

**PLANNING FOR INCLUSION IN A SOUTH AFRICAN TOWN:
A CASE STUDY OF INFORMAL TRADING IN STELLENBOSCH MUNICIPALITY**

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ABSTRACT

With a Gini-coefficient between 0.65 and 0.69, South Africa has one of the highest rates of inequality in the world (Stats SA, 2014). At the city level, this inequality becomes particularly visible within Stellenbosch Municipality. Like all South African cities, apartheid has had a major influence on urban form and town-planning policies, the effects of which remain clearly apparent today. Despite high rates of poverty and unemployment, the presence of an informal, street-trading economy within central Stellenbosch is surprisingly absent. Informal vendors who do eke out a livelihood in the town centre are mainly located at two sites: one geared predominantly towards foreign tourists (*Die Braak*); and the other which sells affordable, convenience goods to commuters beside the local taxi rank (*Bird Street Taxi Rank*). This thesis, prepared for an MPhil in Urban and Regional Planning at Stellenbosch University, uses qualitative methods to look at the complexities of ‘inclusive town planning’ in South Africa, using informal trading as a case study. Four sub-questions direct the focus of the research towards investigating individual vendor identity and vendor relationships; existing channels for vendor-municipality interaction; current municipal policies for inclusive town planning; and finally - public perceptions of informal trading. All in all, this paper uncovers a number of key themes for town planners to consider – including the need for multi-purpose and viable public space; inclusive urban design; the use of innovative forms of public participation; and the creation of non-traditional community partnerships for inclusive urban problem solving.

Keywords and phrases: informal trading, inclusive town planning, public participation, Stellenbosch Municipality, Right to the City

OPSOMMING

Gegewe 'n Gini-kofisient tussen 0.65 en 0.69 word Suid Afrika gekenmerk deur van die hoogste vlakke van ongelykheid in die wereld (Stats SA 2014). Op 'n stedelike vlak is hierdie ongelykheid pertinent sigbaar in Stellenbosch munisipaliteit. Soos in alle Suid Afrikaanse stede het apartheid 'n dominante invloed gehad op die stedelike vorm en stadsbeplanning beleid waarvan beide se invloed vandag steeds duidelik sigbaar is. Te midde van hoe vlakke van armoede en werkloosheid is daar 'n verbasende afwesigheid van n informele straathandelekonomie in sentraal Stellenbosch. Informele handelaars wat wel 'n bestaan in die middeldorp maak, is hoofsaaklik in twee areas gelee: Die een bedien hoofsaaklik buitelandse toeriste (Die Braak); die ander fokus op bekostigbare geriefsverkope en grens aan die plaaslike taxi stasie (Bird Straat Taxi stasie). Hierdie tesis, soos voorberei vir die graad MPhil Stedelike en Streeks Beplanning by Stellenbosch Universiteit, maak gebruik van kwalitatiewe navorsingsmetodes om die besondere kompleksiteite van “inklusiewe stadsbeplanning” in Suid Afrika te ondersoek, met informele handel as gevallestudie. Vier sub-vrae fokus die navorsing, eerstens deur die ondersoek van individuele handelaar identiteit en handelaar verhoudinge; dan die bestaande kanale vir handelaar-munisipale interaksie; derdens die huidige munisipale beleid vir inklusiewe stadsbeplanning; en laastens, publieke opinie rakende informele handel. Oorhoofs le hierdie tesis kern temas bloot vir stadsbeplanners om te oorweeg – insluitende die skep van multi-funksionele, volhoubare publieke ruimtes en inklusiewe stedelike ontwerp; die gebruik van innoverende metodes van publieke deelname, en die skep van nie-tradisionele gemeenskapsvenootskappe vir inklusiewe oplossings van stedelike probleme

Trefwoorde en frases:

informele handel, inklusiewe stadsbeplanning, publieke deelname, stellenbosch munisipaliteit, reg tot die stad

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CONTENTS

1. INTRODUCTION	1
2. LITERATURE REVIEW	5
2.1 The Informal Economy in South Africa	5
2.2 Planning for Informality	7
2.3 Inclusion, Participation and Power within Town Planning Practices	11
2.4 Town Planning, Public Participation and Street Trading in South Africa	15
2.5 Town Planning and the Informal Economy in Stellenbosch	18
3. RESEARCH METHODS & CONCEPTUAL FRAMEWORK.....	22
3.1 Conceptual Framework & Research Questions	22
3.2 Research Methodologies	25
4. FINDINGS AND ANALYSIS.....	35
4.1 The Construction of Vendor Identity	35
4.2 Existing practices and opportunities for inclusive participation in town-planning.....	41
4.3 Responsive and Accountable Municipal Policies	55
4.4 Inclusive and Cohesive Community Relationships	59
5. CONCLUSION	63
6. REFERENCES	67
7. APPENDICES.....	74

FIGURES

Figure 1: Stellenbosch Municipality, in relation to South Africa	19
Figure 2: Assessing Outcomes from Instances of Citizen Engagement (Gaventa & Barrett, 2010) 23	23
Figure 3: Assessing challenges and opportunities for inclusive and viable informal trading spaces within Stellenbosch Municipality.....	24
Figure 4: Aerial View of Central Stellenbosch, including <i>Bird Street</i> and <i>Die Braak</i> Trading Sites	31
Figure 5: Map of <i>Die Braak</i> , Pre-2014 Trading Site.....	44
Figure 6: Map of <i>Die Braak</i> , Current Trading Site.....	44
Figure 7: Pedestrian-Commuter Flows around the <i>Bird Street Taxi Rank</i>	49

TABLES

Table 1: Research Question & Sub-questions.....	25
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APPENDICES

	Page
Appendix A: Survey Questions for Informal Street Vendors.....	74
Appendix B: Survey Questions for Stellenbosch Municipality Staff	76
Appendix C: Interview Outline for Stuart Hermansen, Architect of Bird Street Taxi Rank.....	77

ABBREVIATIONS AND ACRONYMS

	Page
Central Business District (CBD)	1
Gross Domestic Product (GDP)	6
Integrated Development Plan (IDP)	16
Municipal Systems Act (MSA)	16
Not in My Backyard (NIMBY)	2
Small, Medium and Micro Enterprises (SMMEs)	56
Spatial Planning and Land Use Management Act (SPLUMA)	2

CHAPTER 1: INTRODUCTION

1. INTRODUCTION

As poignantly noted by Boyer (1996:24), “urban planning has a long history of disciplining people and places.” There are few instances where this statement rings truer than in the context of South Africa during the apartheid era. Throughout the twentieth century, planning laws enacted by the white-minority government were established to spatially disassociate racialized citizen groups, such that white South Africans typically lived in close proximity to city centres and economic opportunities while black and coloured groups inhabited the urban peripheries. In the latter case, many communities were forcibly removed from homes inhabited for generations, causing extreme disruption to community life and livelihood opportunities (SUN Archives, ND).

After the fall of the apartheid regime in 1994 and the enactment of the democratic Constitution of 1996, the South African planning environment entered a state of flux as planners and policy makers at all levels of government attempted to restructure urban environments towards an urban form that is inclusive and accountable to all South Africans (Van Wyk & Oranje, 2014). Now, more than twenty years later, the goal of inclusive urbanism has been hampered by a growing national population, the migration of large numbers of people to urban centres since the 1980’s, high unemployment rates, government corruption in all spheres, a severe housing shortage for low-income groups and a vast learning curve as the country seeks to establish South African-centric planning solutions that are effective for tackling the country’s unique spatial, social and economic challenges (Oranje & Merrifield, 2010).

At a smaller scale, Stellenbosch Municipality provides an interesting and important microcosm of the challenges faced by South African planners towards establishing the purported vision of an inclusive “New South Africa.” One of the country’s oldest colonial settlements, Stellenbosch was originally established by Dutch settlers and is today a magnetic attraction for tourists who are keen to experience the town’s well-preserved colonial architecture, scenic mountain landscape and rolling vineyards. The town is also home to one of the top research universities in the country, and has established itself as a stable and growing hub for business and technological innovation. On the other hand, Stellenbosch presents a case of serious inequality, as many (predominantly black and coloured) communities outside of the tourist-centric central business district (CBD) continue to experience significant poverty, housing shortages and a lack of economic opportunities (Statsa SA, 2011). Unlike other South African cities, the presence of an informal economy appears to be surprisingly

vacant from the Stellenbosch CBD, apart from a few relatively small and highly regulated trading sites. On the other hand, informal trade is far more visible around the urban periphery, specifically within informal residential areas such as Khayamandi.

The informal economy, as demonstrated by many researchers, forms an important opportunity for the poor, unemployed or ‘underemployed’ (Portes & Haller, 2005:404) to earn an income and hence contribute towards a household’s livelihood strategy (Leonard, 2000; Sustainable Livelihoods Foundation, 2016). At the same time, ‘informality,’ by its very nature, goes against the often regimented, intentional and formalised nature of modern town planning. This contrast is particularly pronounced in Stellenbosch, given the focus (of both the municipality and external interest groups¹) on preserving the town’s historic, architectural aesthetic in light of tourist appeal and the economic capital that tourists bring. On the other hand, current planning legislation such as the Spatial Planning and Land Use Management Act (SPLUMA) promotes a planning culture that values principles such as “spatial justice,” “spatial sustainability” and “spatial resilience,” all of which seek to establish and perpetuate a culture of planning that aligns social, economic and environmental responsibilities (SPLUMA, 2013). Thus, town planners and decisions makers in Stellenbosch face the perpetual challenge of negotiating between the provision of viable space for informal traders in the CBD on the one hand; and on the other hand - to police and discourage economic informality in light of the sector’s indifference to historic town aesthetics and prevalence of ‘NIMBY-ism².’

This thesis, completed as part of a Master’s degree in Urban and Regional Planning, focuses on the complexities and opportunities of informal street trading in Stellenbosch as a case study to demonstrate why a nuanced approach to *inclusive*³ public participation and town planning are necessary in South Africa, given the country’s vast inequality and socio-economic challenges. Through a variety of qualitative methods, including interviews with informal vendors and municipal staff, as well as observations during an action-learning internship with the municipality’s Land Use Department, this thesis presents a deep, ethnographic description of informal street trading in Stellenbosch, at two sites in the historic town centre: The *Die Braak* Art Market and the *Bird Street Taxi Rank*. Specifically, two historical events that have contributed to the status quo of trader-

¹ For instance, Stellenbosch Heritage Foundation is a non-profit community organisation with a mandate aligned with the National Heritage Resources Act, which “aims to enable and encourage communities to nurture and conserve their legacy.” The foundation has a significant influence on planning decisions, particularly within the historic CBD of Stellenbosch. See <http://www.stellenboschheritage.co.za/> for more information.

² NIMBY = “Not in my backyard”

³ *Inclusion*, as it is understood in this research, will be further defined in Section 2.3 of this thesis.

municipality interaction in the past decade will be explored, as well as highlighting the challenges and opportunities for town planners to more carefully engage with informal traders by making use of innovative forms of public participation.

Drawing on a *Right to the City* approach, this thesis further positions ‘power’ in the analysis of collected data, acknowledging that divergent priorities and opportunities between diverse communities in Stellenbosch largely determine who has access to urban space and resources. At the same time, this thesis borrows a revised conceptual framework (Gaventa & Barrett, 2010:11) that allows for the analysis of data at four ‘levels,’ including: 1) the identities and existing relationships between informal vendors; 2) existing structures and histories of municipal-trader interaction; 3) town planning policies that facilitate a culture of participation and inclusivity; and 4) community perceptions of informal trading that can make or break town-planning attempts that seek to foster inclusivity.

The following section will present a literature review, that will firstly seek to provide an overview of the informal economy in South Africa, followed by a section that will highlight positive and negative examples of town planning in the context of urban informality. Next, a negotiation of inclusion, power structures and the potential for public participation within town-planning processes is presented, with the intention of highlighting the complexities of navigating urban priorities in contexts of severe inequality. Finally, I highlight the macro-level town planning histories and policy environments in a South African context, followed by a more micro-level discussion of the complexities of planning for informality in the socio-economically diverse and unequal context of Stellenbosch Municipality.

Following the literature review, Section 3 will provide a brief description of the research methods and conceptual framework used to guide this research, while Section 4 will provide a detailed description and analysis of data collected. Finally, Section 5 will present an overview of key findings and suggestions for how town planning practices within Stellenbosch Municipality could be made more inclusive to marginalised communities such as informal street traders.

The research concludes that overall Stellenbosch Municipality is moving in the correct direction in terms of creating inclusive processes and viable spaces for informal street traders to eke out a livelihood in the town centre, particularly through their efforts to create an updated street-trading by-law, the implementation of SPLUMA structures and principles, and the streamlining of communication and roles regarding the street-trading portfolio. However, the municipality still has work to do in terms of creating a culture of town planning that is inclusive and considerate of the

needs of traditionally marginalised communities, including informal street traders. Through the animation and diversification of accessible public space, the creation of innovative and adaptive public-participation structures, the formation of non-traditional community partnerships, and strategic use of inclusive urban design, Stellenbosch Municipality can bolster opportunities for inclusive town planning, towards the creation of safer and more cohesive communities. Given the disillusionment with municipal government as seen by the results of municipal elections in August 2016, mainstreaming such approaches could have the three-pronged result of improving government responsiveness and efficiency, increasing opportunities for citizen debate and engagement, and creating a sense of trust and ownership in one's community and planning processes.

CHAPTER 2: LITERATURE REVIEW

2. LITERATURE REVIEW

In order to understand the nuanced complexities of planning and participation for the informal economy in Stellenbosch, it is first necessary to understand the challenges and benefits of the informal economy itself for many residents both in South Africa and around the world. Hence, the following literature review will begin with a brief overview of some of the main features and challenges of the informal sector, within a South African context.

Section 2.2 of this literature review will then look at the challenges and tensions that tend to transpire when town planning authorities attempt to structure or ‘formalise’ informal economic activities such as street vending. Examples from both South African and global contexts will be highlighted, with the intention of demonstrating both the tensions and best practices for ways that cities around the world have negotiated informality within their respective contexts.

Building on these tensions and complexities, Section 2.3 will highlight work and studies that have been done on public participation, as a mechanism for incorporating marginalised voices in to processes of town planning. In particular, this section raises questions around power and inclusion within urban spaces, drawing on key frameworks such as LeFebvre’s *Right to the City* approach.

Section 2.4 will provide an overview of the planning policies that shape the history and current culture of ‘inclusive’ town planning in the country, while Sections 2.5 provides an overview of the current context of town planning, public participation and informal street trading in Stellenbosch, focusing on the existing planning policies and structures that establish a particular ‘culture’ of public engagement in town-planning processes.

2.1 The Informal Economy in South Africa

With a Gini co-efficient ranging from 0.65 to 0.69, South Africa is one of the most unequal countries in the world (World Bank, 2017). This stark contrast between the rich and the poor translates to a situation in which many South Africans are perpetually trapped in survival mode, with little opportunity to accumulate savings for increased socioeconomic security. Indeed, this ‘dual economy’ is one of the country’s most significant development challenges (ibid, 2017). With few formal job opportunities, many residents sustain their livelihoods through work in the informal economic sector.

According to StatsSA, South Africa has an official unemployment rate of 26.7%, with an expanded unemployment definition closer to 36%. While difficult to quantify, the informal economy is thought to account for at least 15% of employment in the country and contribute towards at least 5% of the country's GDP (Statistics South Africa, 2015). The majority of employment undertaken as part of the informal economy is classified as "elementary" in scope and 54% of Western Cape residents involved in informal business reported having no alternative income sources. On the other hand, in 2013, 29% of individuals were able transition from the informal into the formal sector. (ibid, 2015).

Previous research has been undertaken to understand and define the function and dynamics of the informal economy in large South African cities. For instance, Barret (2003) provides a comprehensive overview of the informal minibus taxi industry in South Africa, while Bennet (2003) specifically examines the informal textile market. Horn (2011) reports about the 'profile' of South African street vendors in four major cities, revealing that most businesses had been in existence for more than five years; the vast majority of traders identified as "Black African;" most had completed "some secondary" schooling, and more than 70% had more than two dependents for whom they were providing. Daily income varied greatly between urban centres, with a low of R600 reported in eThekweni and a high of R1500 in Johannesburg. As part of the findings from the same study, Willemse (2011) notes that the main constraints on informal traders are economic in nature – including poor cash flow, a lack of access to start-up/expansion capital and strong competition between traders. Willemse goes on to note that 'political conditions' were also detrimental to traders (such as policies that discriminate against informal business and a lack of organised bargaining power); as well as 'operational constraints' - the most important of which included a lack of access to transportation for the daily movement of products. A shortage of storage facilities and adequate security were also found to be common problems for some traders. Other studies reveal similar findings around the profiles and challenges for informal traders in South Africa (For example, see Abor & Quartey, 2010).

In another study, Willemse (2013) reports that since the fall of the apartheid regime, many migrants have entered South Africa as foreign nationals from other African countries, some fleeing situations of civil war and violence while others are lured by the prospect of more promising economic opportunities. Migrants form a considerable portion of the informal economy, partly due to the costly and bureaucratic immigration procedures that newcomers must endure to attain legal working status within South Africa. On the other hand, Liedman et al (2013) report a much more deliberate business model followed by foreign nationals, suggesting that Somali spaza shop owners in Delft, Cape Town,

rely on a vast network of business contacts, free or cheap family labour from Somalia and a close-knit local Somali community for cost-sharing in the ordering of bulk products. The result, the authors suggest, is that foreign-run informal businesses quickly grow to out-compete local microenterprises, while still maintaining a label of ‘informality.’ The study goes on to conclude that a singular policy for the regulation of informal economic activity is not sufficient. Instead, policy should seek to allow space for the growth and development of survivalist, micro-entrepreneurial activity, while pushing to formalize those businesses that have managed to grow beyond a particular margin.

