

## **The proposed establishment of Scott Estate & Baviaanskloof (SEB) as a Community Improvement District**

Minutes of the Public Meeting held at Kronendal Primary School, 11 Feb 2020

### **Present:**

Approx 50 residents and property owners of Scott Estate and Baviaanskloof; City of Cape Town CID representatives: Eddie Scott and Joepie Joubert; SEBCID steering committee: Helen Snell, Peter von Moltke, Fanie Malan and Gavin Alford and Independent Chair: Brad Geysler.

1. The meeting was opened by the Chair at 6pm
2. The Chair welcomed all attendees, introduced himself and ran through the agenda.
3. Helen Snell introduced the Steering Committee, updated on the status of the CID application, presented the results of the CID voting and outlined how objections would be dealt with. She also recapped how a CID is proposed and established, what the benefits are of living in a CID area and why a CID is being proposed for SEB. Lastly she presented the key aspects of the business plan and budget which were published in May 2019 and set out the remaining steps to be taken to establish the CID.
4. After the presentation the floor was opened to the floor. Key questions are summarised below:

**Q1:** Can you please expand on the additional amount per month which will be charged?

Helen Snell answered: It's R90 per month per R1m of municipal property value inclusive of VAT.

**Q2:** Surely the bad debt ratio will be higher than 3%, especially in the first year as people are still getting used to the idea?

Helen Snell & Eddie Scott answered: the 3% is the figure stipulated by the City that must be budgeted for bad debts. The City collects the CID rates along with the basic rates and then pays it on to the CID. The City funds 100% of the CID budget regardless of what actual arrears might be in order to ensure the business plan can be implemented. At the end of each financial year an analysis is conducted of actual arrears versus the 3% budgeted and in the case of a positive difference, the amount is returned to the CID. The 3% is kept in a ring-fenced account during the year and cannot be accessed by the City. In the vast majority of cases, there is a positive sum repaid each year.

**Q3:** Why is there a depreciation charge in year one?

Helen Snell answered: this reflects the investment in fences and gates.

**Q4:** Is the CID able to enter into credit agreements over the 5 year term?

Helen Snell answered: Yes, and this is one of the advantages of the CID structure as it enables longer term contracts to be negotiated which will frequently offer more attractive pricing.

**Q5:** Where will the fencing and gates be located?

Helen Snell answered: one section will be at the top of Chilton Close and the other at the top of Baviaanskloof Road. Both areas will still be accessible to anyone wanting to walk on the mountainside but access will be controlled to provide more of a physical barrier at these two specific points which have been identified as weak areas on our perimeter.

**Q6:** What if there is a mountain fire?

Helen Snell answered: Hopefully the programme to remove most of the alien trees should minimise this risk.

**Q7:** What will be the CID do about houses which have inadequate security and are used by criminals as a point of access to our area?

Helen Snell answered: CID funds can only be allocated to public spaces so there is little that can be done about a specific property that is the target of crime but hopefully the broader security measures being proposed should reduce the risk that the house is targeted.

**Q8:** Which public spaces are in our area? Why should we fund the upkeep of these spaces which might be used by people who don't live in our area?

Helen Snell answered: Once a CID's area is defined, all the public spaces within that fall within the remit of the CID. In our case the main public spaces are the park at the bottom of Andrews Road, the river bank and the mountainside. While this may be used by others who don't live in our area, maintaining these spaces is vital to ensuring our area retains its position as one of the most desirable residential areas in Hout Bay.

**Q9:** Which control room will be used for monitoring the CCTV?

Helen Snell answered: Whichever company is ultimately contracted to for the purpose of monitoring the camera network will have its own control room which will be given instructions on what to do in the event a security alert is detected. In our specific case, this will be dispatching the response vehicle dedicated to our area but also informing Watchcon who will inform other potential responders. We are very fortunate within Hout Bay to have a resource such as Watchcon which coordinates emergency response including CCP and other private security firms. This is why we are also budgeting to make financial contributions to CCP.

**Q10:** Does the CID have any jurisdiction over planning applications for individual properties?

Helen Snell answered: No, the CID has no jurisdiction.

