

MUIZENBERG IMPROVEMENT DISTRICT NPC
Minutes of the Public Safety Board Meeting held on Tuesday 19 July 2016
at 17:30 at the All Saints Church Hall, Muizenberg

Present:

Name	Position	Abbrev
Steven Frankal	Director (Chair)	SF
Hugo Coetzee	Director	HC
George Hill	Director	GH
Lesley Schroeder	Director	LS
Kerime Sinclair	Director	KS
Marion Wagner	Director	MW
Peter Wright	Director	PW
Chevone Petersen	Manager	CP
Eddie Scott	City of Cape Town ISL	ES
George van Schalkwyk	City of Cape Town ISL	GvS

Community & MID Members Present:

- A. Trackman
- Henrik Daugbjerg
- Jan Heerkens
- Jennifer-Ann Minogue
- Joe Mark Lippert
- Machteld van Lennep
- Marais Bergh
- Matthew Rice
- Nikki Smit
- Peter Dugmore
- Sandy Crossley
- Teresa Anne Moore
- Toby Megaw
- Truida Prekel

No	Agenda Item	
1.	Welcome	<p>SF welcomed everyone to the meeting and introduced the City of Cape Town Inter Services Liaison representatives, Eddie Scott and George van Schalkwyk.</p> <p>SF also confirmed that the reason for the meeting is to clarify the on-going issues around the MID's public safety mandate. It must also be noted that reference to armed response in the minutes refers to lethally armed.</p>
2.	Public Safety Armed Response	<p>Questions:</p> <ul style="list-style-type: none"> ➤ MID Member, Toby Megaw referred to the MID meeting held on 15 March 2016, where the membership requested that the MID provide armed response back-up. He requested clarity on why the

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		<p>board is not prepared to contract for armed response services as an Improvement District with a mandate for public safety services.</p> <ul style="list-style-type: none">➤ MID Member, Peter Dugmore indicated that he is aware of the following Improvement Districts offering armed response: Stellenbosch, Maitland, Llandudno, Little Mowbray/Rosebank, Elsie's River. He also stated that Kalk Bay St. James endorses armed response. <p>Furthermore Peter Dugmore also stated that if the Improvement District service provider did their job right, then criminals would not get access to private property in the first place.</p> <ul style="list-style-type: none">➤ MID Member, Machteld van Lennep also referred to a home invasion in Hansen Road, and stated that crime has escalated in the last 4 months, and a questionnaire was answered by a 193 residents/business owners in Muizenberg who are in favour of MID offering armed response services. <p>Answers:</p> <ul style="list-style-type: none">➤ SF confirmed that one of the mandates of the MID was to provide top-up public safety services. He further confirmed that the MID Directors need to ensure that the Improvement District operates within the framework of the City of Cape Town, especially when considering that the Directors and the City will jointly be held accountable should anything go wrong.➤ In addition SF referred to the MID mandate also including cleaning, social development, environmental upliftment and management. These five elements must complement each other and cannot be viewed in isolation.➤ SF confirmed that it is the MID board's view that the public safety service provider must provide adequate public safety services, but is not there to replace the main service providers such as SAPS, Metro Police and Law Enforcement. Nor is the MID public safety service provider contracted to replace private residential security. The MID board agrees that it will not consider contracting for armed response back-up in public space.
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		<ul style="list-style-type: none">➤ ES, from the City of Cape Town, furthermore stated that Senior Council confirmed that policing and by-law services cannot be outsourced to Improvement Districts. He referred to the Constitution being very clear on how and by whom the laws may be enforced.➤ ES further confirmed that the City almost closed down 2 Improvement Districts due to them offering armed response services, which is NOT permitted. He also stated that JP Smith and Senior Staff in Law Enforcement are very clear in their opinion that armed back-up does not give them any legislative powers, whereas SAPS and Metro Police have the powers to enforce the law beyond a citizen's arrest.➤ GvS, City of Cape Town, also confirmed that no Improvement District staff member/service provider is allowed to respond to an incident on private property. This will open the Improvement District and the City for litigation should anything go wrong. It is the home owner's responsibility to secure their private property. <p>GvS also clarified that the role of the Improvement District is to establish relationships with SAPS, Neighborhood Watches, Law Enforcement, etc. The Improvement District (and its service provider) cannot take on the responsibility to perform the function of SAPS, but the Improvement District may consider contracting with Law Enforcement Officers instead of/in addition to private public safety service providers.</p> <p>In addition the following concerns were noted:</p> <ul style="list-style-type: none">➤ Atlantic Road where homeless people now camp out all day, with one even having a structure up. <p>ES confirmed that Displaced People's Unit and SAPS may intervene in this instance. The Improvement District may only support as part of a Joint Operation.</p>
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		<ul style="list-style-type: none"> ➤ Law Enforcement only operates during office hours. Contracting with Law Enforcement also means that the Officers may be called out to other areas when needed. Additional funds will be required to ensure a 24/7 presence. SF clarified that the MID previously contracted for 3 Law Enforcement officers. The result however was dismal, due to the constraints within which the by-laws could be enforced in terms of car guards and harassment of members in public space. ➤ SAPS Muizenberg is ineffective. GvS confirmed that the Improvement District cannot be held accountable for the inefficiencies of SAPS, and that the community must refer their concerns to the CPF or SAPS Ombudsman.
3.	General.	<ul style="list-style-type: none"> ➤ MID Tender sub-committee member, Henrik Daugbjerg clarified that the tender committee has always had clarity on the MID's position around armed response i.e. that the MID board will not contract for any armed response services in public space. ➤ Peter Dugmore commented that the MID board has done great things, and is possibly the best board since the inception of the MID. However it is a great pity that the community is only getting clarity on the board's stance on armed response 4 months after the initial meeting which was held in March. SF thanked Peter Dugmore and replied that the stance of the Board is clearly articulated in the Public Safety Statement issued by the MID Board and published on the MID website on 12 March 2016. ➤ ES committed to provide written feedback on the legal opinion and Acts he referred to. He also committed to obtaining the relevant contact information for the Department of Community Safety and Law Enforcement regarding support for the local Neighborhood Watch.

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		<p>➤ SF thanked everyone for their attendance and commended everyone for addressing their concerns with the Board and the City. He also assured the community that the MID Board does not work in isolation. He also encouraged the community to also hold to account the key service providers such as SAPS and Law Enforcement. The MID is always an easy target when it comes to addressing matters around crime.</p>
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Meeting Closed at: 18:45