

**AGENDA of the
Portfolio Committee : Community Services
22 August 2017
(Also the agenda for the Mayoral Committee Meeting : 30 August 2017)**

**3.
TRANSFER : OVERSTRAND MUNICIPALITY TO DENISE AUGUST: ERF 6796,
MOUNT PLEASANT**

17/5/4/1

FW Frans

(028) 313 8144

Hermanus Administration

10 JULY 2017

1. Executive Summary

This report is to request the Council to, in terms of its delegated authority, grant permission for the transfer of Erf 6796, Mount Pleasant, Hermanus, to Denise August.

2. Service Delivery and Budget Implementation Plan - IGNITE

Community Services
Housing Administration

3. Compliance with Strategic Priorities

Provision of democratic, accountable and ethical governance
Provision and maintenance of municipal services
Creation and maintenance of a safe and healthy environment

4. Delegated Authority

None

5. Legal Requirements

Constitution of SA, Act 106 of 1996
Housing Act 107 (107 of 1997)
Municipal Finance Management Act, Act 56 of 2003

6. Background/Discussion/Evaluation/Conclusion

Background

The Phasing Out Programme was instituted in terms of Section 14(9) of the Housing Act of 1997 in order to normalise housing administration and the housing environment. It is also used to phase out all previous (pre-1994) housing subsidies on public housing stock and transfer housing stock for ownership.

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Discussion

This property forms part of the Phasing Out programme which was developed in the 1980's in terms of a Selfbou Scheme.

The property was allocated to the original beneficiary Mr Martin James, who passed away. The property was left in the care of his son Mr Pieter Johannes James, who also passed away on 23 December 2016.

A request was received from Mr Dennis James and Mr Charles James, sons of the late Mr Martin James and brothers of the late Mr Pieter James members to transfer the property in the name of Ms Denise August. The last-mentioned is the daughter of Mr Dennis James. Ms James will also take responsibility for the municipal services account in respect of Erf 6796, Mount Pleasant.

7. Financial Implications

None

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

Senior Manager : Expenditure & Assets, Mr H Vorster - (028) 313 8046

The property under consideration does not constitute a Municipal Asset and as such the proposed transfer will not impact on the Municipal Fixed Asset Register.

10. Annexures

Annexure A: Affidavit from Mr Dennis James in respect of the transfer.

Annexure B: Affidavit from Mr Charles James in respect of the transfer.

Annexure C: Affidavit from Ms Denise August accepting responsibility for the municipal account.

Annexure D: Copy of the municipal account.

RECOMMENDATION TO THE COUNCIL:

1. that permission be granted to transfer Erf 6796, Mount Pleasant to Denise August; and

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2. that the aforementioned consent to transfer be subject to Denise August accepting full responsibility for the outstanding municipal services account in respect of Erf 6796, Mount Pleasant.

RESPONSIBLE OFFICIAL :

FW FRANS

TARGET DATE FOR IMPLEMENTATION :

01 SEPTEMBER 2017

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10 JULY 2017

**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON
22 AUGUST 2017, WHICH COMMITTEE RECOMMENDED AS FOLLOWS:**

RECOMMENDATION TO THE COUNCIL:

1. that permission be granted to transfer Erf 6796, Mount Pleasant to Denise August; and
2. that the aforementioned consent to transfer be subject to Denise August accepting full responsibility for the outstanding municipal services account in respect of Erf 6796, Mount Pleasant.

RESPONSIBLE OFFICIAL :

FW FRANS

TARGET DATE FOR IMPLEMENTATION :

01 SEPTEMBER 2017

AFFIDAVIT

Name: Dennis Nico James

ID No: 671006 5076 033

Address: Blue Bell crescent 28

Cell: 0746 232612

Verklare onder eed in Afrikaans / State under oath in English

Ek, Dennis Nico James, neem my volle
toewyding, ek het kennis en verstaan my
deklarasië August moet so gelid word

Ek is vertroud met die inhoud van hierdie verklaring en begryp dit.
Ek het geen beswaar teen die eed van die voorgeskrewe eed nie.
Ek beskou die voorgeskrewe eed as bindend vir my gewete.
I know and understand the contents of this statement.
I have no objections in taking the prescribed oath.
I consider the prescribed oath to be binding on my conscience.

DATUM / DATE: 16 Merit 2017 HANDTEKENING: D. James

I certify that the above statement was taken by me and the deponent has
acknowledged that he/she knows and understand the contents of this statement. This
statement was sworn to before me and the deponent's signature / thumb print / mark
was placed thereon in my presence at Hill RMAN'S on
2017 02 16 2017


COMMISSIONER OF OATHS

N.P. Rumanus
S.A. POLICE SERVICE
67 MAIN ROAD
HILL RMAN'S
EAST COAST

AFFIDAVIT

Naam/ Name Charles Edward James
 Id no. 23/07/1995
 Adres/ Address 38 Bekke Street
 Tel no. (h).....(w).....

Verklaar onder eed in Afrikaans / States under oath in English

Ek Charles Edward James bevestig dat
ek my eed aanvaar en dat ek dit doen
om te verseker dat ek die waarheid sê.

Ek is vertrouwd met die inhoud van hierdie verklaring en begryp dit.
 Ek het geen beswaar teen die afleg van die voorgeskrewe eed nie.
 Ek beskou die voorgeskrewe eed as bindend vir my gewete.
 I know and understand the contents of this statement.
 I have no objections in taking the prescribed oath.
 I consider the prescribed oath to be binding on my conscience.

DATUM / DATE 16 Oktober 2007 HANDTEKENING C. JAMES

I certify that / the above statement was taken by me and / the deponent has
 acknowledged that he/she knows and understand the contents of this statement. This
 statement was sworn to before me and the deponent's signature / thumb print / mark
 was placed thereon in my presence at HERMANUS on

[Signature]
 COMMISSIONER OF OATHS

S. A. POLICE SERVICE
 61 MAIN ROAD
 HERMANUS
 RANK :



AFFIDAVIT

Name / Naam : NONISE AUGUST
 ID no. : 94111 2657 084
 Address / Adres : 28 BURGERS CAUSEWAY / HERMANUS
 Tel no / nr : (h) 050 66 99 783 (w)

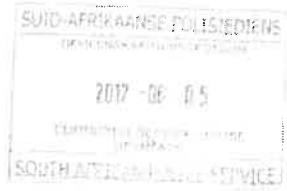
States under oath in English / Verklaar onder eed in Afrikaans

MOET BEWYS EN WISSE DAT EK
ALLES OORWAGEND EN VERANTWAAKLIKLIK
DAAR OOR SWER EN VERKLAAR

I know and understand the contents of this statement.
 I have no objection in taking the prescribed oath.
 I consider the prescribed oath to be binding on my conscience.
 Ek is vertroud met die inhoud van hierdie verklaring en begryp dit.
 Ek het geen beswaar teen die afle van die voorgeskrewe eed nie.
 Ek beskou die voorgeskrewe eed as bindend vir my gewete.

Date / Datums: 2015 Signature / Handtekening: [Signature]

I certify that the above statement was taken by me and that the deponent has acknowledged that he/she knows and understand the contents of this statement. This statement was sworn to me and the deponent's signature / thumb print / mark was placed thereon in my presence at HERMANUS on 2015 at 10:00



COMMISSIONER OF OATHS
[Signature]
 South African Police Service
 61 Main road Hermanus
 Rank :