**Q11:** Is the area at the top of Andrews Road/Chilton Close included in the CID (ERF 1556)? And if so, will it not benefit directly from the proposed fence and gate to be installed there?

Helen Snell answered: yes, the land is included in the CID area. With respect to the fence and gate, as and when the time comes to commence installation, discussions should be held with the developer of the land to ensure the plots did not benefit disproportionately. By the same token, the development plans may negate the need for the proposed fence and gate.

**Q12:** My neighbour has a large invasive tree on his property which he refuses to deal with. What could the CID do about that?

Helen Snell answered: While the CID would have no remit over the tree since it is located on private property, it could directly request help from the City to ensure the right measures were being taken at the municipal level.

**Q13:** What is the situation with respect to security estates and CIDs?

Helen Snell answered: Security estates can be included within CIDs and cannot by definition be excluded. In the specific case of Baviaanskloof Estate, because it is entirely encircled by the proposed CID area, it has to be included. While some living in security estates may feel they do not need the measures the CID intends to introduce, it is important to bear in mind the improvements propose will benefit all who live, work and visit the area as they pass to and from their destinations. There may also be some savings that can be made by integrating some security measures with those of the CID. While Tierboskloof is excluded from the proposed CID, the estate is very supportive and will work closely on the CID plans where relevant. It should also be remembered that our area benefits from the security measures Tierboskloof has in place along the mountainside perimeter.

**Q14:** Is there money in the budget to replace the alien vegetation being removed?

Helen Snell answered: There is budget allocated where it would make sense to replace in order to maintain the appearance of the area but in the case of the alien trees, the intention is not to replace.

**Q15:** But what happens if you remove trees? Does that not increase the risk of a landslide? What would happen if the CID removes trees and then a landslide occurs which damages a house?

Helen Snell answered: Any tree removal would be done by an appropriately qualified and insured company.

**Q16:** What are the overhead costs of the NPC?

Helen Snell answered: There are several line items within the budget which can be considered overhead (eg audit fees, accounting fees) and these can be seen in the detailed budget contained in the business plan.

**Q17:** When will a formal budget be available?

Helen Snell answered: Within 6 months of the CID being established a board must be appointed. Until that time, the Steering Committee will act as the interim board and it will be a priority to start formalising the budget as soon as the NPC is established.

**Q18:** Is there scope for the CID to negotiate a “bulk” deal with an armed response company?

Helen Snell answered: Yes in theory this could be possible but it is important to remember that response for the public spaces covered by the CID must be separate to any response for private residences, eg a different vehicle.

**Q19:** So does that mean that any responder in the area funded by the CID would not to come to help me even if there was clearly an incident occurring in my house?

Eddie Scott answered: CID by-laws and policies expressly prohibit funds being used to benefit individuals and/or private residences so in theory if a responder funded by the CID witnesses an incident taking place in a private space, he/she cannot intervene. However, in practice what would happen is that responder would quickly raise the alarm for additional help and do whatever possible to sure the surrounding public space.

**Q20:** Surely the budget needs to include a line for bad debt recovery?

Eddie Scott answered: no as the CID budget is effectively funded by the City. See answer to Q2.

**Q21:** What is the risk that legislation governing CIDs changes during the 5 year term?

Eddie Scott answered: The legislation which governs CIDs is Section 22 of the Municipal Property Rates Act. This is national legislation and changes can never be entirely ruled out but are not anticipated.

**Q22:** What can we do to try and ensure that as much of our community as possible becomes members of the NPC and gets involved?

Helen Snell & Eddie Scott answered: It is certainly true that after a CID is established, there can be significant apathy on the part of property owners who don't go on to become members of the NPC and thus don't execute their right to vote. In much the same way as the Steering Committee campaigned hard to gather votes on the proposed CID, they are committed to doing everything possible to encourage property owners to become members of the NPC. Membership is not, however, obligatory and the experience from other CIDs is that membership is generally very low. It is important to remember that when voting on

whether or not to establish the CID, each ERF has one vote. However, once the NPC is established, each R5m of municipal property value attracts one vote, eg a property valued at R5m has one vote and one valued at R10m would have two votes.

The Chair closed the meeting at 7.15pm