Thus, the informal economy provides essential income-earning opportunities for unemployed (or underemployed) South Africans and foreign nationals residing in the country, despite the heterogeneity of the sector. At the same time, due to high rates of socio-economic inequality within current urban form and functions, town planning has an important role to play in establishing spaces and opportunities that allow microentrepreneurs to procure a livelihood and, ideally, to scale up their businesses. However, as Liedman et al’s (2013) work suggests, there cannot be a one-size-fits-all policy for engaging with the informal economy. Instead, given the diverse nature of the sector and those who participate within it, municipalities must develop iterative and reflexive policies that rely on on-going engagement with informal workers and communities. However, as demonstrated by evidence in the next section, town planning tends to undermine, rather than support, the needs of the informal sector.

2.2 Planning for Informality

In Huchzermeyer’s (2011) work, *Cities with Slums*, she explains how post-apartheid South African cities have become captivated with the notion of establishing themselves as ‘competitive’ or ‘world class’ cities, whereby the urban poor are conceptualized as little more than an embarrassing scourge to stall and resist development (Huchzermeyer, 2011 in Charman et al, 2012). Building on this notion, Charman et al (2012) present a critical study that suggests the City of Cape Town’s planning priorities and zoning laws fail to acknowledge (and consequently undermine) the ways in which the informal economy functions, particularly within a township setting. Given the historical establishment of townships as predominantly residential neighbourhoods, the growth of the informal economy in these settings has been largely organic. For instance, *shebeens*⁴ are a significant form of income and employment in townships and informal settlements, as well as playing an important role in creating spaces for socializing and recreation in contexts where few other options exist (Charman, Petersen &

⁴ *Shebeens* are small and often informal bars, located predominantly in poorer communities throughout South Africa.

Govender, 2014). However, the provincial government in the Western Cape has notoriously been at the forefront of shutting down shebeens in recent years. In 2012, the DA government announced the piloting of a new “high street” model of urban form in several Cape Town townships, which would allow formal alcohol retailers to legally exist in designated business-zoned areas, and thus permit easier surveillance of alcohol consumption (Meyer, 2012). In contrast, Charman et al (2012) point out that nodal development (long touted as the ideal form of planning for Cape Town in the city’s SDF) is far more appropriate to the township context, given the limited likelihood of car ownership for most residents. As such, in trying to reconcile the diverse and intricate nature of the informal economy into formal planning laws and land-use zoning regulations, the result is often a further dismantling and marginalization of an already-fragile means of livelihood generation and neighbourhood cohesion.

Tensions between street traders and planners, legality and illegality, are certainly not limited to the South African context. Even New York (certainly a ‘world city,’ as recognised by scholars such as Friedman (1986) and Beaverstock et al (1999), etc.) has its share of challenges in this regard. For instance, Devlin (2011:55) outlines the quintessential impression of a ‘global city’ in the North, often mistakenly upheld as possessing a “functioning state with laws regulating space that are relatively clear and consistently enforced;” and moreover, that cities such as London and New York are “often held up as a normative ideal, something that [Southern] cities should strive to become.” In contrast, Devlin points out that scholars such as De Soto tend to perpetuate the notion that urban informality, and the ‘messiness’ it entails, is a product of underdevelopment and thus relegated solely to cities of the South. Devlin, however, argues that there is in fact considerable overlap in the challenges faced by informal traders, both in the global North and South – as well as those obstacles faced by local government attempting to engage with informality. For instance, in response to consistent harassment from local authorities, in 2007 the NYC “Street Vendor Project” became the first US-affiliated group to join StreetNet International, a global street vendor alliance. Thus, Devlin suggests that a key component towards addressing informality is firstly to abolish the long-held belief that ‘informality’ is solely a problem for cities of the global South. Instead, there should be a focus on sharing knowledge and best practices amongst planners, both in the North and South.

In other contexts, Quito, Ecuador offers a similar history of regimented, authoritarian and exclusive planning as historically witnessed in South Africa. Middleton (2009) notes that as city planners attempted to ‘fix up’ the historical city centre for increased tourism potential, they were faced with the challenge of how to reconcile dense numbers of informal traders that would often surround public

spaces in close proximity to historic monuments. As Middleton (2003:89) describes, planners had to decide:

“how to reconcile the use of public space for tourists and the middle classes with the interests of the traders; how to tackle the issue of the restoration of public buildings with the practice of traders; how to measure and compare the contribution of the city traders to the city economy with the potential contribution of tourists who were thought to be put off by their activity; how to reconcile the planners’ need for control over public and private spaces with the aspirations of the traders; ultimately, in fact, how to promote the rational use of space in the context of the global trends of international tourism and the local interests of a significant segment of social, economic, cultural and political life in the city.”

Many of these dilemmas are echoed in the Stellenbosch context, as planners must develop integrated models of planning to not only ‘deal with’ informal traders, but to create viable and sustainable opportunities for economically marginalised residents to contribute towards community vitality and economic growth. In the case of Quito, Middleton (2003) stressed the importance of not only opening a two-way dialogue between planners and vendors, but also ensuring that all relevant stakeholders (such as local residents and businesses) are included in decision making in order to arrive at progressive and sustainable solutions. An “enabling strategy” (p. 101) should define different traders differently, instead of offering blanket suggestions.

Thus, it is not all doom and gloom when it comes to reconciling underlying differences between the informal economy and town planning practices. Instead, there is a need for planners to think innovatively about how best to engage, in a constructive way, with informal traders and the communities in which they trade. Another positive example in this regard comes from Bogota, Colombia; a context recovering from a history of violent civil war that has led to high levels of mistrust amongst citizens and of the government. Using the concept of *pedagogical urbanism*, Berney (2014) outlines the deliberate process that the city of Bogota developed in order to encourage the public to reimagine the way that public space could and should be used within the city. Largely employing a *right to the city* approach, Berney explains:

“Pedagogical urbanism...arises out of the mayors’ belief in public space as a comprehensive fix, which was conditioned by understanding public space as a fundamental point of encounter of the other. By using the city’s public spaces as sites and tools for teaching, the mayors

attempted to create and expand the right of access and encounter.” (30)

However, at the same time, Berney cautions that this process of negotiating public space is laden with layers of invisible power and inevitably results in decision-making around who constitutes the ‘correct’ public. Nonetheless, the Bogota example highlights a promising anecdote of how a cross-disciplinary, engagement-focused approach to planning can provide opportunities for citizens to engage not only in collective processes of decision-making around the use of public space, but also, when correctly facilitated, a chance for educational opportunities that enhance understandings of ‘the other,’ and generate a more inclusive community identity. This is highly relevant to the context of informal street trading in South Africa, given the discrepancy that often develops around *how* and *where* street vendors are allowed to conduct business; the majority of which tends to transpire in public spaces.

Drawing on a more local example, Skinner (2008) suggests that in opposition to other studies which have concluded that urban governments often work to further marginalize and expel informal traders from city spaces, she suggests that the city of Durban, South Africa, provides an interesting case study to demonstrate how a municipality can take positive steps towards the creation of inclusive processes for engaging with informal traders in productive ways. In the post-apartheid era, the local government in Durban backed planning priorities and practices that were increasingly progressive in support of informal traders. During this time, the city allocated more money than any other South African city towards investment in the informal economy, with a focus on infrastructural development and support services, as well as creating opportunities for traders “to participate on a sustained and continuous basis about their needs and priorities... often on an issue-by-issue basis” (ibid: 235). In addition, in partnership with the local police force, the city established a voluntary Traders Against Crime Association, whereby local traders would patrol the areas around their stalls for criminality and alert the authorities when any action was required. This initiative was highly successful, with a decrease in murder rates in one area from 50 to 1, in the first year. However, the study goes on to note that these progressive policies were short lived. In 2004, the Metropolitan Police, without warning, removed traders’ goods at various business sites throughout the city, justifying the move by claiming that informal traders were undermining profit margins for formal businesses. The author aptly notes that this sudden change in policy was, in all likelihood, motivated by the 2004 announcement that South Africa would host the 2010 Soccer World Cup and cities would thus be in competition for hosting sporting events. As the above sections have highlighted, informality is often perceived as unattractive to tourists and unacceptable in ‘world-class cities.’

This section has attempted to convey that the relationship between town planning and the informal economy is deeply complex. On the one hand, while the practice and intention of town planners is to make predictive decisions based on a formal system of policies and structure, the informal economy runs in opposition to the realm of structure and legality, often propelled by immediacy and survivalist tendencies. Nonetheless, it is the generally small-scale and adaptive nature of the informal sector that make it an indispensable opportunity for poor and marginalised citizens to make ends meet. To disrupt such an opportunity at the expense of creating an aesthetically pleasing tourist destination is to deny the opportunity for poor citizens to eke out a livelihood. On the other hand, as we have seen in Bogota and Durban, it is possible, using intentionally open and participatory forms of engagement, to invest in integrated solutions that not only create a more viable atmosphere for informal trading, but also safer and more inclusive communities for all publics – both tourists and domestic.

In this regard, the following section will delve more deeply into the notion of ‘public participation’ in town planning processes, with the intention of demonstrating that when done well, innovative processes of public engagement have the opportunity to disrupt prevailing power structures by allowing marginalised voices to be included in processes that allow for the design of more inclusive (and oftentimes safer and more viable) urban spaces.

2.3 Inclusion, Participation and Power within Town Planning Practices

In the section above, several examples show that while difficult, it is not impossible to reconcile the need for decisive town planning mechanisms with the (often conflicting) priorities of marginalised communities whose demands for shelter and livelihood strategies tend to contradict the more formal structures of town planning and government bureaucracy. Hence, in many contexts, public participation presents a key opportunity for implementing and sustaining inclusive planning practices and decision-making, and has largely come to define one of the central roles of town planners in recent decades (Taylor, 1999).

However, before unpacking the varying dimensions of ‘participation,’ it is first necessary to define what is meant by ‘inclusion’ and ‘inclusive town planning,’ which are important themes within this thesis. ‘Inclusion’ has become a relatively topical word in socio-political discourses of many fields, but has a tendency to be void of a straightforward definition (Oxoby, 2009). In a South African context, inclusion tends to be understood around racial terms, and is likely to be concerned with the economic development of “historically disadvantaged people” (Arya & Bassi, 2011), often through the installation of targeted government policies, such as Broad Based Black Economic Empowerment

(BBBEE) and affirmative action admission procedures within many South African universities (Price, 2013). While such policies certainly have their merits for redressing historical injustices for black communities, critics argue that sweeping policies, which draw on merely one indicator (race), are more likely to support black South Africans who are in comparatively privileged positions, rather than the most disenfranchised (Lefko-Everett, 2012). While some evidence does suggest that highly underrepresented communities (such as women, youth, people with disabilities, etc.) may be benefitting slowly from such policies, the fact remains that in most contexts, singular indicators of ‘diversity’ are not enough to drive change that is inclusive of communities who experience various levels of exclusion - such as poor, black women (Patel & Graham, 2012).

Beyond a purely quantifiable version of inclusion based on an individual’s race, gender, age, etc. Amarty Sen’s (2003) work provides a useful starting point for developing a more nuanced definition of inclusion. Sen (2003) suggests that human development should be understood as an expansion of human capabilities, whereby “capability reflects a person’s freedom to choose between different ways of living” (44). Sen also suggests that economic productivity is “no more than one of the means to enriching the lives of people” (42), and that one’s social capital and capacity to make choices are important for attaining a high quality of life. Hence, from this perspective, inclusivity could be understood as the facilitation of opportunities for increased choice-making that can have positive implications for one’s quality of life.

In terms of ‘inclusive town planning,’ this framing of inclusion has implications for how a town planner might seek to interact with community members. Complementary to Sen’s work, this paper borrows a definition of ‘inclusion’ (as outlined by Oxoby (2009)) that can be imagined and applied to the role of town planners working in a participatory environment:

Inclusion is an aspect of how one perceives her access to institutions and resources in the decision making environment. As such, inclusion affects the way individuals perceive the returns of investing in various forms of capital (e.g. human and social) (Oxoby, 2009:7).

Using this definition, and in combination with Sen’s work, a systematically ‘included’ citizen could be understood as one who feels represented by the institutions and decision-making environments in which she or he exists, and in return, feel compelled to contribute towards their maintenance and replication. On the other hand, an individual who is *excluded* tends to have little power within these dominant systems, and is hence less likely to participate in their upkeep. In order to practice inclusive town planning, it may be necessary to identify which members of the public may have more or less

decision-making capacity within a given context, and to install measures that acknowledge and seek to address these imbalances.

At a practical level, participatory town planning has been undertaken (in various forms) as an attempt to acknowledge diverse worldviews and contribute to inclusive communities. The concept of ‘public participation’ is by no means a new one, nor has its implementation ever been straightforward. In Sherry Arnstein’s popular work – *A Ladder of Citizen Participation* (1969) – she highlights that public participation is a bit like “eating spinach” (216): no one is against the idea in principle, but when the “have nots” (in Arnstein’s case – marginalised African-American, Mexican and other racialized communities) attempt to become involved in the redistribution of power that public participation offers, support from traditionally-powerful groups tends to diminish. Hence, participation, in Arnstein’s view, is intrinsically linked with the notion of active citizenship, and the way that participation is practiced has different implications for the distribution of citizen power. From this perspective, Arnstein suggests that participation should be understood as a “ladder,” whereby non-participatory forms of engagement (such as citizen ‘manipulation’ or ‘therapy’) fall within the bottom rungs, while ‘token’ forms of participation take-up the middle, and practices of ‘citizen power’ emerge at the higher levels. In many instances, it would be neither feasible nor practical to endeavour to achieve the highest rungs of this ladder, but Arnstein’s work is nonetheless a useful framework for observing and evaluating the intention and practice of so-called participatory processes.

While not specific to the domain of town planning, the timing of Arnstein’s work shortly precedes a popular shift that occurred in many contexts, whereby town planning began to transition away from more of a rational-scientific process concerned with empirical data and facts towards a more qualitative, post-modern tradition, which positions citizens as knowledge-holders and implies that there is no one-size-fits-all model for urban form (Taylor, 1999). However, despite this democratisation of urban form and the corresponding role change for town planners, Harvey (2008) iterates that even post-modern conceptualisations of town planning tend to recreate the status quo of power and privilege in urban spaces. Building on LeFebvre’s (1968) *Right to the City* approach, Harvey suggests that the city is a reflection of its political-capitalist history, which tends to define who has the power to drive decision-making and priorities within the urban domain. In other words, in contexts of high urban inequality, those with precarious access to social and economic resources will virtually always have less opportunity to influence urban form and function than the elite. As such, marginalised groups tend to be more vulnerable to manipulation and exploitation regarding their

claims to access city space and resources. As Harvey summarises:

The right to the city, as it is now constituted, is too narrowly confined, restricted in most cases to a small political and economic elite who are in a position to shape cities more and more after their own desires. (2008:38).

Given the tendency for urban spaces to be created and maintained by the so-called “political and economic elite,” the question of how to acknowledge and redress these relations (particularly in light of South Africa’s high rates of inequality) is an important one. While LeFebvre and Harvey call for urban revolution and the mobilisation of lower classes to reclaim their status within the city, this paper is more concerned with how town planners might facilitate increased access to urban spaces and resources via processes of public participation, grounded in a paradigm of inclusive urbanism.

Drawing once again on the previous definition of ‘inclusion,’ the intention of inclusive town planning should be to facilitate opportunities for all citizens to feel that they have a say in how their community is constructed, with the longer-term outcome that citizens feel compelled to participate in maintaining community resources – including social relations and civic infrastructure. With this in mind, public participation, inclusive urbanism and the strengthening of democracy are inherently interlinked. As many scholars would suggest, processes of citizen engagement (either within or external to existing political institutions) often fall under the intention of ‘deepening democracy,’ whereby individuals are exposed to the opportunity to deliberate and contest existing norms, practices and realities, towards recreating new democratic structures (Gaventa, 2005; Mansbridge et al, 2012). It should be made clear that for the purpose of this thesis, ‘citizenship’ does not necessarily imply the neo-liberal referencing of an individual as being legally tied to a geographic territory. Instead, the notion of ‘participatory citizenship’ is important in this context – whereby citizenship is a personal achievement and grounded in an acknowledgement of a “*right to have rights,*” and which generally involves tension and struggle for recognition within political arenas, particularly for marginalised groups (Dagnino, 2010:103). Hence, processes of participation have the potential to be highly personal in nature, as well as highly political.

With competing notions of citizenship and differing levels of power and identity, processes of public participation become exceedingly difficult to facilitate in productive ways - particularly in contexts of high inequality such as South Africa. Healy (1992) suggests that one of the most important forms of addressing divergent interests is to “plan through debate” (155) in a respectful way. Through debate, all sides are heard and acknowledged; to debate is not simply to list demands but to provide

justification. Along with debate, there is a need for “a reflexive and critical capacity...in the process of argumentation” (155). Healy’s approach is thus about maximizing participation in the planning process by positioning the planner as a facilitator, who, through strategic forms of engagement, is able to negotiate, validate and eventually define a basis of rationality through complex forms of interaction with diverse communities. As an important aspect of inclusive participation, Soen (1997) suggests that planners have a unique role in terms of facilitating ‘trust’ between diverse interest groups, while Forester (1987) adds that along with substantive skills, planners require a high degree of emotional and communicative capacities to be efficient in their role.

