Africans in defense of people-centered and people-driven development¹”. It is a tiered organization with branches at different levels; national, provincial, regional and local level. It also has area committees and street committees which take their direction and guidance from the area committees. At community level SANCO acts as an intermediary or “advocate” for communities in relation to government, parastatals or other private stakeholders.

The representative from SANCO Langa started her presentation with a short introduction to SANCO. SANCO Langa represents the community of Langa

¹ Zuen, Sarah (2004): Continuity or Contradiction? The prospect for a national civic movement in a democratic state: SANCO and the ANC in post-Apartheid South Africa. School of Development Studies, University of Kwazulu-Natal, Durban.



and its aim is to “take development to the people”. One mechanism for doing so is through the street communities. SANCO Langa has approximately 50 000 members in Langa, but this figure could be outdated as it does not take into account the relocations of people from the informal settlements in Langa to Delft. The presentation touched on different issues with regards to access to urban land which SANCO in Langa is currently dealing with. These include the upgrading of the hostels, evictions, the situation of backyard dwellers in Langa and the relocations from Joe Slovo informal settlement to Delft.

There is currently an initiative in Langa to upgrade some of the hostels in Langa into flats. The hostels are a remnant of Apartheid and were used as temporary accommodation for Africans who were working in the city, but not allowed to settle in Cape Town in terms of Apartheid legislation. Those who lived in the hostels prior to the renovations were expected to pay R20 for rental of a ‘bed’. During the renovation process those who paid rent were moved to temporary accommodation. The role of SANCO Langa in this initiative was to collect data on those individuals who occupied beds prior to the renovation and to assist in managing the process of moving people from the temporary accommodation into the newly renovated flats. In terms of evictions, at a branch level, SANCO Langa liaises with municipalities and banks on behalf of community members affected to see how those who are unable to pay can be assisted.

Another thorny issue which SANCO Langa is currently involved in is the Joe Slovo and N2 Gateway saga. Joe Slovo is an informal settlement in Langa from which thousands of households were recently relocated to an area called Delft which is located on the outskirts of Cape Town. Those who were moved to Delft are currently being housed in temporary structures made from fibre-cement. The relocation of people from Joe Slovo to the temporary structures called ‘Temporary Relocation Areas (TRA’s)’ in Delft was essentially done to make way for the controversial N2 Gateway housing development. The idea is to clear all the shacks along the N2 highway leading from Cape Town international airport and to build permanent housing units. This process has caused great unhappiness amongst the Joe Slovo community. According to the SANCO representative from Langa this was the result of a breakdown in communication between government and the community where expectations were raised on the part of the community, but not met by government. It was said that SANCO Langa went to great lengths to provide the affected communities with information regarding the relocation to Delft as SANCO does not support forced removals and would rather want people to move voluntarily. Apparently taxis were organized to take people to Delft prior to relocation in order for them to get a sense of where they would be moved to and the implications of this for their livelihoods. The SANCO representative also claimed that those who had been relocated were offered subsidized transport to transport them from Delft to burial meetings, churches and schools in Langa.

SANCO also assists backyard dwellers in Langa. Backyard dwellers are currently occupying structures called ‘special quarters’ as well as a place



called SQUAT. The special quarters are another remnant from Apartheid. They are bachelor quarters which were built by the previous Cape Town City Council to house some of their employees. On retirement however, some of these employees moved with their families to Cape Town. As these quarters were not designed to house families, let alone extended families, many of the children ended up in backyard dwellings. The SQUAT is a building which is owned by Spoornet and is now occupied by backyard dwellers. SANCO is liaising with Spoornet and the council on behalf of the backyard dwellers.

SANCO is involved in a range of initiatives and the SANCO representative stressed that SANCO is not a decision-maker, it represents the community and can intervene on behalf of the community, but at the end of the day, they can not make the decisions. Another point reiterated throughout the presentation was the need to consider development in a more holistic way and to look beyond housing only.

Hangberg Informal Settlement Steering Committee

The Hangberg Informal Settlement Steering Committee is not a formal organization according to the representatives present at the workshop, but the committee consists of civic structures, community-based organizations and community activists. They currently represent approximately 300 households who farm part of the Hangberg Informal Settlement. The Hangberg Informal Settlement Steering Committee highlighted two factors which they perceive as having contributed to the development of their settlement and informal settlements in general. Firstly, they argued that their settlement is "a result of the Apartheid regime's Group Areas Act which squashed people together on an insignificant piece of land". This they believe resulted in the current housing crisis. A second factor which they perceive as contributing to the scale of the housing crisis is the sale of public land. In 2006, by request of a diverse group of community leaders, the mayor of Cape Town and the local councilor were engaged around the major issues facing the community, namely the housing and livelihoods crisis. This process culminated in an election of an interim steering committee. The Hangberg Informal Settlement Steering Committee was subsequently elected in February 2007. The City of Cape Town has also selected the Hangberg informal settlement as a project for incremental upgrading. This incremental upgrading has three components; provision of security of tenure to the occupants, improved service provision from rudimentary services to full services eventually and the provision of housing. This is a progressive process which will happen over a number of stages.

