

**ANNEXURE A:**  
***MOBILE BUSINESS POLICY***



# Mobile Business Policy for the City of Cape Town

**[Reference Codes]** (The reference code will be allocated by Executive Support on submission of the policy)

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**ABBREVIATIONS**

CIPC	Companies and Intellectual Property Commission
DMS	Development Management Scheme
IDP	Integrated Development Plan
MBO	Mobile Business Operator
MBTA	Mobile Business Trading Areas

**DEFINITIONS**

Authorised Official	Means an employee of the City responsible for carrying out any duty or function or exercising any power in terms of this Policy and includes employees delegated to carry out or exercise such duties, functions or powers.
Business License	Means a license issued by City Health that certifies that a business has been considered against various health and safety standards and permits the outlet to operate as a business.
Certificate of Acceptability	Means that compliance with respect to health and safety has been attained, as issued by City Health.
City	Means the City of Cape Town, a municipality established by the City of Cape Town Establishment Notice No. 479 of 22 September 2000, issued in terms of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), or any structure or employee of the City acting in terms of delegated authority.
Council	Means the Municipal Council of the City.

City Health	Means the Health Department within the City, responsible for the administration of business licensing.
Fuel Burning Equipment Permit	Means a compliance permit with respect to fuel burning equipment (wood and charcoal fuelled braais and Pizza Ovens excluding gas cooking equipment), which has been obtained from City Health Specialised Environmental Health.
Decommission	Means the process for the decommissioning of a Council established MBTA, thereby withdrawing the authority to trade from that site.
Designated mobile business site trading plans	Means plans indicating the mobile trading bays within a Mobile Business Trading Area.
Fire Safety Certificate	Means the Certificate attained from the City's Fire and Rescue Department confirming that the Mobile Business Operator has undertaken the relevant fire safety checks and that these have been met with approval by the relevant authority. This certificate forms part of the Business License application as submitted to City Health.
License disc	Means the disc issued by the City, as per the National Road Traffic Act, 1996 (Act No. 93 of 1996) for the purposes of identifying the vehicle as licensed.
Mobile Business	Means a business registered with the Companies and Intellectual Property Commission, that operates inside a self-contained and self-propelled vehicle or a vehicle designed to be drawn by a self-propelled vehicle that is licensed for use on a public road.
Mobile Business Operator	Means the operator of a mobile business (or businesses), as registered with the City, having attained the necessary licenses outlined within this policy and been issued with a Mobile Business Permit. A Mobile Business Operator can hold permits for several mobile businesses. An informal trader is not a Mobile Business Operator.
Mobile Business Permit	Means a permit to operate as a mobile business within a City-established Mobile Business Trading Area (MBTA), adhering to conditions of operation as issued by the City.
Mobile Business Permit application	Means the City application form. The application establishes all of the requirements that must be fulfilled by the applicant in order to obtain a Mobile Business Permit.
Mobile Business Trading Areas (MBTAs)	Means a trading area for mobile businesses within the jurisdictional area of the City of Cape Town.
Operating hours	Refers to the permissible times of tradeable activity within the allocated Mobile Business Trading Areas (which may

	or may not fluctuate depending on the specific mobile business trading area).
Public Place	Refers to a “public place” and includes – (a) a public road (including a pedestrianised street), parking area, square, park, recreation ground, sports ground, sanitary lane, open space, beach, shopping centre on municipal land, unused or vacant municipal land or cemetery which has: (i) been provided, reserved or set apart for use by the public; or (ii) been dedicated to the public; (b) public transportation operated by service providers for the City.
Trading infrastructure	Means available ablution facilities, taps, or electrical connection points.
Waste Management Plan	Means a plan depicting how the mobile business will ensure the self-containment and appropriate disposal of all waste generated by the mobile business, including that which is consumed by its clientele.



## 1 INTRODUCTION

- 1.1 Worldwide, mobile businesses have emerged as a mobile alternative to established, grounded or “brick-and-mortar” business locales.
- 1.2 The benefits to the operators of mobile businesses are immediate: reduced capital costs to establish the venture, no fixed rental commitments, mobility to chase demand and capture geographically spread markets, optional operating hours, and reduced operating costs.
- 1.3 For the public, mobile businesses offer an alternative to fixed outlets, allow for a diversity of business options at a potentially different price point, and make business more accessible through the various locations from which mobile businesses are able to operate.
- 1.4 Within the urban landscape, mobile businesses contribute toward street culture, encourage active use of public places and act as attractors for urban activity and engagement.
- 1.5 By enhancing urban space not traditionally utilised for commercial activity, mobile businesses are able to act as catalysts for local industry by capturing symbiotic opportunities through drawing crowds who are already engaged in general urban activity.
- 1.6 The City wishes to enable business opportunity, entrepreneurialism and economic wellbeing. This policy is intended to facilitate a lithe and adaptable governance response to a growing market need.
- 1.7 Examples of mobile businesses that this policy intends to support by enabling trade from Mobile Business Trading Areas (MBTAs):
- a) food truck & coffee operators;
  - b) mobile hair salons;
  - c) mobile pet grooming;
  - d) book mobiles<sup>1</sup>;
  - e) Ice-cream trucks ; and
  - f) Mobile Flower trucks etc.
- 1.8 Examples of mobile business that are not covered in this policy and who would generally operate outside of Mobile Business Trading Areas (MBTAs):
- a) Informal traders;
  - b) Waste removal and urban cleansing (bin cleaners, skip removal); or
  - c) Couriers or transportation and freight businesses.

