

Llandudno's SRA woes

JOHN HARVEY

A group of Llandudno residents has warned Capetonians to be "extremely wary" of pursuing Special Ratings Areas (SRAs), as their own experience has left them feeling "captured" and beholden to the whims of the local board.

While Llandudno has held SRA status since 2013, recent events relating to a significant levy increase – more than 500% – as well as a voting process some residents deem "grossly unfair" have severely divided the 316-household community.

The levy was approved by the City of Cape Town at the end of May.

The disgruntled residents have described the SRA board as "Trumpian",

drawing comparisons with US President Donald Trump's autocratic leadership style.

They also claim SRA board members are using scare tactics, magnifying crime statistics to bend residents to their will for high-tech security measures such as fingerprint recognition technology and even drones.

However, SRA chairperson Kiki Bond-Smith has categorically denied the board is using scare tactics, and says the proposed security measures are already in place at a number of other areas in Cape Town.

She also says the valuation-based voting system is allowed in terms of the Companies Act read with the City's SRA by-law.

Since the SRA's inception, residents

have been paying an annual levy increase in line with the consumer price index, which according to long-time resident Glyn Ruck is "typical of what a pensioner would expect". This represents an annual level increase of about R100 for each household.

However, they say in March this year Ms Bond-Smith posted on the We Love Llandudno Facebook group that a meeting would be held to discuss security issues.

According to the objectors, at this meeting residents were told that crime in Llandudno had soared, with board members pinning their argument for additional security on an incident in which an American couple living on Fisherman's Bend were held at knifepoint and robbed in their own home.

Mr Ruck said at this initial meeting, SRA board member Jody Aufrechtig proposed a figure of R650 per household to pay for additional security measures which could include sensors and drones.

Objector Sandi Sackstein said what also emerged was that if residents wanted to vote on the levy, they had to become full members of the SRA.

However, they could only be granted membership if they agreed to the conditions of the memorandum of incorporation (MOI).

"Everyone in Llandudno pays the SRA levy, but you only have a say if you are a member, which is ridiculous," she said.

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'We are aiming for a crime-free suburb'

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A condition of which most residents had not been made aware, she said, was that members with higher property values were given more votes. The equation was that there was one vote for R5 million of property value.

A second "question and answer" meeting was then held in mid-March, but according to the objecting residents, anybody who raised concerns was "shouted down". "We asked to be shown statistics about crime levels, but we were told there were none," Mr Ruck said.

However, resident Robin Meyerowitz did manage to draw crime statistics from the Hout Bay Neighbourhood Watch web page. These statistics show that from November 2016 to April 2017, Llandudno experienced an average of only one house robbery or break-in a month.

A vote on the new levy and three-year business plan for the SRA was scheduled for Thursday April 6 at

Llandudno Primary School, but Ms Sackstein discovered that the much-touted security aspect would increase by only 5%, whereas a number of items under "general expenditure" were budgeted to go up by at least 30%.

This included an additional "admin and management" fee of R50 000 for the 2017 proposed budget which was also proposed to go up by 30% in 2018. Computer expenses were also to increase by 30% over each of the next three years, while "contingencies" were to increase by 300% the first year and 30% the second year.

"Newsletter expenses" were to increase by 1 300% in the first year and 30% the second year.

When the budget meeting was held, matters quickly escalated between objectors and SRA proponents. The objectors claim they were told if they could not afford their rates they should "move out" of Llandudno, or get rid of their DSTV subscriptions in order to pay the levy.

"I was even called stupid and a

trouble-maker," Ms Sackstein said. "What also concerned me was that the voting process was not properly audited."

The residents said they wanted others in Cape Town to be aware that if they were approached to be part of an SRA, they should be aware that they could easily be captured by a board.

"Five members of the board live in very large properties in Llandudno, and it seems to me like they are trying to get the whole community to subsidise their levies," Mr Ruck said, while another resident, Andrew McNulty, was concerned that the process had not been transparent and was "undemocratic".

Ms Bond-Smith said the crime statistics had been dealt with extensively at the various meetings.

"We are aiming for a crime-free suburb. We also explained at the meeting that our security initiative is a pro-active as opposed to reactive response. The allegation that we are using scare tactics to magnify higher crime stats is denied. We have also explained that crime

stats may not contain all incidences that happen in an area, where the affected residents for instance decide not to press charges. The security initiatives we are proposing have been implemented in various other areas in the southern suburbs," she said.

She said the necessity of becoming a member of the not-for-profit company (SRA) was a requirement of the Companies Act.

"In order to vote at any shareholders' meeting - which the meeting on April 6 was as shareholders in this context are just called members - one has to be a shareholder. This has been explained throughout the inception process of the SRA, some three or four years ago, as well as subsequent AGMs. It has also been explained at length at the run up to and the meeting of April 6. We also waived some of the procedural requirements for membership to encourage and enable as many people as possible to become members to ensure a vote representative of the wishes of the community is taken. The SRA

membership have in fact increased by 300% in the lead up to the meeting on April 6."

Responding to allegations over the valuation-based voting system, Ms Bond-Smith said this was allowed in terms of the Companies Act read with the City's the SRA by-law.

"We have at numerous times explained that we as SRA board are bound to the provisions of the Companies Act and SRA by-law. Anyone aggrieved by the provisions for voting stipulated in the legislation should employ their own legal resources to challenge the constitutionality of these acts. In any event, we conducted the voting both on a valuation-based system and on a basis of one property equalling one vote. In both instances, the outcome resulted in a two-thirds vote in favour of adopting the increased SRA budget for security."

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Budget approved by City

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"There is therefore no truth in the allegation that the 'rich people will get more votes and run the show.' This is factually-based."

As to allegations that objectors had been shouted down, she said residents were given "ample opportunity" to raise their concerns.

"We had about four hours of question and answer sessions in the school hall prior to the formal meeting on April 6, in addition to numerous email responses and one-on-one meetings held with concerned residents."

"At some point the matter had to be put to the vote. We could not simply continue by re-raising issues (such as the constitutionality of the voting process) on a repeated basis."

Ms Bond-Smith said the budget had been vetted and approved by the City on a line-by-line basis, and therefore there had been nothing untoward about the budget or its process. While the objectors called the process undemocratic, the majority of residents had voted at a "duly convened meeting" to support the SRA's increased levy for security.

"This was on a one person,

one property voting system as well as the valuation-based voting system. The allegations regarding the undemocratic process therefore have no substance."

Ms Bond-Smith said the board had taken note of the unhappiness over the increased rates, and to this end, they had approached the City to establish if there were any additional relief mechanisms available.

"Our view is that it is in fact the rates issue, that is cause for concern and not the increased SRA levy. The SRA levy is currently, with the increased levy having been approved, less than 10% of the actual rates being paid," she said.

Ward councillor Roberto Quintas said he was aware of the dissatisfaction of some residents about the increase.

"Llandudno is one of the better functioning SRAs and to the best of my knowledge this SRA followed due process according to requirements. I believe their decision was sound, legitimate and lawful," he said.

"I have received a lot of complaints, but also a number of emails and phone calls in support of the SRA because security is a big concern for the community. That said, I do hope the Lland-



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