The group listed their objectives as follows:

- To be a platform through which the community can voice their grievances, express their thoughts and contribute their experiences
- To encourage full participation and engagement between the effected parties and stakeholders



- To ensure that the community is represented and their voices are heard
- To ensure accountability from all stakeholders and encourage ownership on the side of the community of the issues, challenges and developments which directly affect their lives
- To advocate and lobby on behalf of the community
- To extend representation to those living in backyards and rental flats paying exorbitant amounts in rent
- To capacitate and train the above-mentioned group and to encourage the development of new leadership to represent this group in a similar future process/struggle

Although the Hangberg Informal Settlement Steering Committee is a newly-established committee, some of the members of the committee have a long history of struggle around the issue of land and the community's right to occupy what is considered to be some of the most prime land in Cape Town. During this struggle they have faced forced removals, imprisonment of community leaders and victimization of their families. Others have experienced forced evictions from rental flats and even pensioners have come under threat. This the group perceives as deliberate attempts to deny their community the right to live on "so-called prime land, under pretence that the land is not suitable for people to live on" yet the sale of land to the rich, investors and foreigners continue unabated in Hout Bay.

The group identified a number of issues which they perceive to be the major obstacles preventing them from accessing urban land. The first is the market value of land, especially around urban areas which is set "ridiculously and intentionally high, making land inaccessible to the poor and working class". This they perceive as "a deliberate attempt by our government and the rich to exclude the poor from entering the first economy". Lack of access to urban land also impedes "fair and healthy economic development". According to the group government is "stuck in an old school mindset with regards to the development of the poor". A lack of "transparency and honesty" on the part of government as well as corrupt government officials were also listed as a major obstacle by the group. A very big concern for the group is the lack of proper management or monitoring of "an uncontrolled influx of people into already congested areas".

The groups suggested the following "solutions" which would improve the poor's access to urban land:

- An immediate moratorium on the sale of public land for private development
- A fresh approach from government which would include the poor or their leadership in certain elements of the decision-making process.
- Investment in the skills development of the youth and the capacity of the youth with regards to development issues should be improved



- The practice of building house for the poor for profit should be challenged
- More support for entrepreneurship, self-employment and home-based industries
- An audit should be conducted of all unused and excessive land holdings
- Government should introduce a land value tax on unused and excessive land holdings

Plenary discussion

As there were only ten workshop participants, it was decided not to have small group discussions, but instead to discuss all eight questions in-depth in a plenary discussion. Each organization was able to contribute to the discussion for each question.

Question 1: What do you think are the major obstacles preventing access to urban land and markets by the poor?

Participants identified a number of obstacles which they perceive to be the major obstacles preventing access to urban land and markets by the poor. These include:

- A lack of finance which prevents the poor from participating in the urban land market
- Corrupt administration and very poor management by government
- A lack of literacy amongst poor communities, especially with regards to engaging with formal documentation
- Politicians with a conflict of interest - those who are either landowners themselves or want to acquire land
- Poor participation by communities
- A gap between language of communities and language of government - communities are often intimidated by "official" language
- Inferiority complex on the part of communities - government is seen as a higher authority and there is a perception amongst communities that they must wait for government
- A lack of knowledge/awareness of their rights amongst communities
- People need to distinguish between rights and privileges - access to water, electricity, adequate housing are rights and not privileges, land is a limited resource should belong to everyone.



Question 2: How well are informal arrangements for accessing land, e.g. informal settlements working? Why?

The main response to this question was that if civic and leadership structures within a particular community work well, then informal processes can work. These structures can for example assist in monitoring the influx of new people into the settlement. If there is no control, this could lead to frustrations and could result in a situation where community members turn on one another. This is an important issue for the Hangberg community in particular as there is currently a moratorium on the erection of new structures in the Hangberg informal settlement.