## 2 PROBLEM STATEMENT

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<sup>1</sup> This does not apply to City or Provincial Library and Information Services.

- 2.1 Currently, enquiries by Mobile Business Operators (MBOs), most specifically food truck operators, are dealt with on an ad-hoc basis that is dependent on existing informal trading by-law regulations, the delineation of public vs private property, distinction between spatial locale across the metro, and permission from the City's Health department. The consequence of this ad-hoc approval process is inconsistency and uncertainty in the way that MBOs are able to access and activate their markets.
- 2.2 In trying to respond to their enquiries via the existent policy ecosystem, City departments have equated MBOs with informal trading vendors. However, there are key distinctions between these operators: Mobile Business Operators leverage their mobility as a key success factor in their business models. They operate from self-contained vehicles and are registered with the CIPC. In contrast, informal traders are typically allocated specific, permanent, and immobile bays from which to operate, trading into the informal sector. Whilst registered with the City, informal traders are not registered businesses or entities. The public offering, operating model, and target market of the two types of operators is distinct. Informal traders are governed by the City's Informal Trading Policy and should not be confused with the Mobile Business Policy which is a different type of trading.
- 2.3 The City has an established regime for informal traders utilising the City's Informal Trading Policy, 2013, and Informal Trading By-law, 2009, respectively, to guide principle decision making around informal trading as well as protect the activity via regulation. This is not the case for mobile businesses. This Policy must be supported by legislation to ensure that mobile business activity is enabled by process as well as regulation relating to areas of trade, constraints of trade, and enforcement of trading rules. At the same time, this Policy and its supporting regulation must align with established law.
- 2.4 The need for input into the health and safety standards to be upheld by MBOs, by City Health, is apparent. The Department issues business licenses to businesses who must adhere to similar requirements. Other City departments, such as the Fire department, Sub-Councils, Local Area Economic Development, Transport, Planning, and Recreation & Parks have a role to play. The process for issuance of Mobile Business Permits to MBOs will be clarified by the City, via a separate System and Procedure (S&P). The S&P will outline the responsibilities of City departments and the associated processing time allocated for each step within the submission process. This S&P will be made available to mobile business applicants and will create certainty within the administrative process for issuance of mobile business permits.
- 2.5 Mobile Businesses are a burgeoning sector and, in many respects, represent an innovation from brick-and-mortar business practice as well as an extension of traditional market-based trade. This policy is unable to define the full gamut of opportunity that might be explored by current or future MBOs. This should be interpreted as an opportunity to enable future economic entrepreneurialism that positively contributes to the urban form and stays abreast of changing dynamics and demands within metropolitan spaces. As such, this Policy welcomes iteration and strong sector engagement in the coming years.

### 3 POLICY SCOPE

- 3.1 This Policy is applicable to MBOs who wish to operate from the City established Mobile Business Trading Areas (MBTA) and who comply with the definition of a Mobile Business Operator, as provided above.
- 3.2 This policy is not applicable to businesses that are mobile and that operate independently of a MBTA such as tow-truck drivers, couriers, bin-cleaners, informal traders, or food trucks at an event with an appropriately obtained event license.
- 3.3 This Policy applies to the geographic municipal bounds of the City of Cape Town. Mobile Business Operators, as per this policy, will be permitted to operate in identified: Green belts, City parks, coastal areas, public places, public roads, and public transport interchanges and public parking bays which are designated Mobile Business Trading Areas as determined via the City's Informal Trading By-law, 2009.
- 3.4 Mobile Business Trading Areas (MBTAs) will be determined by the City through a process of public participation and City approval. Provision for the establishment of MBTAs and their enforcement are detailed within the City's Informal Trading By-law, 2009. The list of approved MBTAs sites will be routinely updated and published on the City of Cape Town website.
- 3.5 MBTAs will outline the rules of trade for sites (e.g. number of operators permitted at a time, hours of operation, penalties for infringement) but will not detail the designated mobile business site trading plans. Instead, designated site trading plans for mobile business operators should be seen as an iterative and optional process that takes place once the MBTA is established. The process to establish designated site trading plans is to be initiated via the local ward councillor and the applicable sub-council, should they deem it necessary.
- 3.6 MBOs are compelled to comply with the rules of operation and permissibility as set out in this Policy.
- 3.7 This Policy is not applicable to the operations of MBOs undertaken from private property, where the necessary permissions have been obtained to support the operations.
- 3.8 This policy is not applicable to mobile businesses with all necessary approvals trading at City approved events. Approvals for events are guided by the City's Events Policy.



