

**MINISTRY FOR COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTIONS FOR WRITTEN/ORAL REPLY**

**QUESTION NUMBER 2015/3620**

**DATE OF PUBLICATION: 18 SEPTEMBER 2015**

**Ms A Steyn (DA) to ask the Minister of Cooperative Governance and Traditional Affairs:**

Have there been any court cases instituted against the Blue Crane Route Local Municipality since 2006; if so, (a) how many cases have been instituted, (b) how many of the specified cases were lost, (c) what has been the total cost to the municipality of all of the specified cases and (d) what was the nature of each of the cases? **NW4288E**

**Reply:**

According to information submitted by the Blue Crane Route Local Municipality (BCRM), the following cases were instituted against the municipality:

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| 1. **How many cases have been instituted**
 | 1. **How many of the specified cases were lost**
 | 1. **What has been the total cost to the municipality of all specified cases**
 | 1. **What was the nature of each of the cases**
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| Seven cases | One case was lost and four cases were settled out of court. | Corporate Finance Solutions vs BCRM: 2010: Legal fees: R 58 963 | Municipality sued for arrear rental payments. |

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|  |  | Mr H Hendricks vs BCRM: 2012:Legal fees: R 99 383Settlement 1: R 67 500Settlement 2: R 36 155 | Mr Hendricks lodged a dispute for unpaid salary and performance bonus. A settlement agreement was reached and the dispute was resolved. |
| Mr A Swanepoel vs BCRM: 2013Legal fees: Mr Swanepoel to pay all costs of the municipality. | Mr Swanepoel successfully lodged an application against the municipality for wrongful accusation of misconduct/theft. The municipality successfully appealed judgement of the lower court. The court ordered that Mr Swanepoel must pay costs of the municipality. The municipality will proceed with recovery costs against Mr Swanepoel.  |

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|  |  | Mr E Rankwana vs BCRM: 2013Legal fees: R 352 528Settlement: R 450 000 | Mr Rankwana applied for post of Municipal Manager and was not successful. He lodged an application to review and set aside appointment of Mr T Klaas as Municipal Manager. At the hearing scheduled for 18 June 2015, Mr Rankwana’s legal team proposed that the matter be resolved out of court and that each party pay its own costs. The matter was referred to the Municipal Council which unanimously resolved to settle the matter out of court.  |
|  |  | Mr S Kambi vs BCRM: 2015Legal fees: R 27 398 | Mr Kambi lodged a claim to the Labour Court against the municipality in respect of payment of unpaid salary. The municipality successfully defended the matter. |

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 | 1. **What was the nature of each of the cases**
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|  |  | Mr P Dreyer vs BCRM: 2013Legal fees: R 40 422Settlement: R 34 544 | Mr Dreyer lodged a dispute demanding payment of R 69 087.72 in respect of performance bonus for a period of two years while he acted as Manager: Community Services. The legal team of Mr Dreyer and the municipality agreed to settle out of court.  |
|  |  | Ms G Sammy vs BCRM: 2014Legal fees: R 29 490Settlement: R 34 544 | Ms Sammy lodged a dispute to the Labour Court demanding payment of R 38 428 in respect of payment of unpaid salary. According to the municipality, R 34 544 has been paid in settlement of this matter. |