Smith (1973) concludes that public participation adds an important degree of ‘legitimacy’ to the urban planning process, which may help to preclude potential unrest or unhappiness of city-dwellers due to measures opposed against their will or without their knowledge. However, Smith also goes on to note that processes of participation clearly reveal that “there is no singular public interest but a multitude of often conflicting public interests” (20). This begs the question: how does a planner deal with conflicting realities and diverse priorities, particularly in contexts of high urban inequality such as South Africa?

With this question in mind, the following section looks briefly at the history and current status of the nature of town planning in a South African context, with attention to the post-apartheid policies that have been put in place to promote an inclusive culture of town planning, including embedded mechanisms of public participation and the consequent implications for marginalised groups such as informal street traders.

2.4 Town Planning, Public Participation and Street Trading in South Africa

In the South African context, the practice of town planning (and consequent opportunities for public participation) is highly unique, due to the previous apartheid-era focus on spatial planning to maintain distances between racial groups. Under the Group Areas Act (1950), black South Africans were not permitted to access the most viable business and manufacturing areas of cities; while under provisions of the Black (Urban Areas) Consolidation Act (No. 25 of 1945), street trading and economic activity were tightly controlled and mainly restricted. With the implementation of such laws, street vending was mostly unpractised during the apartheid era. However, upon transitioning to a new democracy in 1994, South Africa saw a surge in street trading across the country (Skinner, 2008). In terms of public

participation during the apartheid era, Turok (1994:247) notes that, “there was little scope in statutory planning procedures for public consultation, let alone for more active forms of public participation.”

In post-Apartheid South Africa, the institutional attitude towards town planning, the role of public participation and the inclusion of marginalised groups has changed dramatically. Participatory processes are now embedded into planning legislation, and strategies have been drawn up to focus on planning that would seek to reduce the pervasive inequalities entrenched by apartheid while improving social cohesion. Van Wyk (2014:353) summarises the *1996 South African Constitution* as a “transformative document, demanding the conversion of South African society into a more equal, open and democratic society based on human rights, dignity and freedom.” The Constitution acknowledges the injustices and suffering experienced by many citizens under apartheid and sets a platform for a future based on “democratic values, social justice and observance of fundamental human rights” (ibid: 353).

The Municipal Systems Act 2000 (MSA) goes further to provide additional context around how planning should be undertaken at the local level, specifically around the creation of mandatory Integrated Development Plans (IDPs), which are binding planning documents that set out a municipality’s short and long-term visions for all aspects of their development. The MSA outlines an entire chapter on “Community Participation,” such that a municipality must “encourage, and create conditions for, the local community to participate in the affairs of the municipality” (2000: 16 (1) a). Thus, the constitution sets the backbone of the values that are presumably upheld as standards of governance (and hence planning practices) throughout South Africa, while the MSA further breaks down the role of municipalities in creating a democratic and highly participatory planning process.

More recently, the *Spatial Planning and Land Use Management Act 2013* (SPLUMA) was passed as a framework policy to set out the institutional structures and basic principles for land-use management within all spheres of government - including national, provincial and municipal. SPLUMA outlines five core principles that planners and governments are encouraged to take account of within planning processes. These principles include: spatial justice, spatial sustainability, spatial resilience, efficiency and good administration. Under the principle of *spatial justice*, SPLUMA (Section 7. (a)), stipulates the following points that demonstrate South Africa’s intention towards minimising unequal access to land caused by historical injustices:

- past spatial and other development imbalances must be redressed through *improved access to and use of land*;

- spatial development frameworks and policies at all spheres of government must *address the inclusion of persons and areas that were previously excluded*,
- spatial planning mechanisms, including land use schemes, must incorporate provisions *that enable redress in access to land by disadvantaged communities and persons*;

In addition, under the principle of *spatial sustainability* (Section 7, (b)), SPLUMA stipulates that land-use planning should strive to:

- promote and stimulate the effective and *equitable* functioning of land markets;
- promote land development in locations that are sustainable and limit urban sprawl; and
- result in communities that are *viable*.

The concepts of *spatial justice* and *spatial sustainability* are particularly relevant for the creation of planning policies and decision-making of relevance to the informal economy. As other studies have highlighted, the majority of individuals participating in the informal economy (and particularly street trading) are from previously disadvantaged groups, are generally poor, with dependents, and otherwise unemployed (Horn, 2011). According to SPLUMA, municipalities must endeavour to accommodate these groups in municipal plans and priorities through the provision of fair and viable opportunities towards securing their livelihoods. Moreover, under the principle of *good administration*, SPLUMA indicates that municipalities must “include processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them” (Section 7, (a), iv). Thus, once again, the notion of public participation is emphasized as a foundation of the planning process.

Despite the promise of these policy documents and the participatory culture of planning that they attempt to foster, the reality is that the implementation of such principles is not straightforward. Landman (2004), for instance, questions how South African planners and ward councillors should negotiate participatory-planning processes with residents of gated communities, which are becoming increasingly popular within the country. Moreover, Watson (2003a) highlights an instance whereby the City of Cape Town attempted to replace an informal settlement with formal, serviced housing but was brought to a halt during a 3-month protest undertaken by a local *Women’s Empowerment Group*, protesting against the city’s actions. Watson calls this display “a direct clash of rationalities” (395) driven by widely divergent worldviews between planners, city officials and ‘recipients’ of planning.

In another work, Watson (2003b) draws on the work of Foucault to emphasise the power of discourse in the context of participatory urban planning. By this, she is alluding to the dominant social narrative discussed and believed within a particular context. Foucault's work challenges town planners to think deeply about whose discourse or story is being told and sold as the most legitimate.

In sum, the transformational 1996 Constitution sets the tone of the 'new' South Africa as a country which values democracy, accountability, openness and participation in government processes within all spheres. The MSA (2000) re-emphasises these ideals, stressing that municipalities must endeavour to create cultures of participation within their communities – including comprehensive involvement in town-planning processes. SPLUMA recognises that planning principles must specifically accommodate previously disadvantaged groups and that government efficiency and good administration have a strong role to play in this regard. Hence, on paper, the national planning policy environment is ripe with potential for productive and participatory town planning processes that are inclusive of diverse South Africans – including marginalised groups such as informal street traders.

Nonetheless, these policies do not always translate to viable processes of urban inclusion in practice. The next section will look specifically at Stellenbosch Municipality, with a focus on how town planning has historically evolved in the area, and the current challenges in terms of creating an inclusive town centre for all residents. Processes of engagement with informal street traders, and the practice of participation processes will be further explored in the analysis section of this thesis.

2.5 Town Planning and the Informal Economy in Stellenbosch

Stellenbosch is one of the oldest colonial towns in South Africa, originally founded in 1680, 28 years after Cape Town's establishment. From its inception, the town was planned in an orderly way, with perpendicular streets, long plots that connected with the Eerste River and irrigation channels to easily transport water. Town development was relatively compact from an early stage, given a historical reliance on pedestrianism as the primary mode of transportation. Throughout the 1800's, Stellenbosch became increasingly connected to other urban nodes through the development of regional transport, including a railway system (Nicks, 2012).



Figure 1: Stellenbosch Municipality, in relation to South Africa⁵

Under the apartheid regime, the Stellenbosch Divisional Council was mandated to implement the Group Areas Act (1950), which made it mandatory for all races to live in geographically distinct areas. During this time, the area witnessed the emergence of several new neighbourhoods, specifically allocated to accommodate black and coloured South Africans; including Khayamandi, Cloetesville, Groendale, and Idas Valley (Nicks, 2012). Evidently, it was a time of significant social disruption for many communities.

For instance, the neighbourhood of *Die Vlakte*, adjacent to the Stellenbosch CBD, was traditionally a mixed-race neighbourhood composed mainly of coloured South Africans. In 1964, the area was classified as a ‘white group area,’ affecting upwards of 3,700 coloured people, who were forcibly relocated to Cloetesville. This community upheaval caused serious disruption to neighbourhood identity and cohesion, not to mention extreme dislocation from the town’s economic core (SUN Archives, ND). In the case of Khayamandi, (a historically designated ‘black area’) historical records reveal stories regarding the deportation of women (particularly widows), who were seen as less economically viable as labourers than their male counterparts and thus deported from the community under the guise of population control (Rock, 2011). Spatially speaking, Khayamandi was strategically established outside of the Stellenbosch urban centre, on an exposed hillside and beyond the

⁵ Image Credit: *Karte: NordNordWest*, Lizenz: *Creative Commons by-sa-3.0 de, CC BY-SA 3.0 de*, <https://commons.wikimedia.org/w/index.php?curid=38170201>

Plankenberg River, thus creating the “psychological comfort” (ibid: 29) of being on the other side of the river and railway line, while “physically and psychologically isolating [Khayamandi] from central Stellenbosch” (ibid: 29).

As such, like the majority of South African towns and cities, Stellenbosch was planned and built under highly divisive and racist laws that strategically sought to preserve the ‘best’ spaces for white communities, in terms of land for farming, homes and business. Today, this segregation remains highly visible, albeit no longer backed on a legal basis. Black and coloured populations remain, on average, economically worse off than white people, and often struggle with opportunities for employment, basic service delivery and formal shelter (Statistics SA, 2011). On the other hand, the original ‘compact’ development that historically characterised the urban form of Stellenbosch has largely been abandoned as sprawling, low density and gated suburbs emerge on the outskirts of town, seemingly replicating patterns of exclusion witnessed under apartheid and where “privatopia... is the supreme authority; property values are the foundation of community life; and exclusion is the foundation of social organisation” (Alsayyad & Roy, 2006:6).

Stellenbosch Municipality provides an important case study of town planning in a context of extreme inequality, enhanced by its colonial architecture, divisive urban form, and historically damaging apartheid planning policies. Although Gini-coefficient numbers do not exist between the various communities that make up the municipality, the variation in income, access to internal piped water, and completion of higher education present a startlingly unequal picture. For instance, in the community of Khayamandi⁶ (95% black population), only 4.3% of individuals over the age of 20 have attained higher education, 33.1% of households have piped water within their dwellings, and 78.2% of households earn less than R38,200 per year. This is in stark contrast to many predominantly white communities such as Brandwacht⁷ (94% white) where 73% of residents over the age of 20 have attained some higher education, 99% of households have internal piped water and only 7.9% of the population earn less than R38,200 per year (Statistics South Africa, 2011).

From a broader South African perspective, Stellenbosch is performing relatively well in terms of municipal service delivery. For instance, the municipality ranks 8th overall for “flush toilets connected

⁶ Similar rates of higher education can be found in the communities of Cloeteville (88% coloured) and Idas Vallei (94% coloured), although households in these communities tend to be more ‘formal’ with internal access to piped water and slightly higher household incomes.

⁷ Again, similar levels of income, higher education levels and access to piped water can be found in the communities of Dalsig (91% white) and Paradyskloof (83% white).

to sewerage,” 14th for “weekly refuse removal,” and 20th for “electricity for lighting.” In addition, only 3.1% of residents over the age of twenty report having “no schooling,” which is the 8th-best in the country (Statistics South Africa, 2011).

Nonetheless, despite the relative capacity of the municipality to deliver services to most neighbourhoods, the income disparity between rich and poor communities continues to be problematic. This disparity creates a breeding ground for a host of other community issues – such as crime. The link between equality and crime is well established (Fajnzyblber, Lederman & Loayza, 2002) and in 2017, Stellenbosch was ranked the 5th most crime-ridden community in the Western Cape, with almost 20,000 incidents reported that year (Crime Stats SA, 2017). Criminal activity including assault, robbery, burglary, drug-related crimes and attempted murder have all seen significant increases in the area since 2008 (Crime Stats SA, 2017).

While town planners do not have an active mandate to ‘fight crime,’ municipal town planners *should* be actively invested in reducing urban inequalities to create viable and cohesive communities. Moreover, the significant levels of crime and inequality within Stellenbosch highlight the need for land-use policies and institutional processes that are friendly to emerging entrepreneurs seeking to merge into the informal trading sector, as an alternative to criminal activity.

All in all, this research was undertaken to understand, the ways (if any) that Stellenbosch Municipality is engaging with informal street traders within Stellenbosch town centre, and the implications of such engagements for the creation of a more cohesive and economically viable community. The next section will outline the research methodologies and conceptual framework that were developed in order to guide this inquiry.

CHAPTER 3: RESEARCH METHODS & CONCEPTUAL FRAMEWORK

3. RESEARCH METHODS & CONCEPTUAL FRAMEWORK

3.1 Conceptual Framework & Research Questions

As demonstrated through the literature review in the previous section, there is a historic tension between town planning policies and practices in relation to the requirements and tendencies of marginalised groups, including their need to secure a viable economic livelihood. This tension is particularly nuanced in the case of Stellenbosch Municipality, given its high rates of socio-economic disparity and apartheid-era urban form.

With this tension in mind, this section outlines a modified conceptual framework (originally developed by Gaventa and Barrett (2010)), which ultimately suggests that in order for town planning practices to be inclusive towards the needs of marginalized members of society (in this case – informal street traders), there is a need to consider the various levels of power, trust, identity and relationships that go together to form a nuanced definition of urban inclusivity and economic viability. This framework goes hand-in-hand with the Harvey's (2008) *Right to the City* approach, which acknowledges that urban spaces are rife with present and historical dimensions of power that have tended to shape current models of urban form, while dictating who has access to city space and resources.

The primary research question thus guiding this research is:

What are the challenges and potential opportunities, within Stellenbosch Municipality, towards creating viable and inclusive spaces for informal trading within the town centre?

Following a ten-year global research project that analysed 100 instances of various forms of citizen-state interaction Gaventa & Barrett (2010) developed a four-tiered outcome typology to understand “what difference” citizen engagement could make, in terms of achieving development goals with positive outcomes for poor communities. The study gathered empirical evidence to suggest that citizen engagement tends to lead to positive change (of differing scales and varieties) for marginalised groups, although some negative examples were noted. The authors found that citizen engagement has the potential to affect change at different levels - from the individual up to the societal level. While their framework was used to assess the *outcomes* of a wide array of citizen engagement, for the purposes of this research, a revised version poses a template from which to assess the status or

‘readiness’ of Stellenbosch Municipality towards the provision of high-quality and inclusive town planning practices and infrastructures, through which informal street trading can be analysed as a case study.

Gaventa and Barrett’s original outcome typology can be visualised as follows:

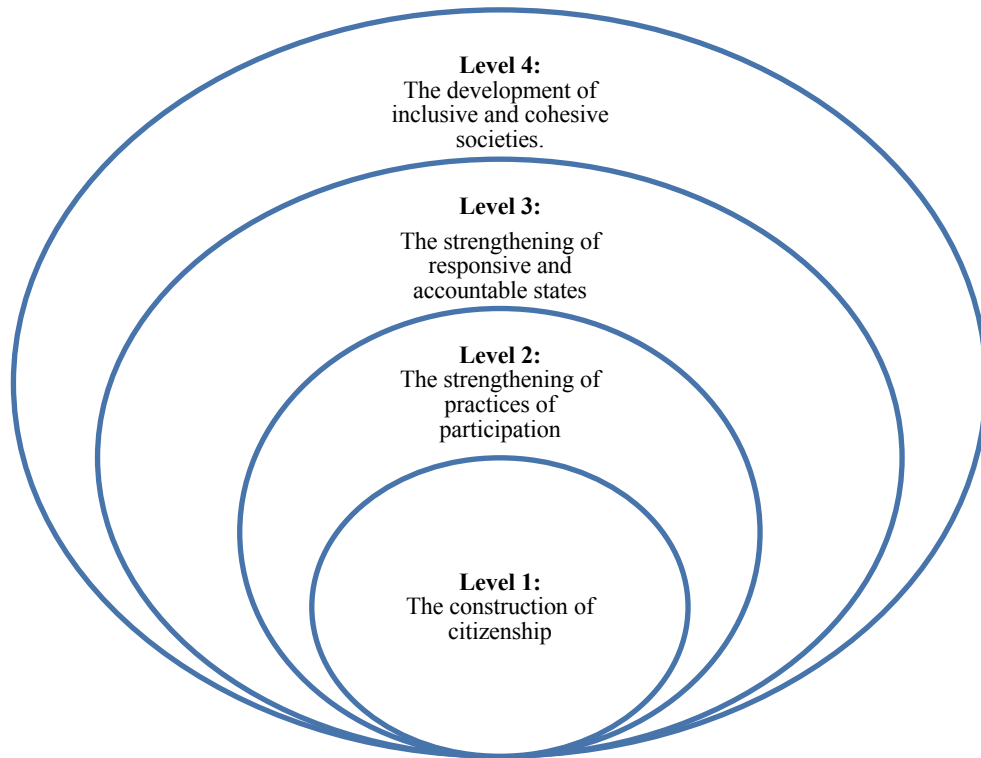


Figure 2: Assessing Outcomes from Instances of Citizen Engagement
(Gaventa & Barrett, 2010)

From *Figure 2* above, Level 1 - “the construction of citizenship” refers to any change that occurs at the individual level, in terms of how a person identifies him or herself as an active, contributing member of society, with some degree of power to control or negotiate his or her life. At Level 2, “strengthening of practices of participation” refers to any changes within the tangible channels or modes of engagement that exist (either formally or informally) for citizens to interact with governance structures and authorities. Level 3 acknowledges citizen opportunities to influence “responsive and accountable states” that are reflective of their needs and rights; while Level 4 refers to citizen engagement as an opportunity to contribute towards the larger goal of fostering “inclusive and cohesive societies.” Moving from Level 1 to 4, there is a gradual increase in the size and scope of change that can be measured as a result of differing forms and intentions of citizen engagement.