A question arose during this discussion concerning the identification of land for occupation. It became clear that land occupations are not as spontaneous and “unplanned” as they are sometimes portrayed by the media and other role-players. Communities do a careful cost-benefit analysis of the location of the land. Often people locate themselves in close proximity to family members or other social networks which can assist with access to water, electricity, security, etc. They also consider whether the land is close to work opportunities and other resources. In the case of the Hangberg informal settlement, the land also has cultural significance. Many of the residents of the informal settlement feel a connectedness to the land as they were born in the area and many generations in their family lived and worked as fisher people in the area. Often ownership of the land, whether private or public, is not a real consideration, it depends on how desperate the situation is. Participants acknowledge however, that sustainability and the impact of informal settlements on the environment are important. The Hangberg informal settlement for example is located in close proximity to ecologically sensitive sand-dunes and this has implications not only for the construction of homes as part of the site is located on sandy soil, but it also for the preservation of the environment.

Question 3: How does the buying and selling of property work for the poor? Is this working well? Why?

Workshop participants had mixed opinions on this issue. Some felt that the poor are not participating in the sale of property due to the five year restriction on the sale of subsidy houses. Other argued that people are in fact selling their homes, even without a formal title deed. In some cases the erf number is used to transact. People are selling their homes informally, because of a need to secure some kind income due to high rates of unemployment in communities. Often they end up back in informal settlements or in backyard dwellings. Some participants also felt that corruption on the part of councilors where they for example convert RDP homes into garages or give first preference to family members, also means that the system is not working well for the poor. Others felt that the system could work and that there was in fact an opportunity for estate agents to emerge from the community, especially in an area like Hangberg which is located in the sought after suburb of Hout Bay. In Hangberg there is evidence of some informal property market emerging where residents are



already selling their dwellings in anticipation that they are going to own the land. It was felt that in such a case, the buying and selling of land should go through a community structure or process like a community land register for example. Plans are afoot however to control the selling of dwellings in Hangberg. A household survey was conducted to collect information about individual households. This information was then used to register each household to a particular bungalow number and households were then given "registered occupancy" status. In cases where dwellings had been sold after the household survey had been conducted those who bought had to show proof of purchase by means of an affidavit for example. At the moment the registration process is approximately 80% completed. Once the registration process is completed, it will become "close-listed" so that no new occupants will be registered. This is a way of stemming the influx of new people onto the settlement and monitoring the beneficiary list for the purpose of the upgrading project. However, once the project is completed an active 'property market' might very well develop in Hangberg considering its location. Some consideration will have to be given to the question of downward raiding,

Question 4: Is there adequate access to finance for accessing urban land and housing?

Again there was no consensus amongst the group regarding the question of adequate access to finance. One participant expressed the opinion that there is indeed sufficient finance available for low-income households through initiatives like the Financial Sector Charter for example, but according to her the poor are "lazy and illiterate" and do not make use of the opportunities available to them. Others felt that because of a lack of education people are not able to engage with the formal processes of accessing finance. A suggestion was made for trustworthy representatives from the community to represent people's interests when negotiating with the bank. The issue of finance being available to those earning a minimum of R1500 through the Financial Sector Charter was however questioned. Some participants felt that this was not a viable option for building a home or buying land for that matter. The best option that this initiative offers to a household with an income of R1500 was to borrow money to refurbish or upgrade an existing dwelling.

Question 5: In what way does access to urban land and housing (especially location) affect social and economic networks and activities?

This point was touched upon during previous discussions, so not much more time was devoted to this question. The group however reiterated that the very reason why people locate themselves close to the urban areas was to have easier access to employment and economic opportunities. For this reason the Ndabeni Communal Property Trust Fund have a specific plan in mind for how the land awarded to them should be developed in such a way as to generate employment opportunities for the claimants and their families. In the case of the Hangberg informal settlement, people deliberately occupied a piece of land which allowed them to maintain their



existing social networks and family support systems. This land is also in close proximity to the ocean from which the residents of Hangberg and their families have derived a livelihood for many generations.

Question 6: What are the implications of urban-rural linkages (e.g. where a family has a rural home as well as an urban home) for access to urban land by the poor?

Some participants felt that in some cases people can lay claim to different areas, because they had been forcibly removed from there during Apartheid. A very interesting perspective which emerged during this discussion is that a home whether in the rural or urban area or both, is seen as an investment. One participant remarked "*white people have houses all over... this is teaching us about investment of which we were not aware of before*". Others felt that the connection with the rural area is important for cultural reasons, to practice their tradition and perform cultural rituals and ceremonies. In fact a general sentiment was that the rural area is where "home" is and people move to the city for employment and other economic opportunities. In the words of one participant "*the township is not our home, it is just a house*". Another participant remarked that "*we need to develop ourselves economically so we can go back to our roots*".