This framework is evidently quite broad as it has been used to assess 100 outcomes of citizen engagement in different forms and with diverse intentions from around the world. For the purposes of this research, I am not attempting to measure *outcomes* of engagement, but rather to understand the channels, tensions, and opportunities that exist in order for constructive engagement between traders and municipal authorities to occur, in order to facilitate the creation of inclusive urban communities. In keeping with this intention, I have adopted the Gaventa and Barrett framework as demonstrated in *Figure 3*, below.

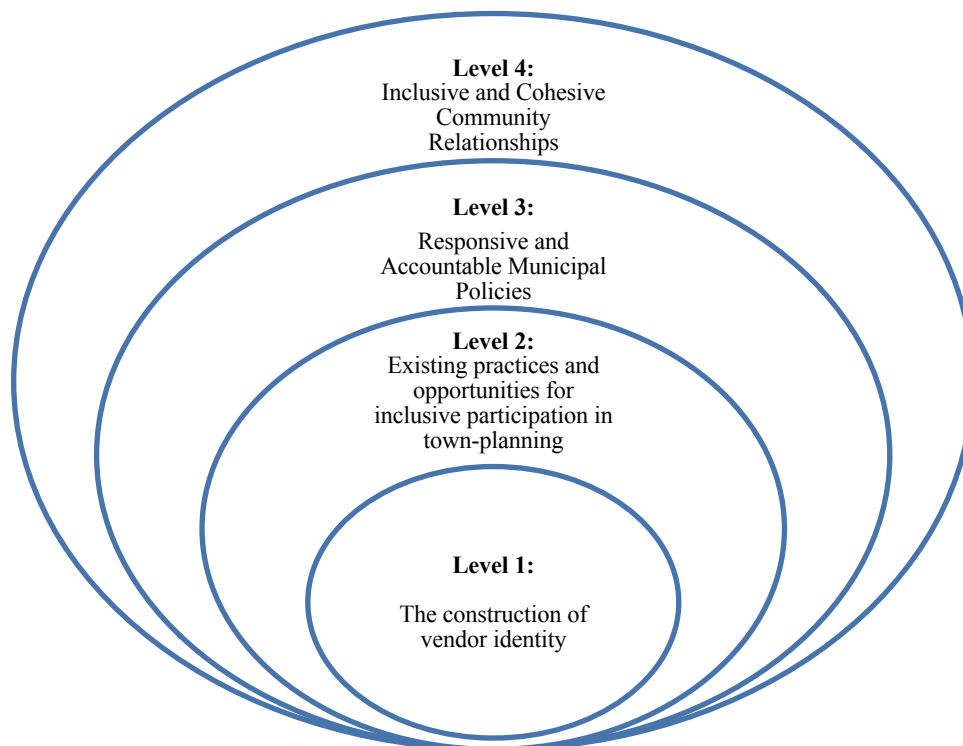


Figure 3: Assessing challenges and opportunities for inclusive and viable informal trading spaces within Stellenbosch Municipality

The main research question guiding the research is highlighted in *Table 1* below. For each ‘level’ of the Modified Framework depicted in *Figure 3*, a research sub-question has been generated to guide the analysis of this study:

Table 1: Research Question & Sub-questions

Main Research Question:	
<i>What are the challenges and potential opportunities, within Stellenbosch Municipality, towards creating viable and inclusive spaces for informal trading within the town centre?</i>	
	Research Sub-Questions
Level 1: The construction of vendor identity	1. To what extent do traders identify themselves as active, contributing members of society, with the power to negotiate their own livelihoods?
Level 2: Existing practices and opportunities for inclusive participation in town-planning	2. To what extent do current formal and informal channels of participation within the municipality encourage the creation of inclusive spaces for informal traders to sustain and negotiate their own livelihoods?
Level 3: Responsive and Accountable Municipal Policies	3. What policy and political environment exists (within and between municipal departments) to create an inclusive urban environment that is responsive of and accountable to street traders?
Level 4: Inclusive and Cohesive Community Relationships	4. Given the current environment of participation and policies, how do existing relationships between vendors, staff and the wider community affect opportunities to create inclusive economic opportunities for street traders?

3.2 Research Methodologies

In order to respond to the research questions outlined above, a variety of methods were used throughout the course of this research. Specifically, structured and unstructured interviews were utilized, as well as ethnographic observation at each trading site, an analysis of historical records at the local municipal archive, and ‘insider’ action-research practice and observation of municipal town-planning mechanisms during a six-month internship with Stellenbosch Municipality’s Town Planning Department. The strategic selection of different methods was grounded in the intention of attaining diverse perspectives from street traders, relevant municipal staff and other key actors, to understand the varied agendas of different groups, to assess where divergences or tensions exist within these agendas, and finally - where opportunities may be available for increased cohesion and collaboration.

The methodological paradigm of this research is hence grounded in a qualitative approach, with interviews being the main form of data collection. Kirk and Millier (1986:9) define qualitative research as “a particular tradition in social science that fundamentally depends on watching people in their own territory and interacting with them in their own language, on their own terms.” Given that

a significant goal of this research was to understand two previous events that occurred at two informal trading sites within the municipality, interviews were one of the few options to understand what specifically took place during such moments in history. As Maxwell (2013) writes, “Interviewing can...be a valuable way of gaining a description of actions and events – often the *only* way, for events that took place in the past or for situations to which you can’t gain observational access” (103).

Some critics suggest that qualitative research methodologies yield data and results that are unreliable, since they tend not to be scientifically testable nor easily transferrable to other contexts, as may be the case for research following a quantitative, positivist ontology (LeCompte, M. & Goetz, 1984; Johnson, 1999). It should be noted that the intention of this research was never to generate a set of replicable data, but rather to explore the unique and contextual factors that characterise current relationships between informal vendors and the local government, and to assess how these factors contribute (or not) to an inclusive and viable street trading economy. As such, the research embraces the idea of multiple ‘truths,’ whereby the worldviews and daily realities experienced by a street vendor may indeed be vastly different from those experienced by a municipal civil servant. As Creswell (2007) explains:

When researchers conduct qualitative research, they are embracing the idea of multiple realities. Different researchers embrace different realities, as do the individuals being studied and the readers of a qualitative study. When studying individuals, qualitative researchers conduct a study with the intent of reporting these multiple realities [...] including the use of multiple quotes based on the actual words of different individuals and presenting different perspectives from individuals (18).

Hence, Section 4 of this thesis draws heavily on the verbal accounts of both traders and municipal staff members, often through the use of direct interview quotations. The intention is to demonstrate the diverse (and often conflicting) views that affect interactions between traders and staff members, including many ‘speculations’ on both sides, since these opinions (whether truthful or not), ultimately impact behaviour, decision making, and the potential for effective collaboration for all parties.

The data-collection process was initiated in August 2016, during which time interview questions were established for traders as well as for municipal staff members.⁸ In the case of traders, interview questions revolved around three core themes: 1) the background of the owner and business typology;

⁸ See Appendices A and B for complete set of interviews questions

2) the location and spatiality of the business; and 3) any engagement the trader has had with the municipality over the course of their trading career in Stellenbosch. The interview questions were structured in such a way as to begin with simple questions about day-to-day business operations and owner experience but became more nuanced and complex as the interview progressed and participants developed more trust and enthusiasm for the process.

To administer the trader interviews, two sites within the central area of Stellenbosch were selected and visited over the course of several days in September 2016. The two sites were selected due to the initial contrasts they revealed. On the one hand, they were both in relatively close proximity to one another and to the Stellenbosch CBD, but were each characterised by vastly different products, clientele, infrastructure and trader dynamics. The first site, *Die Braak*, was historically used as a central town square, hosting regular farm markets and acting as a community gathering space⁹ (Coetsee, 2016). At present, the space consists of a large grassy field, with some pedestrian sidewalks criss-crossing the park and oak trees bordering most of the space. As one of the few open, public recreational spaces in the area, *Die Braak* tends to attract a number of unemployed or homeless individuals who often lie under the trees or in the sun, depending on the season. Although *Die Braak* remains a central component of the historical core of Stellenbosch, it forms the western border of the majority of commercial and tourist activity within the CBD. As such, neither locals nor tourists tend to have reason to pass through the space on a regular basis. Despite various studies¹⁰ and site development plans prepared for the area over the past two decades, the space has yet to undergo any form of significant transformation and remains under-utilized by the majority of residents and visitors of Stellenbosch.

One of the few regular, structured activities to exist in *Die Braak* is an informal art market, which runs Monday to Saturday during daylight hours. The term ‘market’ is used loosely here, since a market generally has more of a formalized structure and recognition, whereas *Die Braak* traders have failed to attain a marketable identity within the municipality. At the time of data collection, approximately sixteen trading stalls had been set up by vendors at *Die Braak*, although this number is likely to vary by season. Of the sixteen vendors present, eight interviews were conducted, with three female and five male traders. These interviews were quite structured in nature, lasting from fifteen to twenty minutes, with the same questions posed to each vendor.

⁹ See *Figure 4* for location of *Die Braak* in relation to the town centre

¹⁰ For examples, see: Ryckeboer and Carton (2012b); Pistorius & Harris (2005); Kruger, M. (1998).



Caption: Informal Traders Selling Art at Die Braak



Caption: Looking towards Stellenbosch CBD and surrounding mountains from Die Braak

The second trading site in the study will be referred to as the *Bird Street Taxi Rank* for the purposes of this research. Unlike *Die Braak*, which is located within the tourist core of Stellenbosch, the taxi rank site is situated at the edge of the CBD,¹¹ in an area of town that tends to be quite bustling during the day, as it forms a central transit hub for lower-income commuters and university students. On the other hand, one would be unlikely to find many tourists or higher-income residents in the area, unless passing through in private vehicles. In 2005, a government funded formal taxi rank was constructed on the site, to act as a central pick-up and drop-off point for 'taxis' (mini busses) entering and exiting Stellenbosch. Adjacent to the taxi rank, a roofed-and-walled formal market structure was also constructed to accommodate informal traders who had been regularly trading in the area for decades. More about this process will be discussed in the following sections.

At the *Bird Street Taxi Rank* site, five interviews were conducted with three female and two male vendors, out of approximately ten traders who were present during the time of interviews. Participants were selected at random, but many (predominantly black, foreign) vendors selling inside the market structure declined participation in the study while (mostly coloured) vendors outside of the structure were eager to be involved. Although the same set of interview questions was used to guide the discussions as occurred in *Die Braak*, many of the taxi rank vendors were quite enthusiastic about their participation in the research and tended to provide narratives above and beyond the scope of the formal questions, which was beneficial for understanding the nuanced context of trading and municipal interaction at the site.

¹¹ See *Figure 4* for location of the *Bird Street Taxi Rank* in relation to the town centre



Caption (above): Commuters seen at the Bird Street Taxi Rank (market structure and some trading stalls to the left; taxis to the right)



Caption: Trading Stalls densely populate the space outside of the Bird Street Market Structure, alongside the sidewalk on Bird Street. Many commuters pass by these stalls on their way to catch a taxi.

Beyond visiting the two trading sites, interviews were also held with members of municipal staff from four departments who interact or make decisions (either directly or indirectly) with or about street traders in the municipality. Staff included representatives from the Town Planning and Community Security departments, as well as the Local Economic Development and Integrated Development Planning Units. These interviews were conducted in October 2016 (following interviews with traders themselves), in order to triangulate information received from traders, and to develop a local-government perspective of the town's vision and policies for creating a viable working environment for low-income entrepreneurs. Although there was a loose interview structure planned in advance of each meeting, the interviews with staff members tended to be relatively unstructured in nature, and were adapted depending on the role and experience of each individual. For the purposes of this research, all quotations extracted during these interviews have been coded and anonymised.



Figure 4: Aerial View of Central Stellenbosch, including Bird Street and Die Braak Trading Sites

Along with speaking to traders and municipal staff members, several external actors were also interviewed, due to their direct or direct experience working with informal traders. Firstly, an informal interview was held with Architect, Stuart Hermansen,¹² who along with designing the physical structure of the *Bird Street Taxi Rank* and market structure, was also involved throughout the extensive community consultation process for developing the site. An informal interview was also held via Skype with Mike Hyland and Paul Hendler from *Stellenbosch Transparency*, regarding their active participation and ‘citizen journalist’ documentation of the sudden eviction of *Die Braak* vendors from their long-held trading sites in 2012. This interview was held in August 2016, and allowed for further contextualization of the research, prior to formal interviews with traders and municipal staff. Finally, I also consulted, via email, with Claire Benit-Gbaffou, a research colleague and professor at the University of the Witwatersrand, who has spent much of her academic career understanding the challenges, spatial dynamics and opportunities for interaction between informal street traders and municipal authorities in Johannesburg, and has helped to facilitate the creation of a trader-produced ‘*Charter for a Street-Trading Friendly African City*’ (Save the Hawkers Campaign, 2015).

Along with these interviews, from January to June 2017, I also had the unique opportunity to participate in a six-month internship with the Land Use Department at Stellenbosch Municipality. While I did not formally work to collect data for my thesis at the time, this experience was indispensable for understanding how planning policies and by-laws are implemented in practice. During this time, I had the opportunity to be involved in various relevant planning initiatives - including the public participation process for a new, municipal-wide *Integrated Zoning Scheme*, as well as a spatial land-use analysis of formal (mostly weekend-based) ‘slow markets,’ for which Stellenbosch has become well recognized by tourists and locals alike.

As part of the interviewing process, I sought to strategically ‘feedback’ information received from other (anonymous) participants, as a way of gauging the extent to which old and new information is accurate, and/or to explore alternative opinions. This was helpful in streamlining the details of events, particularly since much of the research sought to retroactively explore two instances of trader-municipal action from several years in the past. Following the data-collection process, all interviews were transcribed and systematically coded, based on arising key themes. The divergences between

¹² See Appendix C for a list of questions that guided this discussion

traders at the two trading sites, as well as differences between answers provided by traders and municipal staff, were highlighted as part of the analysis process.

Finally, it is important to acknowledge my own role and positionality within this project, in terms of my relationship with research informants, as well as from an analytical perspective. As there can be no complete neutrality in the context of either qualitative or quantitative approaches to research, it is hence necessary for researchers to be candid about the potential biases and power dimensions that may influence processes of data collection or analysis within a study. As a white, English-speaking Canadian woman, I was evidently recognized as a foreigner or ‘outsider’ amongst mostly-black and coloured informal vendors, as well as within the municipality where the majority of staff spoke predominantly in Afrikaans or Xhosa. On the one hand, particularly in relation to vendors at *Die Braak* (who were exclusively non-South African themselves), this ‘outsider’ status likely afforded me some degree of relatability, in the sense that vendors were able to speak more candidly about South African people and politics, recognizing that I would not be offended. Similarly, my outsider status provided the unique opportunity to pose seemingly simple questions about South African history and politics that may have proved to be somewhat more ‘loaded’ amongst or between South Africans themselves. Thus, in essence, my foreignness seemed to provide a degree of receptive neutrality, and for that reason, I may have received more candid information and viewpoints than what could have been possible as a South African student researcher. On the other hand, during a six-month research internship with the municipality’s Town Planning department, I was able to move from an outsider to ‘insider’ status, as I was able to acquire a more nuanced appreciation of the everyday challenges and dilemmas of town planning in Stellenbosch.

However, my positionality did have its limitations. As I do not speak Afrikaans or Xhosa, I was at somewhat of a disadvantage during the interview process, as several vendors (particularly at the *Bird Street Taxi Rank*) struggled to some extent with communication in English. Fortunately, I was able to seek the assistance of a coloured, Afrikaans-speaking research assistant to assist with interviews, who ultimately proved to be brilliant at establishing rapport with many of the coloured vendors.

Thus, the combined “insider-outsider” (Dwyer & Buckle, 2009) dynamics of the research experience have permitted a rare opportunity to delve deeper in to the nuanced complexities of street trader dynamics, as they relate to the culture of town planning policies and practice within Stellenbosch municipality. Krefting (1991) writes that:

Triangulation is a powerful strategy for enhancing the quality of the research, particularly credibility. It is based on the idea of convergence of multiple perspectives for mutual confirmation of data to ensure that all aspects of a phenomenon have been investigated” (219).

In this case, the insider-outsider dynamic has been helpful from a triangulation perspective, towards establishing the legitimacy of data received via interviews, as they relate to the day-to-day challenges and dilemmas of inclusive town planning practices through active work experience within the municipality’s town planning department. The combination of these two methodologies allowed for a nuanced contextualisation of interview data, grounded in a more thorough understanding of real-life intuitional dynamics and the practical dilemmas of municipal town planning.

The next section will present an overview of data collected and analysed using the conceptual framework and research methodologies outlined above.

CHAPTER 4: FINDINGS AND ANALYSIS

4. FINDINGS AND ANALYSIS

In responding to the primary research question of “*What are the challenges and potential opportunities, within Stellenbosch Municipality, towards creating viable and inclusive spaces for informal trading within the town centre?*” this section has been divided in to the various thematic ‘levels’ (and corresponding research questions) as demonstrated within the conceptual framework in the previous section.

These include:

- 1) The construction of vendor identity;
- 2) Existing practices and opportunities for inclusive participation in town-planning;
- 3) Responsive and accountable municipal policies; and
- 4) Inclusive and cohesive community relationships

Within each section, I present evidence for each research sub-question, as well as a contextual analysis of the data. Each of these four sections fills in a different ‘layer’ of analysis, in terms of the structures, opportunities and challenges for inclusive town planning within Stellenbosch Municipality, drawing on a case-study focus of informal trading as the point of analysis.

4.1 The Construction of Vendor Identity

Research Sub-Question 1: What is the background of informal traders, and how does this background affect how they see themselves as contributing members of society, with the power to negotiate their own livelihoods?

Beginning at Level 1 – “the construction of vendor identity” – is important, since the way that an individual understands his or herself and role in relation to the greater society is key for understanding what challenges and opportunities exist for engagement in town planning and public engagement practices. As suggested in the literature review, the notion of ‘participatory citizenship’ becomes important here (Dagnino, 2010). Whether an individual (or collective) acknowledges him or herself as having individual agency and the opportunity to make claims for space and power within urban spaces has implications for the creation of participatory town-planning structures and processes that

are inclusive of all and increasingly democratic.

As mentioned in the previous section, two site visits were conducted during the course of the data collection process, at two distinct trading locations within the Stellenbosch CBD: *Die Braak* and the *Bird Street Taxi Rank*. Despite their relatively close proximity to one another, these two trading sites are distinct in many ways - including the nature of the market and products sold, the types of customers that they tend to attract, the physical planning and layout of each site, and perhaps most interestingly - the background of the traders themselves.

4.1.1 *Die Braak* Trading Site

All eight traders interviewed at the *Die Braak* site were immigrants to South Africa from various African countries. Most traders interviewed were from well-educated backgrounds, six of which had attained some post-secondary education in their home countries - including one individual with a college degree in business administration and one with a three-year geography degree. Only one trader reported having no formal education. All traders highlighted a wide spectrum of previous work experience - including work as a sports coach for children with disabilities, a primary school teacher, hotel manager and police traffic officer. Interestingly, none of the *Die Braak* traders mentioned any previous experience operating a small business prior to their arrival in South Africa. The amount of time operating a business on the site varied, but five traders had been positioned in or around the *Die Braak* area for upwards of eight years, while three others were relatively new to the site. The majority lived within the Stellenbosch area – six within the predominantly-black community of Khayamandi, one in Cloeteville and one who reported commuting to the site via train from Cape Town.

Despite their varied countries of origin and diverse professional backgrounds, interviews with *Die Braak* traders indicated a strong and cohesive group identity grounded in their collective ‘otherness,’ shared economic experiences and their exclusion from job opportunities and rights afforded to South African citizens. Many of the traders indicated pride and a sense of gratitude for the opportunity to run a business in Stellenbosch, despite long, hard working hours. All vendors reported working upwards of ten or more hours per day, six days per week, although this tended to vary by season. Having a large, open space was seen as an advantage of the business location, as was the “freedom to move around,” proximity to the tourist town centre, and protection from large trees on the site during hot summer days. Four of the eight vendors were content with the current flexibility of informal shop structures that were set-up and removed each day, while the other four suggested that they would prefer the reliability of formal stalls that would allow for better protection from the rain

and wind, and where their goods could be locked away each night. The extreme seasonality of the business was indicated as a significant challenge for business sustainability, with vendors indicating that they may turn an average profit of R300 - R1500 per week. Three vendors noted that during the winter months, when weather is unpredictable and the number of tourists is comparatively low, it would not be uncommon to go more than a week without any sales.

Due to the regular hardships of the business, traders verbally contrasted their perseverant work ethic to that of South Africans, with one female vendor noting that South Africans are “spoilt” by the government:

[South Africans] get free houses, free healthcare and free education... and so they don't know how to work hard. This is why you will not find South Africans who sell arts and crafts to tourists like this... because the amount of labour that goes in, every day, to set up the shop, transport all of the goods... it takes a lot of time and energy (*Female vendor, Die Braak*).

This framing of “them” versus “us” is largely reflective of the larger (and often violent) culture of xenophobia pervading South Africa, whereby many (particularly black, African) foreigners are accused of taking jobs and homes away from South Africans, while contributing to the country’s soaring crime rates (Piper & Charman, 2016; Crush, 2000). Interestingly, in interviews with municipal staff, similar views were raised:

In my view... that is where the xenophobia comes in. Because these people are qualified, [but] they can't live in their countries... some of them walk from Kenya, Nigeria [...] they must negotiate their way through. I don't know, but they're there. They're working, making money... and the local people see them making money, and they have the idea that they are taking away the money [the locals] must make. But ‘we're too lazy’, or ‘too uneducated’ or... ‘we are not entrepreneurs...we rely on the system.’ And [the foreigners] don't do that. (*Municipal Staff 1*)

Unfortunately, if you look at the Global Entrepreneur Monitor... South Africa, in terms of entrepreneurial activities, we are probably third-last in Africa. And that's why the [foreign vendors] don't understand why [locals] are making such a big deal out of it. All [the foreigners] say is, “All we need is space. The rest, we'll do.” Our guys are standing like ... you give them the space and the next thing they'll tell you is “I don't have the money to buy the stock.” That's why [the foreigners] are there. Those who are entrepreneurial... from

Zimbabwe... it's a real trip to travel here. It's not easy! It means you have the best of the best here. (*Municipal Staff 2*)

These excerpts suggest that on the one hand, there appears to be a perception both amongst *Die Braak* traders and municipal staff that they are hardworking, industrious and enterprising individuals. On the other hand, the legal position of foreign traders as non-citizens marginalizes them, to some extent, from making claims on the municipality for the provision of better services that could enhance their economic performance. Unlike black South African citizens, who embody a culture and history of protest action, foreigners simply do not have the same large-scale social or legal capital, which leaves them vulnerable to manipulation by town planning authorities. This was most clearly highlighted in 2012, when vendors were forcefully evicted from their former trading site without notice nor negotiation.

Due to the precarious legality of their political and economic situation, *Die Braak* vendors thus tend to have a tense but law-abiding relationship with the municipality, demonstrated through their strict attention to operating hours, use of space, noise control and clean-up procedures in order to avoid disruption to their business activities and economic livelihoods. Several vendors reported that they are frequently blamed for crime in the areas, as well as the unhygienic conditions of the park brought upon by *bergies* overnight. As a result, vendors often take the initiative to clean up any mess that would cause the municipality to look unkindly to their operations and/or would deter customers from feeling comfortable in the space.

4.1.2 *Bird Street Taxi Rank*

As opposed to the *Die Braak* site where all vendors hailed from other African countries, vendors at the *Bird Street Taxi Rank* composed a mixed background of coloured South Africans and black-African foreigners. While *Die Braak* vendors sell art and products to tourists, the *Bird Street Taxi Rank* provides for a different market entirely, targeting low-income commuters with the sale of cheap, convenience goods - such as fruits, vegetables, spices, smoked fish, clothing, cheap jewellery, etc.

During the course of the research, only coloured vendors agreed to be interviewed, while foreign vendors (somewhat nervously) declined to participate. This, unfortunately, is a limitation of the research, and future work could do more to take in to account the views of foreign vendors at the site. Unlike the *Die Braak* vendors, who demonstrated a common identity and solidarity through their 'otherness,' there appears to be complex factors of xenophobia and long-established hierarchies at

play between traders at the *Bird Street Taxi Rank* (Hermansen, 2018). On the one hand, coloured South African vendors tended to differentiate themselves from the ‘foreigners’ at the market through expressions of historical entitlement to the space and suspicion or hostility towards the economic activities of foreign vendors. During interviews, all five coloured informants expressed their distrust towards foreign vendors, suggesting that their stalls were merely fronts for drug sales and trafficking.

The *Bird Street Taxi Rank* site was historically a part of the coloured community of *Die Vlakte*, and one elderly informant alluded to the previous importance of the site for economic activity and as a gathering point for the community, as it was (and continues to be) within close proximity to the neighbourhood mosque. Two informants reported that they or their families had been operating their businesses for upwards of forty-to-fifty years on the spot. Thus, historically speaking, the trading site was likely an important cultural site for the coloured community of Stellenbosch and this apartheid-era segregation mentality continues to affect how vendors construct their power and privilege within the space.

Ironically, at the same time, coloured vendors appeared to be in conflict with one another for optimal vending space and competing ideas of leadership and political representation. Three interviewees hinted that the other coloured vendors could be “mean and nasty” (Female vendor, *Bird Street*) at times, due to competition between themselves.

In 2004, the municipality began a process of ‘formalizing’ traders at the *Bird Street Taxi Rank* site, through the creation of a designated physical structure for sales. As we will see in the next section, research suggest that this structure works to reinforce interpersonal hierarchies at the site, exasperating tensions between traders that are already in strong competition. Hence, from the perspective of an inclusive town planning agenda, the lack of social capital between *Bird Street* traders results in a highly complex environment for town planners to negotiate competing priorities and power struggles between traders, with implications for the development of inclusive and viable informal trading sites.

4.1.3 Differing Conceptions of Vendor Identity

Research presented in the previous sections suggests that vendors within the two trading sites have very different conceptualisations of their identity - both individually and as a collective. From the *Die Braak* side, as foreigners to South Africa, vendors experience a lack of individual power or agency to negotiate with the municipality, due to their tentative legality and limitation of rights as non-South

Africans. On the other hand, they exhibited a strong collective identity, grounded in shared ownership and respect for the space, pride in business ownership and gratitude for the opportunity to work in central Stellenbosch. While the municipality, to some extent, recognizes and appreciates the entrepreneurial capacities of vendors, they also tend to view them with suspicion, under the assumption that they may step out of line at any time. This perception of vendors as both entrepreneurs and ‘con-artists’ makes effective collaboration difficult, due to the lack of trust felt by both sides.

On the other hand, vendors at the *Bird Street* site were significantly more heterogeneous in their individual and collective identities. From an outsider perspective as a researcher in the space, I witnessed very little collective social capital - particularly between foreign and domestic traders. On the other hand, there were certain strong and resilient individual personalities who would have been quite willing to stand-up to the municipality should the need arise. One female vendor reported that she would have no second thoughts about going “directly to the mayor” with any issues pertaining to the efficient running of her business. Unfortunately, as I was unable to speak in-depth to any foreign vendors at the *Bird Street* site, I might only assume that their lack of social and political capital may have posed a deterrent to their capacity to engage with municipal authorities on challenges regarding the business environment.

In sum, the varying socio-political identities of vendors, in combination with the unique physical and material characteristics of each market site highlight a complex and highly nuanced setting for establishing a consistent definition of ‘participatory citizenship’ and ‘inclusive town planning.’ While some (predominantly South African) vendors feel entitled to municipal services and assistance due to an acknowledgement of their “right to have rights” (Dagnino, 2010:103), foreign vendors tend to avoid municipal confrontation and negotiation, acknowledging the fragility of their legal position and identity within the space. These varying constructions of personal identity thus have important implications for how the municipality might seek to build efficient and comprehensive participation processes that are inclusive of all communities.

In the next section, a summary of some of the tangible ways in which ‘participation’ has transpired between vendors and municipal staff in recent history will be outlined, and what the potential of new forms of participation (and hence – inclusive town planning strategies) could be, moving forward.

4.2 Existing practices and opportunities for inclusive participation in town-planning

Research Sub-Question 2: To what extent do current formal and informal channels of participation within the municipality encourage the creation of inclusive spaces for informal traders to sustain and negotiate their own livelihoods?

The previous section discussed the ways in which individual and collective vendor identity manifested at each trading site, and the potential implications of those identities for inclusive and participatory engagement with town planning authorities. Moving beyond the individual level, this section will look at what practices and opportunities currently exist within the municipality, as well as over-viewing past projects of engagement that have influenced the current culture and practice of public participation between vendors and the municipality.

This research suggests that two major events have likely influenced the trajectory and sentiment of engagement and inclusivity between traders and the municipality at each site. These events include 1) the forcible eviction of vendors from *Die Braak* in 2012, and 2) the planning and construction of the current formal trading structure at *the Bird Street Taxi Rank* site between 2004 and 2010.

4.2.1 Vendor Eviction at *Die Braak*

In 2012, vendors at *Die Braak*, in Central Stellenbosch, were ordered to vacate their long-term trading position beside the Shoprite-Checkers shopping centre, allegedly due to complaints received by members of the nearby church. According to municipal staff members as well as Mike Hyland and Paul Hendler from *Stellenbosch Transparency*, the church complained about the ‘noise’ of vendor activities and their general proximity to the building. In doing so, church members brought forward the existing municipal street-trading by-law, which forbids trading alongside “a church or other place of worship” (Stellenbosch Municipality, 1995:(2)(b)(iii)). Seemingly without conversation nor negotiation, law-enforcement officials arrived at *Die Braak* to oversee the deconstruction of stalls and the eviction of traders from the site. As a result of the eviction, vendors were out of work for at least a year while the municipality rushed to find an alternative place for them to trade legally, in accordance with the by-law. However, under the current trading by-law, and due to the historical nature of Stellenbosch CBD, there were very few legal places in which art-selling street traders could viably operate.

As one municipal staff member summarised:

[The church] complained. Shoprite-Checkers¹³ complained about the formal versus informal business. Although they did not compete, the element was an issue. And the council [...] just chucked them off. So, it became a planning problem. And the politicians tried their best to find all sorts of funny places [for the traders to operate]. And we said, “you know - what they want is space. They want to be where people walk. Tourists are [around *Die Braak*], that’s the logical place for them. Put them back and get some measures in place to control the problem. Don’t move them away.” So that became quite a fight and I think the fight turned ugly in the sense that the politicians looked like...unhearty people [...] So they started looking at “how can we help these people?” (*Municipal Staff 1*)

The trader eviction from *Die Braak* and consequent relocation dilemma highlight the complexities of town planning (and particularly public participation processes) in contexts where certain actors have immense negotiating power (including, in this case, the town council; church; and large, formal businesses), while others (such as non-South-African informal traders) have comparatively little. As the interview excerpt above conveys, the expertise of town planners and municipal staff members sometimes differ dramatically from the pressures experienced (and consequent decisions taken) by elected politicians.

For traders themselves, this eviction was disastrous for their livelihood. One trader articulated the experience as “very painful...we were left with no place to go.” Since many traders rely on trading profits as a primary source of household income, the eviction left them exposed to significant economic vulnerability for over a year, without a clear indication from the municipality about whether and when they would be permitted to return to their trading site. During the year in which they were not allowed to operate, all traders reported having to take on alternative small jobs (mostly in the informal economy), to make ends meet.

Without prompting, traders expressed their frustration in regards to the way the church communicated their complaints. Rather than speaking with vendors themselves, they allege that church members went straight to law enforcement officials. Even after amendments were eventually

¹³ Shoprite-Checkers is a formal shopping centre alongside *Die Braak*

approved to the existing trading by-law,¹⁴ (which allowed vendors to temporarily re-locate to the far side of *Die Braak* until new provisions could be made), tensions between traders and the church remain strained. As one trader expressed:

“[The church] calls the authorities who orders the traders to move around...even though the church isn't using that space. It takes a long time to set up the shops, so it is very frustrating to have to pack up and move somewhere else. If the church was just open to having a conversation with traders and telling them in advance about their events, then we would be very happy to accommodate them. (*Female trader, Die Braak*)

The eventual move to the new trading location following the 2012 eviction also had implications for the viability of trader businesses. As indicated in *Figure 5*, the previous trading site was in direct sight-line of tourists, who tend to congregate on and around Church Street, where the majority of tourist-oriented shops and cafes are located. However, through the process of re-location to the new trading site at the far side of *Die Braak* (*Figure 6*), traders have been mostly removed from the direct sight-line of tourists, as well as being spatially disassociated from the main hub of tourist and economic activity.