One participant, who was born in Namibia, responded that she could go back to Namibia and she would probably have access to land, but where she comes from there are no jobs and very little "development" therefore she prefers to stay in Cape Town, in an informal settlement, because she is able to secure some kind of livelihood. The group then reflected on examples of other African migrants, e.g. Somalians in Cape Town who leave their countries of origin and are able to establish businesses locally. The group felt that this spirit of "entrepreneurship" should be imitated, "*we need to learn from them, they see opportunities and make use of them*". So essentially the group perceives the urban context as the site where they are able to access economic opportunity, while their "home" remains in the rural area.

Question 7: How does access to urban land and housing differ between men and women (and male-headed and female-headed households)

This was another contentious issue. Some in the group felt that there was no difference between men and women as far as access to urban land and housing is concerned, whilst others felt that there was in fact a difference. It was mentioned that sometimes, in the case of divorce, the court would rule that if there are children involved and the women received custody of the children, then she would have the right to retain occupancy of the house. This observation seemed to have been based more on perception than actual experience. It was also felt that cultural laws and traditions also impact on the way and extent to which men and women are able to access urban land and housing.



Question 8: What are your suggested solutions for improving access to well-located urban land by the poor?

One suggestion was to occupy vacant land in urban areas and then start negotiation with the state. There was, however, a divergent perspective where it was felt that communities should undertake a process of first identifying vacant, unused land and then entering into negotiations with the relevant authorities regarding access to this land, as *"you can't right a wrong with another wrong and that 'grabbing' land just makes things more difficult as it could lead to political struggles"*.

Other suggested solutions were that:

- Communities must do their homework about existing vacant land and buildings;
- Communities must learn from others, i.e. networking is important;
- There should a platform for government to learn from the real experiences of communities, as currently government does not understand the real problems of communities.

Major issues emerging from the workshop

- Youth development is a major concern for both the Ndabeni trust and the Hangberg Informal Settlement Steering Committee
- The need for a broader conceptualisation of development was mentioned on several occasions. It was argued that development is about more than housing, but that it is important to also take into consideration issues of livelihoods and how to sustain these.
- The issue of livelihoods is an important one and it became clear during the workshop that often poor communities make certain trade-offs in order to be able to access employment and other economic opportunities. This fact is often ignored by government during relocation projects. It is very important that government conducts careful livelihoods assessments prior to moving people from informal settlements to areas which might be completely unsuitable to their needs.
- Access to finance was raised on several occasions as an obstacle to poor people in their struggles to access urban land and housing. At some point however, one participant at least felt that finance is available through for example the Finance Charter commitments, but that poor people are too lazy to access this.
- Engagement with the state was another theme which surfaced on more than one occasion. It appears that these communities are struggling to define what the nature of their engagement with government should be, whether they should adopt a more co-operative or a more adversarial approach to the state. The need to challenge corrupt officials was mentioned more than once, yet at the same time engagement in negotiations with the state regarding vacant urban land was also identified as an important strategy.



- The sale of public land to private developers and foreigners was identified as an important issue around which to lobby the government.
- Certain participants in the group showed a great understanding of the operation of the formal land and property market and how this impacts on access to urban land for the poor. The identification of unused, underdeveloped land through a land audit for example, was viewed as an essential component of an attempt to allow poor communities greater access to urban land.
- Inclusion of civil society was also an important theme, participants felt that government should make a greater effort to listen to communities and to make them partners in the decision-making process
- Improving communication between government and communities is seen to be crucial. Education programmes to improve literacy and to build an awareness amongst communities about their rights and responsibilities was seen as necessary to improve communication between government and communities. Government should also strive to simplify the 'official' process by for example printing official documents in 'simple language'.

Conclusion

The workshop unearthed a wealth of information. The debates were rich and in some cases participants were unable to reach consensus on certain issues. The three community groups which participated are very diverse and therefore provide a broad range of perspectives and issues for consideration.



Annexure: Attendance register

First name & surname	Organisation
Joyce Nxojha	Ndabeni Trust
P.V. Ngcwangu	Ndabeni Trust
Monwabisi Mbokotwane	Ndabeni Trust
Nceba Sibinda	Ndabeni Trust
Zoleka Ntshikilana	Langa SANCO
Nomvuyo Zingu	Langa SANCO
Donovan van der Heyden	Hangberg Informal Settlement Committee
Kevin Davids	Hangberg Informal Settlement Committee
Michelle Yon	Hangberg Informal Settlement Committee
Thembakazi Boo	TRA Delft South
Lerato Ndjwili-Potele	Urban LandMark
Warren Smit	Development Action Group
Mercy Brown-Luthango	Development Action Group
Ardiel Soeker	Development Action Group
Shamil Manie	Development Action Group