Once again, a nuanced analysis of the trader eviction at *Die Braak* demonstrates that town-planning decisions are not made in a vacuum, but are exposed and subject to complex economic and political power struggles, from which the most vulnerable (in this case – informal street vendors) tend to be excluded. This power struggle is neatly summarised by one member of staff:

The people you negotiate with should not be the shop owners, they have a very specific agenda... it should be the public who will sit there at lunch time [and] the people that will entertain them, sell them stuff. But once again, that's where the power comes in. The [church people] have a straight line to the mayor, so if [the traders] can organize themselves, if they could compete on more or less equal feet, maybe that will work... (*Municipal Staff 1*)

¹⁴ See: Stellenbosch Municipality . (1995). Supervision and Control of The Carrying on of the Business of Street Vendor, Pedlar or Hawker By-Law

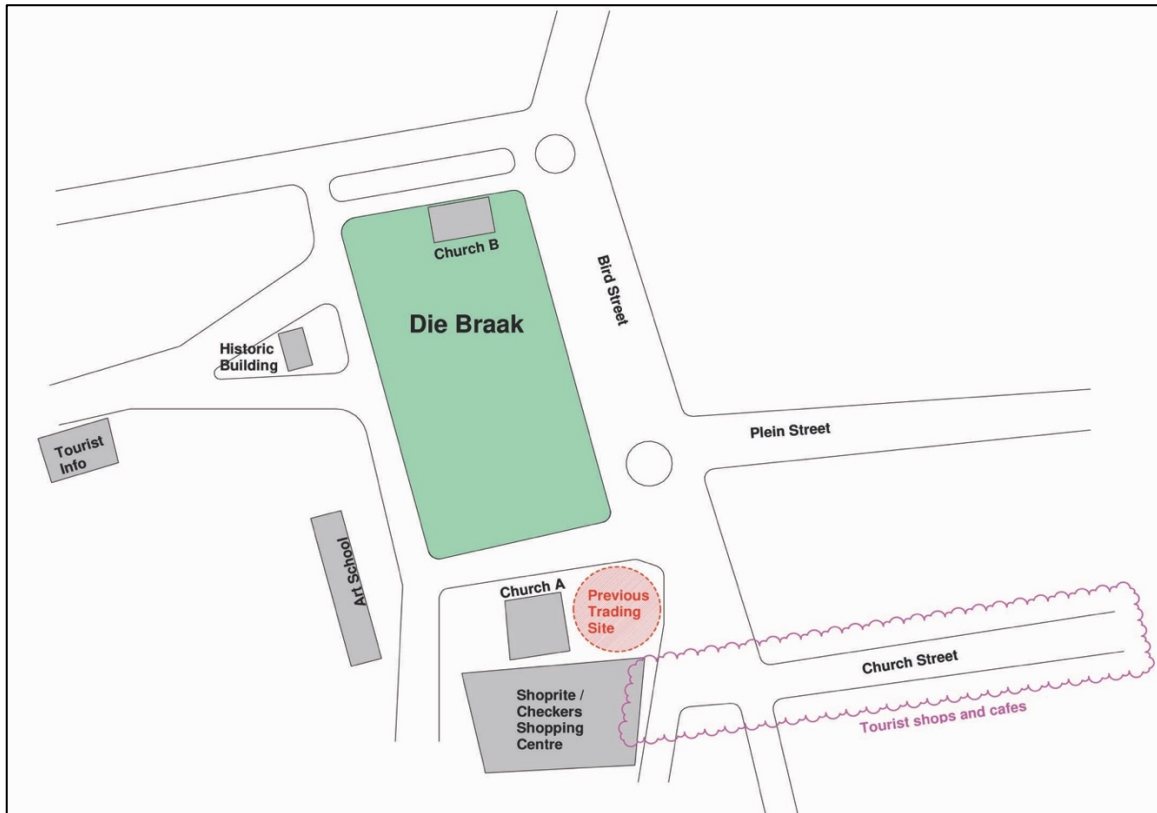


Figure 5: Map of Die Braak, Pre-2014 Trading Site

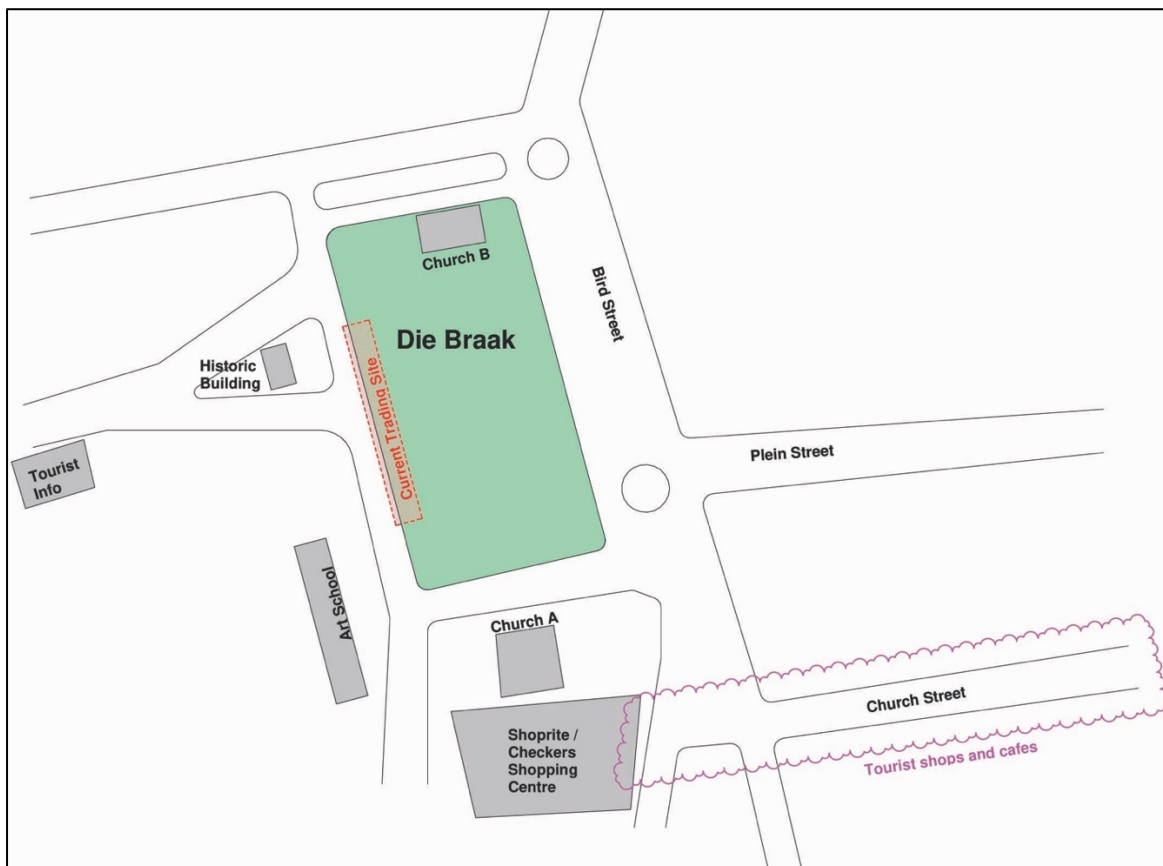


Figure 6: Map of Die Braak, Current Trading Site

This comment is a strong reflection of Harvey's analysis of the *Right to the City* framework, which suggests that those without social or economic capital tend to be the most marginalised from urban decision-making processes. Moreover, in reference to Arnstein's 'Ladder of Citizen Participation,' the trader eviction from *Die Braak* makes up the lowest rung of the ladder in terms of citizen engagement. As such, the *Die Braak* case study demonstrates the pressing need to ensure that adequate systems of public participation are firmly built in to town-planning procedures and decision-making, and which take accountability for mistakes and transgressions made in the past. Once again, this is especially important (and difficult) in municipalities such as Stellenbosch with a highly diverse and socially polarised citizenry.



Caption: Trading Stalls at Die Braak, with church shown in the background



Caption: In order to access the vendors (shown in background), tourists on Church Street would need to cross through Die Braak, with little in the way of shade or formal walkways.

It is important to note, here, that one limitation of this study is that informants from neither the formal business sector nor church have been included in the data analysis. As the primary intention of this research has been to provide a space for often-marginalised groups to provide input around the challenges and opportunities for making informal businesses more viable, this thesis has sought to ensure that these voices have been acknowledged first and foremost. However, future iterations of the research would benefit from the inclusion of additional actors.

4.2.2 Construction of the *Bird Street Taxi Rank*

The eviction of vendors at *Die Braak* is an example of a missed opportunity for the municipality to defend marginalized members of the community, or at the very least - to install practices and procedures that allow for such groups to defend or represent themselves. On the other hand, the process of planning and constructing the existing formal market structure at the *Bird Street* site is a tangible example of the municipality leading a planned process of public engagement, with a diverse group of stakeholders, and with the intention of delivering a project that is better for the entire community.

According to Stuart Hermansen, the Architect who designed the *Bird Street* taxi rank and trading structure, it was the Stellenbosch and Khayamandi Taxi Associations who originally put pressure on the municipality to provide a central space for taxis and commuters, in order to make public transportation more efficient. Recognising the need for such a space, the municipality put a plan in action and decided that in addition to creating a formal taxi rank, they would also take the opportunity to consolidate informal traders in to one cohesive and sheltered space. With this intention in mind, the municipality established a consultation group of relevant actors, including one informal trader representative, members from local taxi associations, community stakeholders (such as the nearby Klein Libertas Theatre¹⁵ and members of a local soup kitchen), as well as various municipal departments.

During discussions with traders, I was able to identify the one vendor who had been formally involved throughout this consultative process. According to this individual, he had suggested that the municipality should “build a line of [trading] stalls along the pavement,” so that all pedestrians would need to “pass by on their way to the taxi,” with car-parking behind the stalls. However, in the end,

¹⁵ Note: The Klein Libertas Theatre was destroyed by a fire in 2015. See: <https://www.enca.com/south-africa/curtain-flames-brings-down-stellenbosch-theatre> for more information.

this vision was not realised. According to Hermansen, the initial “dream” had been to create a sheltered, pedestrian-friendly market space that would predominantly house art vendors and be marketed to a tourist clientele. However, in hindsight, the location on Bird Street was simply too far out of the historic urban core to appeal to tourists and hence would have been entirely non-viable for art vendors.

At present, a latticed metal caging encompasses the market structure, making it appear eerily like a prison, both internally and externally. However, Hermansen confirmed that this lockable ‘cage’ was a later addition to the structure, as the original design (which featured a mostly-open space) became a “haven for the homeless” at night, with significant levels of crime taking place. Hermansen noted that while a sprinkler system was originally installed to prevent the spread of any fires, the infrastructure for this system was quickly stolen.

With the current structure in place, only about three to five shops can operate directly next to the pedestrian-heavy sidewalk, and municipal trading permits for these external spaces are more expensive than interior stalls. Interestingly, this limited space on the sidewalk was not originally intended for vending purposes, but traders who were unhappy with the interior of the structure claimed the space as their own (Hermansen, 2018). On the other hand, the interior vending spaces are largely non-viable for commuter-friendly convenience shopping, since pedestrians have no need to pass through the structure on their way to a waiting taxi. Thus, the interior of the structure remains largely vacant of vendors for most of the week and month.



Caption: Looking towards Bird Street from inside the market structure. Internal stalls are generally vacant, since few pedestrians have reason to move through the structure, making business non-viable.

When I questioned municipal staff about the design of this structure and the process of engagement that went along with its creation, there was some recognition of the shortfalls of the process:

“We felt, from our side, that the traders needed some better organising. Because they stand at the entrance of the taxi rank. And they stand there today, still. So we thought, if we can give them something that is more ‘organised’ that they can lock up... they’d jump for it. And they were part of the whole discussion. But yet, they’re not interested in that now... they still stand there, where the taxi rank is [...] In hindsight, the traders were very weak. And we should have probably tried to assist them in negotiating. But they were very weak. Particularly, in light of the onslaught by the taxi rank guys... they might even be threatened, I don’t know. But they didn’t stand up.” (*Municipal Staff 1*)

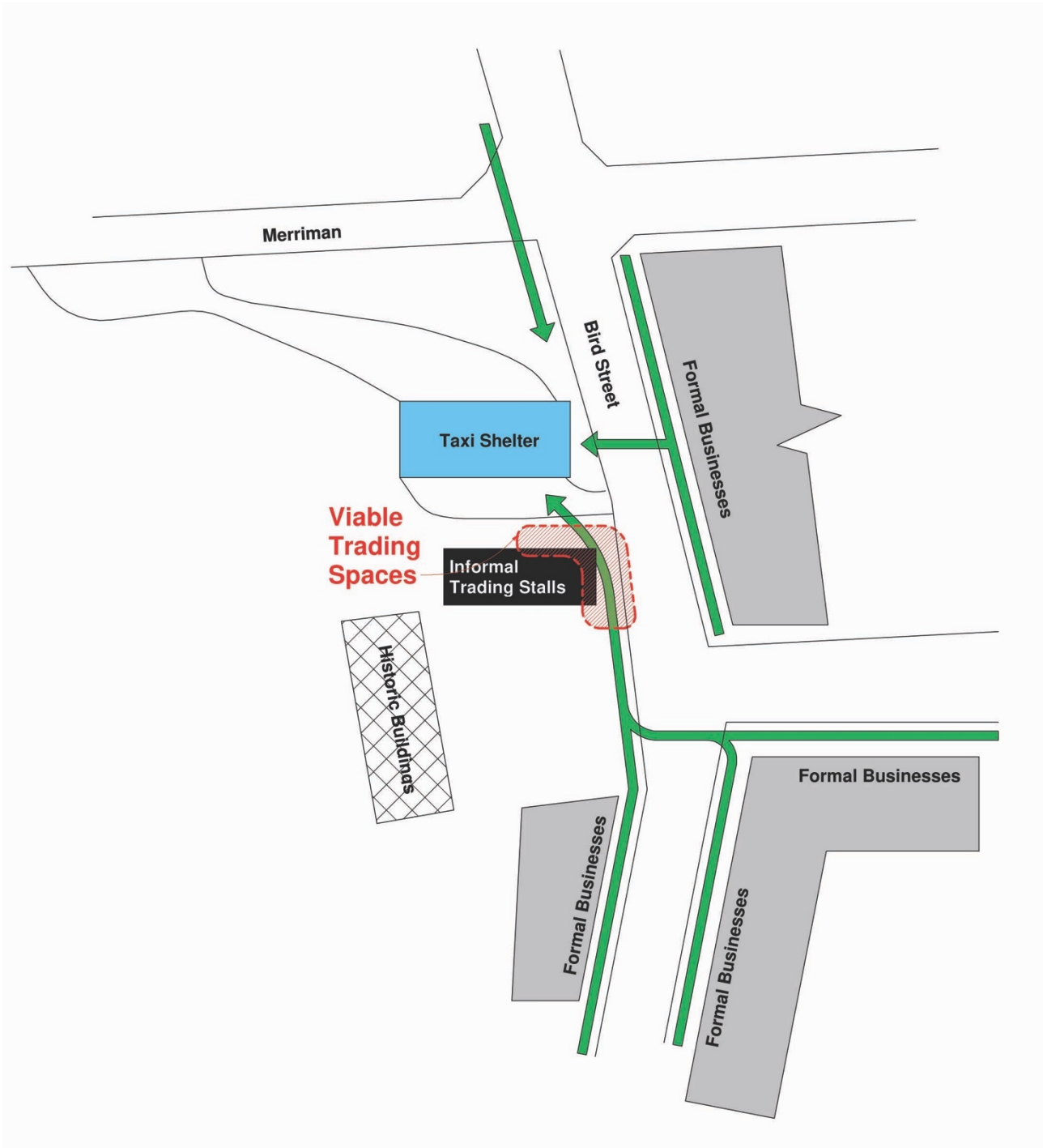


Figure 7: Pedestrian-Commuter Flows around the Bird Street Taxi Rank

Similar views regarding the ‘weakness’ of the traders was expressed by Hermansen, noting that “there was only one very quiet, elderly gentleman representing the traders. He tended to get bullied around by the taxi association guys.”

These excerpts demonstrate the complexity of balancing power relations in processes of citizen engagement and decision-making. Not all invested interest groups hold the same amount of sway in political circles. While taxi driver associations are notorious for their capacities to negotiate (and threaten upheaval) during such processes, informal traders, in this instance, yield much less political prowess. Along with the ‘weakness’ of the traders as a voice of negotiation, another member of staff noted, that in hindsight, things should have been done differently and laments the lack of nuanced communication between community groups and diverse municipal departments:

I would have put [the traders] along here (*pointing to edge of the road*). And guess what would have happened? [...] Remember: you need to get to a taxi. So, whether the taxi is in the middle, people will come... that’s what these people want. Now, [the traders] are here at the back. Usually, I would stop quickly on my way to the taxi, but I say to myself, “no, I don’t need to go back there on my way to the taxi...” So that’s the history around that one. And um... that’s because we did not plan together. (*Municipal Staff 2*)

So in my view, I don’t see the informal sector as standing uncontrolled anywhere... I see that the municipality has the responsibility to provide well designed public space, to accommodate them [...] And we’ve learned this lesson: We should rather do it with the people. We haven’t done that yet, I haven’t thought how to do that yet, but it’s certainly something that should be important. (*Municipal Staff 1*)

As the above case study and quotations highlight, there is a significant degree of complexity involved in “planning together,” both in terms of engagement with diverse community groups (in this case traders, taxi drivers, etc.) as well as between municipal departments. As one staff member pointed out, traffic-enforcement officials will not have the same set of priorities or frame of reference as other municipal staff concerned with creating opportunities for local economic development, or spatial planners hoping to maintain the historical aesthetic of a Dutch-colonial Stellenbosch.

All in all, despite the municipality’s strategic and intentional process of diverse stakeholder engagement over a period of several years, unfortunately the result is an example of citizen

participation that falls low on Arnstein's Ladder of Participation – whereby participation (particularly on the part of informal traders) was largely tokenistic in terms of the traders' contribution to the final project outcome. According to Hermansen, the process of managing negotiations between the various stakeholders was intense, time consuming, and often led to squabbling over square meterage between the various interest groups.

The fact that the municipality tried to establish a fair, diverse and long-term consultation process to create an accessible community space is certainly laudable. However, the relative waste of public resources that were invested into the design and construction of a mostly-unusable trading structure suggest that other tools, techniques and venues are needed in order to undertake public participation processes that create *cohesion* between those involved, by facilitating chances for individuals to feel empowered through decision-making opportunities, as well as strategic collaboration and co-creation between diverse groups.

4.2.3 Leadership amongst vendors: A viable possibility for municipal engagement?

Both the *Die Braak* and *Bird Street Taxi Rank* case studies highlight the role of competing interest groups in the process of making and negotiating town-planning priorities and decisions. In the case of *Die Braak*, entities including formal businesses, the church and politicians appear to have a history of using their power and position to achieve their respective priorities, at the expense of traders' livelihoods and income security. Similarly, at the *Bird Street* site, despite a thoroughly planned processes of public consultation, taxi associations and other interest groups have tended to overshadow the long-term knowledge and expertise of street traders. This raises the question of how *should* the municipality negotiate, on more equal terms, with traders at each site? As one member of staff articulates:

One of the biggest issues I'm sitting with is how to deal with [the traders]... because they're not organised. You see, it becomes very difficult with a local authority, to deal with you as an 'individual.' What I'm trying now is to get them...more organised. Let them speak with one voice [...] And currently, it's not working for me. I'm trying to see how I can get the Provincial Traders Association to possibly come out here, to help them establish... their own association. And build the capacity in that. Because um... what I told them, we're open for discussion... but are you ready for us? If you get in to my office, who do you represent? Yourself, or what? (*Municipal Staff 2*)

This question of “who should represent traders?” is an important one, given the findings from the previous section, which have touched on the individual identities and inter-trader relationships present at each site. On the one hand, as a relatively cohesive group, several *Die Braak* vendors indicated that they had voluntarily and democratically elected a representative amongst themselves, for the purposes of establishing rapport and overseeing communication with the municipality. On the other hand, at the *Bird Street* site, many vendors acknowledged that while such an individual *exists*, no one seemed to recall a process of discussion or negotiation to elect this individual as a leader, nor had any regular meetings nor formal communication channels been established between the representative and other traders at the site. During interviews, two *Bird Street* informants complained about this lack of adequate representation, noting that a single person should not be entitled to represent *all* vendors within the site.

As the previous section has attempted to demonstrate, (and in contradiction to the desires of the Municipal Staff member, above) the on-going tensions and hostilities between vendors at the *Bird Street* site may simply warrant the idea of electing a singular representative for the group to be both impractical and ineffective for the purpose of efficient and transparent engagement and negotiation. This, of course, is in direct contradiction to the Municipality’s own intentions and ways of working, which further complicates decision-making for planning purposes. Thus, there is a need to move beyond the elected-representative model of citizen engagement, towards more innovative forms of interaction between traders and the municipality that allow for constructive debate and the expression of multiple realities between diverse traders.

4.2.4 Additional Channels for Public Participation

To date, two events have largely shaped the ‘culture’ of participation in terms of negotiation and decision making between traders and municipal staff. These events, and their subsequent consequences, have amounted to an environment whereby feelings of mistrust, non-accountability and competing power relations are highly apparent between street traders and the municipality. Nonetheless, aside from a history of seemingly unproductive interaction between traders and the municipality, other formal and regular channels of public participation do exist, in terms of input for more general town-planning priorities. While not specific to the context of informal trading, it is important to acknowledge these formal channels of engagement in order to develop a more nuanced understanding of the culture of participation within the municipality, and in what ways (if any) the municipality is seeking to create a more inclusive urban environment.

One of these formal channels exists through the Integrated Development Planning (IDP) Unit of the municipality. As part of the public participation process for annually updating the IDP, public meetings are held, by ward, to provide summaries and to answer questions around the creation and updating of this document. As part of this process, meetings are often held within accessible community venues, with transportation arranged where necessary. However, through my own attendance at one of these meetings within my local ward, I recognized a significant issue: my partner and I were the only members of the “public” present (all others were municipal staff, politicians or technical consultants), and, after several highly-technical presentations, the lights suddenly went off in the room, and everyone was told to go home! There was no word on when/how notes from the meeting would be released, nor what decisions would be brought to the table as a result of the discussions. While this experience may not have been the ‘norm’ for other IDP Ward Meetings, as an interested member of the public, I felt disillusioned by the interaction, and questioned the accountability of such engagement processes.

Although this is only a small anecdote of how the municipality negotiates processes of public engagement, it nonetheless highlights a preference for a particular type of communication, including a reliance on technology to present pre-established summaries and suggestions rather than engaging the public in a ground-up discussion about future visioning for the municipality. This narrow form and practice of public engagement limits opportunities for local residents to feel empowered and invested within processes of shaping their communities, and the lack of opportunities to debate ideas leads to the recreation of the status quo in terms of perceived differences between diverse neighbourhoods. A similar observation is highlighted by a member of staff:

Stellenbosch is notorious for public participation, because you have a lot of rich people, educated people... conservative people. So if you want to say, “I want to put the new informal housing here,” you’ll have a lot of people objecting to that. So it becomes a NIMBY kind of thing [...] It’s extremely difficult to get broad support from public participation processes. But our public participation [model] is: we make a suggestion, you comment. That’s the wrong way around, in my view. (*Municipal Staff 1*)

In an entirely different vein, one municipal staff member mentioned that in 2014, the municipality decided to partner with members of Stellenbosch University to engage, for the first time, in a ground-up *Shaping Stellenbosch* project. In this instance, the idea was to engage directly with members of the community to understand their priorities and aspirations, and to filter this information in to the

creation of an innovative SDF for the municipality (Stellenbosch Municipality, 2014). While not specifically related to the topic of informal trading, the project is an example of innovative public engagement on the part of the municipality, as well as highlighting the importance of creative partnerships between local government and community groups. However, as one staff member reveals, the process was not without its challenges:

We went on a public drive to get people to submit suggestions. The first problem (was) the affluent community - the white community. They cannot, for the life of them, understand this. They are used to criticizing. So they said, "Where's the report?" And I said, "There's no report...you tell me! You always complain, but what do you see happening here?" [and they replied] "No no no! It can't work that way." So, they were disempowered! They couldn't deal with it. And some of them came back and said, "well then, we are not participating." So they found it extremely difficult. The coloured community was the most happy to just say what they need. But their needs was more... their problems, not really wide-ranging. The Black community: it was absolute distrust, like, "are you trying to pull the wool over our eyes, or what?" (*Municipal Staff 1*)

In this excerpt, we see a glimpse of the potential challenges of large-scale public engagement within a diverse context such as Stellenbosch. Due to income and racial inequalities within the municipality, community members may simply not share the same priorities nor have they been historically afforded similar levels of trust in government processes. Nonetheless, despite the challenges of the *Shaping Stellenbosch* process, there were important lessons to be learned about the complexities of effective public participation in contexts of deep diversity:

What we did was appoint a coloured guy, public participation expert... calm, patient man... and we met each of the Ward Councillors, and we told them, "this is what we want to do." Half of them distrusted us. And through those meetings, we found out who are the movers and the shakers. We identified [...] the people with strong ideas... and we went to see each of them. The first meeting was aggressive - absolute distrust. The second meeting was "okay, if I do something, how am I opening myself up?" [...] and the third meeting was, "okay, I'll give it a shot..." So it took him three times as long, just to get their trust. (*Municipal Staff 1*)

This quotation captures one of the key elements (and often missing components) of public participation processes: the need to devote enough time towards building *trusting relationships* between participants themselves, as well as between governments and communities. Similar

observations are noted in the official *Shaping Stellenbosch* report (Stellenbosch Municipality, 2014). Although the process may take “three times as long” as a standard present-and-discuss platform as typically performed by the IDP unit, it is likely the only way to undertake effective public engagement in socially diverse and historically-marginalising circumstances.

This section has sought to demonstrate the ways in which relationships between informal traders and municipal authorities have been historically hampered due to events at both *Die Braak* and *Bird Street* sites, resulting in a climate of tension and distrust on both sides, which is further exasperated by uneven power relations and the use of engagement tactics that fail to acknowledge the diversity and nuanced complexity of trader identities, relationships and priorities. At the same time, ‘formal’ processes of public engagement (such as the IDP meetings) continue to exclude most members of the public, and offer little opportunity for debate or discussion of diverse priorities. On the other hand, despite the potential demand for increased time and resources, innovative projects such as *Shaping Stellenbosch*, should be encouraged in order to allow for diverse publics to collectively debate, engage and envision the futures of their communities.

4.3 Responsive and Accountable Municipal Policies

Research Sub-Question 3: What policy and political environment exists (within and between municipal departments) to create an inclusive urban environment that is responsive of and accountable to street traders?

Beyond the individual identities and interpersonal relationships between vendors, as well as the current and historic practices of engagement within town planning processes that have shaped current cultures of participation, this section seeks to assess the policy and structural environment that exists within the municipality towards developing inclusive and viable economic opportunities for street traders. An understanding of these formal policies and by-laws is important, since they allow for an imagining of what is and is not possible and expected within the current and potential realisation of public participation processes.

As previously referenced, the by-law dictating interaction with traders and trading locations since 1995 is aptly entitled “*Supervision and Control of the Carrying on of the Business of Street Vendor, Pedlar or Hawker By-Law.*” Indeed, the very title of the document, indicating the need for ‘supervision’ and ‘control’ of traders seems to set the municipality’s historical approach towards engagement and negotiation with the sector. Within this document, traders are restricted from

occupying space in “a garden or park,” next to a “church or other place of worship,” beside a state-owned building, or “a building declared to be a national monument,” amongst other restrictions. While this paper does not suggest that street vending should be without rules or regulations, it was nonetheless this by-law that provided legal grounds for the abrupt eviction of traders from *Die Braak*, and which continues to prevent traders from occupying the vast majority of pavement locations throughout the CBD. As one *Die Braak* trader lamented, “Stellenbosch...this place is difficult. There are so many rules!”

At the time of this research, the municipality was moving through the process of creating a new informal-trading by-law, to replace this older version. As part of my internship experience with the Land Use Department, I had the opportunity to participate in an inter-departmental meeting to provide input and ideas for a draft version of this new by-law, to be drawn together by external consultants. Although it is currently too early to comment on any changes of the new by-law in terms of what and where vendors will be able to trade, the draft discussions did acknowledge many of the limitations apparent in the current by-law, with the intention of addressing these issues in an updated version.

Along with updating the current street-trading by-law, the most recent iteration of the municipality’s Spatial Development Framework (SDF) and Integrated Development Plan (IDP) seem to suggest that the municipality is thinking strategically around how best to accommodate street traders within the CBD. For instance, as part of the *‘Inclusive Economic Growth’* plan in the most recent Stellenbosch SDF (2012), the municipality articulates several action items that would align spatial development priorities with assistance and support to informal and small-scale businesses.

These include:

- A range of informal retail locations should be provided on sidewalks, verges and median areas to cater for permanent traders (e.g. fruit and vegetables, newspapers and magazines, refreshments and snacks, second hand goods, crafts, clothing etc.)
- 20% of the space in regional and neighbourhood shopping centres should include a market area, preferably linked to public transport drop off points and sidewalk opportunities.
- Areas of land should be set aside, and if necessary expropriated to provide SMMEs with access to well-located parts of the CBD for retail, service provision and manufacturing.
- Marketplaces should be created in central locations that are able to intercept significant pedestrian flows, preferably linked to public transport interchanges.

Going further, the Stellenbosch IDP earmarks a budget line item of R500,000 for “informal traders,” (218) and close to R400,000 for “establishment of informal trading markets” (218). Although there is little description of precisely how this money would be utilised, these items seem to suggest some intentionality towards providing resources and facilitating opportunities for informal traders to be able to earn a livelihood.

However, despite these provisions, to date the municipality appears to have accomplished little in terms of creating a coherent strategy for developing viable spaces for informal trading. This lack of intentionality is problematic, and gives the impression that the municipality lacks a strategic spatial-economic consideration of where traders should be accommodated, and to what extent the municipality should be responsible for providing basic resources to facilitate the use of these spaces. As summarized by one member of staff, the new trading by-law should be “the tool that implements the spatial plan,” and this plan must consider where viable spaces for trading exist - including where the foot traffic is high enough to sustain business. This lack of strategic action suggests that current processes of engagement between municipal departments and traders themselves may be lacking, and hence that the municipality simply does not understand the unique needs and planning priorities of the sector.

Beyond the current SDF and IDP, the Spatial Planning and Land Use Management Act (SPLUMA, 2013) as mentioned in the literature review, posits the need for “spatial justice” and “spatial sustainability” in a framework policy that moves decision making on land use issues away from politicians, while emphasising the need for increased public participation structures and decision-making by a diverse Municipal Tribunal. While this policy has potentially important implications for decreasing urban divisions created during apartheid and removing individual planning decisions away from elected politicians, at the same time, as examples so far have demonstrated, the very notion of “public participation” needs to be critically questioned in an uneven context such as Stellenbosch. As one municipal staff member explains:

The SPLUMA thing is quite interesting because planning in SA obviously has a history to it. But if you read the Constitution and the White Paper... it's incumbent on us to change the Apartheid spatial structure, yet it's not happening. For the last twenty years: in Stellenbosch, never! The same thing is happening... the only development happening is to the North for

poor people and to the South for white people¹⁶ [...] So SPLUMA, in my view, was written to force municipalities to change. But yet, it's very difficult... the only places where the officials want to do development for poor people is where all the other poor people are. And the more I tell them "we can't do that, it's an instruction from SPLUMA"... the more they say, "yeeeah, it can't work." So they aren't even pursuing it! And I said to them... the gap housing, social housing... an element of that must be there. And they say to me, "come on, you can't surely believe that would happen." And I said, "It will happen... it must happen, so we need to work out what we need to do to make it happen." (*Municipal Staff 1*)

While SPLUMA provides an important set of principles that municipalities *should* pursue in making town-planning decisions, the reality is that the "public participation" channels that have been put in place on account of SPLUMA seem to continue to serve the needs of the Stellenbosch elite, while by-passing opportunities for engagement with poorer communities. For instance, while assisting with work on the development of a new integrated zoning scheme for the municipality, I recognised that virtually all written public comments were submitted by land-or-business-owning white residents (largely male and Afrikaans), the subject of which often geared towards the restriction of particular zones for formal residential and business purposes, while protecting the colonial-heritage aesthetic of the CBD. While copies of a draft, trilingual integrated zoning scheme were made available online and via local libraries for public access, the question of whether it is reasonable to expect poor communities with low literacy levels to read, assess and provide feedback towards a 100-page technical document comes in to question. Thus, despite the promotion of 'public participation' through SPLUMA for the creation of key planning documents and decision-making, the uneven socio-economic priorities of the municipality raise two important questions: *what type of participation?* And: *participation for what type of public?*

Apart from the written policies that guide decision making within the municipality, the roles and communication structures between the various departments are often inconsistent and unclear. This became apparent through experience working within the municipality, and was also expressed in

¹⁶ While the "North" of Stellenbosch is indeed predominantly comprised of lower-income black and coloured communities (including Khayamandi, Cloeteville, Idas Valley, etc.) there are some exceptions to this trend, including the relatively new gated complex 'Welgevonden Estate,' located alongside Cloeteville, whereby statistics show that residents are 89% white (Stats SA, 2018). Similarly, despite the mostly higher-income and historically white communities to the 'South' (such as Die Boord, Dalsig, De Zalze, Paradyskloof, etc.) Jamestown is again an exception in this case, as a historically coloured and lower-income community (but which is quickly gentrifying).

frustration by one staff member attempting to negotiate some of the issues around informal trading throughout the municipality:

Who's responsible? In a municipality, with nine different departments, there are nine silos... so... whose responsibility is it? Is it planning? IDP? Community Works? Other departments? It's so bad, the silos. (*Municipal Staff 1*)

Another staff member made a similar confession, noting that the municipality was moving in the correct direction by transitioning the informal-trading portfolio away from the Law Enforcement Department to the Local Economic Development Unit. On the other hand, there continues to be challenging negotiations between departments regarding the future of informal traders. For instance, while it would be in the interest of local-economic development to allow traders to sell goods at traffic intersections, from the perspective of traffic officials, this is a dangerous practice and should be avoided. As the staff member explained:

That's the tension in the municipality between your developmental agenda and the rigid disciplines governed by strict laws and those types of things. So how do you become upfront and pro-active... and avoid those tensions by working together? (*Municipal Staff 2*)

In summary, at the policy level, Stellenbosch Municipality is moving in the correct direction in terms of creating a new Informal Trading By-Law, which is cognizant of the many limitations of the previous trading by-law. Moreover, there is a recognition by municipal staff around the limitations of the current IDP, SDF and SPLUMA policies, which, in their present form, are not sufficient for inclusive and transformative change for informal vendors. In terms of public participation processes and strategies though, more work needs to be done to ensure that public participation processes are made more open and accessible to a wider array of publics through the use of innovative tools to foster creative, ground-up planning solutions in order to build inclusive communities and viable economies.

4.4 Inclusive and Cohesive Community Relationships

Research Sub-Question 4: Given the current environment of participation and policies, how do existing relationships between vendors, staff and the wider community affect opportunities to create inclusive economic opportunities for street traders?

Looking beyond the relationships between vendors themselves, and vendor-municipality relationships, another key element to consider in creating inclusive economic opportunities for street traders is the impression of the surrounding communities (and hence potential customers) towards traders and their trading sites. Although it was beyond the scope of this research to interview members of the public to understand their direct perceptions of the two sites, this section will draw on data collected by two Belgian researchers, Ryckeboer and Carton (2012a), who sought to understand how the *Die Braak* site, as well as the adjacent Rhenish complex, were being used and conserved as key heritage sites in central Stellenbosch. As part of their study, the researchers sought to understand general public use and perceptions of the two sites. While the results of this study are now five years old, an analysis of the data reveals complementary findings to site observations during field visits, as well as sentiments revealed during interviews with municipal staff and informal traders for the purpose of this thesis.

In general, the research suggests that there is some degree of distrust and tension between local community members and informal traders. There is a perception that the spaces around *Die Braak* and *Bird Street* are rife with crime, and hence generally unsafe. During a workshop with members of the Stellenbosch community, Ryckeboer and Carton (2012a) found that 70% of workshop attendees were “not satisfied” with the current use of space in *Die Braak* and the Rhenish complex, noting that a lack of toilets, safety concerns, alcohol abuse and pollution were some of the most significant concerns. On the other hand, the researchers found that the public felt “open space,” a “green square” and “religion,” were important assets of the site and should continue to be preserved by the municipality. Interestingly, 87% of workshop participants suggested that a “lack of function” was one of the key development challenges defining *Die Braak*; while many suggested that the area could be better used by way of “festivals” (34%) and “active recreation” (26%) such as sports events, playgrounds, etc.

During interviews with traders at *Die Braak*, traders suggested that the perception of crime and insecurity tends to be fuelled by a significant number of *bergies* (homeless people - often seen to be drunk, rowdy, disruptive) around the trading site. Three vendors at *Die Braak* mentioned that the most important support that they would like to receive from the municipality would be in the form of security “to keep away delinquents that scare away the customers” (Female Trader, *Die Braak*), and others pointed to the need for toilets and taps, in order to ensure proper hygiene for themselves and visitors to the area. While this research cannot remark on whether traders themselves are involved with any criminal activities, there is much speculation that this is the case. For instance, one member

of

staff

speculates:

I ‘heard’ (this is a perception) ... I ‘heard’ that [*Die Braak* vendors] get dropped off in the morning from Cape Town, so they work *for* somebody else, not for their own pocket. And they sit for the day and get a salary...something like that. And I’ve heard the stories about the drugs, and I’ve heard from our security... from the police. So the perception I have is that [drugs are] what they are actually selling [...] In [South Africa], the perception that ‘these Nigerians’ and drugs... goes hand in hand. So, that’s how I perceive it. It’s not necessarily true, but that’s how I perceive it. (*Municipal Staff 1*)

Speculations, such as the one outlined above, can evidently have damaging consequences for informal traders, particularly if they are not grounded in the reality of what is taking place at the site. Indeed, all vendors who participated in the study reportedly ran their own (or family-based) businesses, all but one lived locally, and most expressed frustration with the perception of criminal activities taking place around the stalls, noting that such activities would indeed be bad for business. Two vendors claimed that due to the prevalence of these speculations, busses tended to deliver tourists from the Tourist Centre (located behind *Die Braak*), directly to the formal shops on Church Street, completely by-passing the *Die Braak* area. Vendors felt this was unfair and were open and ready for the municipality to integrate their collection of stalls as an official “art market,” that could be formally advertised as a local tourist attraction within Stellenbosch.

On the other hand, the *Bird Street Taxi Rank*, from my experience conducting interviews at the site, appeared to be more heavily challenged by issues of insecurity and criminality as speculated by the municipal staff member, above. During a walk through the trading structure, the stalls were found to be only about twenty-percent occupied, with the majority of traders operating as close as possible to the entrance of the structure (i.e.: the pavement, where passengers walk on their way to or from public transportation). Towards the middle and back of the structure, the stalls were virtually empty of vendors, but there were many (seemingly unoccupied) individuals loitering around in some of the back corners. During interviews with several of the regular, long-term vendors at the site, they made it clear that they did not trust what occurred on the inside of the structure, noting that some of the ‘vendors’ occupying the inside stalls were actually selling drugs and/or partaking in illegal activities. As one *Bird Street* vendor remarked, she would not consider having a shop inside the structure, since “it is too dark and unsafe [...] and nobody would see my stall” (Female Trader, *Bird Street Taxi Rank*). While walking around, most vendors inside the structure avoided eye contact and quickly declined to participate in the study. Thus, while the research did not yield proof of illegal activities,

the status of the trading structure (largely dark, unused, closed off from the street) in combination with a lack of formal security and the convincing testimonies of other vendors leaves much to be desired in terms of a safe and enjoyable shopping experience.

It is important to highlight that at present, neither *Die Braak* nor *Bird Street Taxi Rank* are currently “destination” markets to which people would specifically seek to go. In the case of *Die Braak*, the ‘park’ itself is one of the very few examples of openly accessible public space in central Stellenbosch, but yet it is used very infrequently for formal public events or functions; nor does it contain many useful public amenities such as food stalls, historical or tourist information, toilets, children’s play areas or interesting spatial features. Indeed, Ryckeboer and Carton (2012a) found that out of 41 respondents, the most common reason to visit *Die Braak* was to cross through the park to other areas of town (20%). Hence, for the majority of the community, it is unlikely that *Die Braak* would be considered a park that one would visit for a casual picnic or for children to play.

In terms of trading activity permitted at *Die Braak*, the municipality has measures in place that restrict vendors to selling solely art to a tourist clientele, meaning that there is no opportunity to diversify sales with local foods, drinks, etc. At *Bird Street Taxi Rank*, the market is far more of a convenience-based commuter market due to its position next to the taxi rank, but yet, it has been physically designed as a more formal shopping space. Similar to *Die Braak*, the *Bird Street Taxi Rank* regulations do not allow for the sale of prepared foods on site for health and safety reasons. While public opinion from the Ryckeboer and Carton (2012a) study reveal that 100% of surveyed respondents agreed with the importance of land use regulation in the *Die Braak* area, the regulated diversification of goods and activities offered could open up opportunities for attracting a more diverse clientele, while better-integrating both sites in to the day-to-day lives of the residents of Stellenbosch and surrounding communities.

Thus, there is considerable work to be done, both for *Die Braak* and the *Bird Street Taxi Rank*, in terms of changing public opinion about the nature and security of each space, in order to ensure that both spaces are made more economically viable for traders, and promote the sort of inclusive town-planning principles that are recognized in policies such as SPLUMA. Stellenbosch Municipality can and should have a significant role in this transformation, by recognizing the need for town planning practices and policies that promote the diversification of informal market spaces, the provision of increased security, as well as the design of market spaces and conditions that are welcoming to a variety of customers.

CHAPTER 5: CONCLUSION

5. CONCLUSION

This research, conducted within two informal trading sites in central Stellenbosch showcases some of the dilemmas of inclusive town planning in South Africa. These case studies epitomize the nature of dichotomous power relations between the elite and the vulnerable, while demonstrating the need for strong and progressive town planning policies, creative forms of public engagement and urban design that acknowledges the nuanced characteristics of historical and present relationships between heterogeneous South African communities. While town planning is not necessarily the exclusive medium for addressing many of the issues highlighted in this analysis (such as long-standing historical tensions between racial groups and perceived public insecurity), research suggests that it has the potential to play a key role in this regard (Berney, 2014; Skinner, 2008).

Responding to a primary research question of *what are the challenges and potential opportunities, within Stellenbosch Municipality, towards creating viable and inclusive spaces for informal trading within the town centre?* this thesis has presented a nuanced analysis, grounded in a qualitative ontology, and framed by four sub-questions that have sought to present the various layers of meaning that should be considered in designing inclusive and accessible town planning practices and policies, using informal trading as a case study. These categories included: (1) vendor identities and relationships between vendors; (2) the current and historic channels for formal interaction and participation that exist between vendors and the municipality; (3) the policy landscape that influences the nature of town planning and participation within the municipality; and (4) community perceptions of informal traders and existing trading spaces.

Through the analysis of information collected during interviews as well as practical work experience within the municipality, a variety of overlapping themes, conclusions and further questions emerge regarding how to create inclusive, integrated and viable economic spaces for informal traders and the communities in which they operate. First and foremost, Stellenbosch Municipality needs to strategically consider how they use, animate and structure existing public space. Although *Die Braak* constitutes a historically important central area of town, it is virtually unused for formal public activities and is perceived as unsafe by many local residents (Ryckeboer & Carton, 2012a). This consequently affects the extent to which informal trading is viable, and exasperates a well-developed culture of fear and insecurity towards the use of public space. This is not unique to Stellenbosch but is rather a symptom of a larger ‘privatopia’ or ‘fortress mentality’ that has come to be the norm in terms of limiting access to both private and public spaces throughout South Africa (Landman, 2004;

Hook & Vrdoljak, 2002). On the other hand, Cape Town's recently restored Green Point Park is a positive example of city planning that has facilitated the creation of a secure, multi-use and accessible public space that has become a full-day destination hotspot for both locals and visitors (de Vries, 2016). As such, Stellenbosch may wish to consider the implications of opening up both *Die Braak* and *Bird Street* for other functions, or at least diversifying the range of economic activities towards the sale of prepared food and drinks. The very act of branding both sites as "markets" with unique names and functions could open up opportunities for advertisement to a wider array of audiences.

Beyond redefining and revitalizing concepts of "public space," another key theme to arise through this analysis is around the nature of public engagement and participation within town planning policies, both at the smaller scale of municipal-trader relationships and at the larger scale of designing the policies, by-laws and priorities that shape municipal planning and decision making. This research highlights that most municipal-trader interactions have tended to be historically negative - including the abrupt eviction of traders at *Die Braak*, and the mostly-tokenistic consultation process to redesign the *Bird Street Taxi Rank*, which resulted in the creation of a structure that appears largely non-viable for the purposes of convenience-based informal trading. In reference to Arnstein's (1969) Ladder of Participation, both interactions would have fallen very low on the ladder, in terms of opportunities created to empower citizens and alter existing power relations through democratic, inclusive and participatory process.

In Stellenbosch, the onus remains on the municipality to put more diverse processes in place in order for public engagement to be inclusive of marginalised groups, and to guide town-planning proposals and priorities both at the small scale (in terms of site-specific decisions for informal trading) as well as at the medium and larger scales of designing a vision for a more inclusive and cohesive community. As part of these processes, a key element should focus on building trust between diverse publics. Within South Africa (and particularly Stellenbosch), many racial and income groups do not regularly have the chance to hear from "the other side," and these formal participation structures provide an ideal opportunity for open and transparent discussion about diverse priorities and visions for the municipality (Healy, 1992). The list of questions below is a useful starting point to consider when planning for inclusive processes of public engagement:

1. *Who is setting the agenda in contexts of public participation?*
2. *Who is facilitating the meeting?*
3. *What methods are being used to facilitate the discussion?*
4. *In what language is the discussion taking place?*

5. *Who is present and who is not?*
6. *Who is speaking and who is not?*
7. *Who is taking notes?*
8. *In what space is the meeting being held and to whom does the space 'belong'?*
9. *Who has been invited and who is missing?*

From a regulatory perspective, new (and mandatory) policies such as SPLUMA place more emphasis on the need for public participation and reversing apartheid planning trends, meaning that this is an opportune time to begin reconsidering what *types of participation* and for *what types of public*. As demonstrated in the literature review section, a significant amount of action research has been done in this regard. For instance, in Bogota, Colombia, practices of ‘pedagogical urbanism’ were adopted to repair mistrust between citizens and the state in Bogota, Colombia (Berney, 2014); while in Durban, South Africa, innovative channels of communication between traders and the municipality were undertaken, resulting in the creation of safer and more cohesive informal trading spaces (Skinner, 2008). In Stellenbosch, there is a need to think creatively about public engagement, in terms of the tools, spaces, facilitators and publics that could and should be brought together. This needs to be backed by progressive policy which seeks to go beyond the formal, one-sided and presentation-focused settings typical of IDP Ward Meetings.

There is also a question of urban design and spatial planning that should be considered in regards to the creation of inclusive and viable trading spaces. At present, most town-planning decisions in central Stellenbosch appear to be driven by the need to maintain the historical aesthetic of the town. While preservation is indeed an important element of spatial planning, there is a similarly pressing need to devise creative solutions towards addressing apartheid-era urban divisions that currently shape the urban landscape and hence limit socio-economic opportunities for residents who do not fit the mould of the Dutch-colonial town aesthetic. As Madanipour suggests, “Socially concerned urban design is one of the ways of addressing [social fragmentation], by promoting accessible and inclusive environments for many, rather than exclusive places for a few” (2006:186). The creation of the *Bird Street Taxi Rank* (with its dark, walled market structure) is an example of urban design that exasperates tensions, rather than encouraging cohesion, between diverse communities. Similarly, in *Die Braak*, the lack of provision of permanent facilities (such as toilets, storage, water taps) for traders and the slow progress on updating regressive trading by-laws is indicative of the Municipality’s uncertainty around allowing traders to become a permanent fixture of the space, hence throwing traders’ longer-term economic security into question. These decisions (or lack thereof) are indicative of the urban power struggles outlined through Harvey’s *Right to the City*, indicating a municipal

town-planning culture defined by uneven power relationships and channels of public engagement that tend to cater towards the white and wealthy residents of the municipality, rather than a more diverse public.

Finally, along with taking advantage of more diverse forms of public engagement, the Municipality should pursue strategic and non-traditional partnerships with existing community actors - such as the university, local art schools, theatres, NGOs and other institutions, which do not necessarily have a for-profit motivation towards town planning. For instance, as previously noted, in 2014 the municipality partnered with members of Stellenbosch University to develop the *Shaping Stellenbosch* project, which was designed as an opportunity for diverse communities to participate in a visioning process for the municipality. The creation of such partnerships allows for the expansion of ideas, activities and resources beyond the immediate scope of municipal staff and politicians, and may allow for the creation of safer and more accessible forms of participation that by-pass public distrust of government activities. The City of Cape Town has done significant work to find innovative solutions to some of the challenges around reshaping apartheid-era urban divisions, and Stellenbosch Municipality could benefit from their partnership and learning in this regard.

All in all, Stellenbosch Municipality needs to acknowledge the legitimacy of informal trading as a potentially viable (and often exclusive) source of income for many South African citizens and residents. As one trader explained, “Some people in the municipality really try to support us... But others – they make our lives difficult” (*Male trader, Die Braak*). Evidently, from a power and inequality perspective, there are many forces at work in town-planning processes that take priority over decisions that could be beneficial for poor and marginalized communities within the municipality. This is something that town planners, politicians and all other municipal staff must remain conscious of, and by all means, it is not an easy task. As one staff member succinctly summarizes:

You either love Stellenbosch or you hate it... Or it's something like, “I love it but I also *hate* this town, you know?” Because we are one of these towns where the Gini co-efficient - they say we are the most unequal town in the world! Or at least in South Africa. So uh... it's difficult [...] And look, everyone wants to be in Stellenbosch! (*Municipal Staff 2*)

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7. APPENDICES

Appendix A: Questions for Informal Street Vendors

Business Typology:

1. Why did you initially start this business?
2. How long has the business been in operation?
3. What are the main products or services that the business is selling?
4. About how many customers do you serve, on the average day?
5. When is your 'busy time'? When is your 'slow' time?
6. What is the general profit margin of the business? (*maybe ask: "on a good day, how much profit could you make? On a slow day, how much profit could you make?"*)
7. How many people does the business employ? (*if relevant: How did you select your employees?*)
8. Can you describe the type of customers that are most likely to purchase goods from your business? (ex: tourists, taxi commuters, wealthy/middle class, etc.)
9. What is the previous work/education experience of the business owner and any employees?

Spatiality of Business:

1. Why is your business located here?
2. Where do you live?
3. How much time do you spend travelling to work each day? How much do you pay for travel?
4. What are the benefits and challenges of locating your business at this locality?
5. If you could locate your business anywhere you wanted, where do you think the ideal location would be and why? (*show them a map, and get them to specify the location on the map*)

Engagement with Municipal Authorities

1. As a business owner, have you had any interaction with the Stellenbosch Municipality?
What were the outcomes of this interaction?
2. Do you have permission from the municipal authorities to conduct business here? Can you tell me about this process?
3. What type of engagement and support would you like to see from the municipality, to better support your business?
4. What are the challenges for scaling up/expanding this business?

Appendix B: Questions for Stellenbosch Municipality Staff

1. Please describe your role in the municipality.
2. What are the current economic and/or planning priorities for the municipality? How does the informal economy fit into these agendas? (Example – how does the tourism industry relate to informal traders?)
3. What do you / the municipality currently understand about the informal economy in Stellenbosch? What support, if any, is provided to micro-entrepreneurs?
4. Are there any public participation/consultation processes that have specifically sought to engage with members of the informal economy? What were the outcomes of these engagements?
 - a. Ex: Can you tell us about the engagement process that was involved in the creation of the taxi-rank market, on *Bird Street*?
 - b. Do you think that there is room for improvement in the way that the municipality interacts with street traders? What could an ‘improved process’ look like?
5. What do you feel are the main challenges for informal street vendors in the Stellenbosch CBD?
 - a. Does the municipality have any plans/resources in place to address these challenges?
6. What plans exist in the current IDP to better support informal traders in Stellenbosch CBD?

**Appendix C: Interview Outline for Stuart Hermansen,
Architect of Bird Street Taxi Rank**

1. I understand that there was a consultation process associated with the design of the taxi rank and market structure. What did this consultation process entail?
2. Who was involved in the consultations?
3. What was the timeline of the project? (When did consultations begin, when was the final project completed?)
4. If you recall: what were the main priorities of the traders involved? Taxi drivers? Municipal staff?
5. In terms of the design that was chosen: could you briefly outline what thought process went in to the design of the market structure, from your side?