## 4 POLICY PRINCIPLES

- 4.1 **Inclusivity:** by creating a simple, easy to use administrative process that enables MBOs to access customers in areas of demand, the City aims to ensure that this Policy offers opportunities to MBOs and associated enterprises.
- 4.2 **Mutual Benefit:** the City views the services and opportunities provided by mobile businesses as potential catalysing agents within the urban form. They stand to generate economic activity in previously dormant areas, contribute towards the City's tourism and events offering, generate new and alternate activity for existing commercial establishments, ensure that public places are utilised by residents, and potentially inspire different means of social and cultural engagement. Positive utilisation of public space, furthermore, engenders safety within the area.
- 4.3 **Sustainability:** mobile businesses must actively mitigate the waste footprint that would result from their trading operations, so that they contribute positively to the urban form and do not detract from the immediate environment, impede urban utility, or result in additional pollution.

## 5 STRATEGIC ALIGNMENT

This Policy is aligned to the strategic imperatives of the City:

### 5.1 Integrated Development Plan (IDP) Alignment:

- a) Economic growth: supporting economic activity and entrepreneurial innovation;
- b) A capable and collaborative City government: ensuring regulatory certainty and identifying responsible role-players;
- c) A more spatially integrated and inclusive city: seeking to incentivise/support economic activity within underserved economic areas; and
- d) Safety: ensuring integration with supporting departments responsible for safety and security and urban management; supporting the utilisation of public space for public good

### 5.2 Associated strategies and policies which bear relevance to instruction of the Mobile Business Policy:

- a) Climate Change Strategy, 2021;
- b) Inclusive Economic Growth Strategy, 2021;
- c) Informal Trading Policy, 2013;
- d) Integrated Waste Management Policy, 2006;
- e) Parking Policy, 2020; and
- f) Air Quality Management Plan, 2005

### 5.3 Regulatory context:

- a) The Businesses Act, 1991 (Act No. 71 of 1991);
- b) Foodstuffs, Cosmetics and Disinfectants, 1972 (Act No. 54 of 1972);
- c) City of Cape Town Informal Trading by-law, 2009;

- d) City of Cape Town Air Quality Management By-law, 2016;
- e) City of Cape Town Coastal By-law, 2020;
- f) City of Cape Town Environmental Health By-law, 2003;
- g) City of Cape Town Events By-law, 2016;
- h) City of Cape Town Integrated Waste Management By-law, 2016;
- i) City of Cape Town Public Parks By-law, 2010;
- j) City of Cape Town, Parking By-law, 2010;
- k) City of Cape Town Municipal Planning By-law, 2015;
- l) City of Cape Town Street, Public Places and Prevention of Noise and Nuisances By-law, 2007; and
- m) City of Cape Town Traffic By-law, 2011

## 6 DESIRED OUTCOMES

- 6.1 A workable system for MBOs that distinguishes between this form of trade from that plied by informal trading vendors, so that the activity is able to take place within a predictable process of application and permissibility.
- 6.2 The confirmation of principles that guide where and when mobile businesses may operate, such that no business activity is unfairly advantaged (or disadvantaged) and that supporting commercial activity catalyses further commercial opportunity. The City will encourage a diverse range of businesses by preventing the monopolisation of sites by any single mobile business operator so that a landscape of innovation and fair market participation is fostered.
- 6.3 An inclusive Mobile Business Policy which incentivises value-add by mobile entrepreneurial operations within traditional high-footfall commercial nodes as well as areas which are commercial but do not achieve significant retail numbers. This Policy must support market dynamics so that MBOs are able to service their selected market segments without prejudice of geographic constraint.
- 6.4 The identification of the administrative role-players and their various functions that would support this economic activity.
- 6.5 A defined, simple, and quick process for permitting MBOs and enabling mobile business operations from identified MBTAs within the municipal bounds.
- 6.6 This policy is intended to:
  - a) Give direction to the support for MBOs within the City;
  - b) Facilitate the creation of administrative procedures as well as supporting regulatory provisions via the City's Informal Trading By-law, 2009;
  - c) Provide a set of principles that will enable the identification of City-owned public land from which to establish MBTAs, including but not limited to:
    - (i) City Parks;
    - (ii) Green belts;
    - (iii) Public places;
    - (iv) Coastal areas; and

- (v) Public transport interchanges, public roads, and public parking areas and parking bays.
- d) Provide rules that ensure that mobile businesses do not undermine the operating models of traditional brick-and-mortar business establishments; and
- e) Provide guidance on operating times, standard and universal trading rules irrespective of the applicable MBTA, and methods of control.

6.7 Clear compliance requirements of Mobile Business Operators with respect to applications, licensing, adherence to operating times, and the potential penalties for non-compliance.

## 7 POLICY DIRECTIVES

### **MOBILE BUSINESS APPLICATION:**

7.1 A MBO will be issued with a Mobile Business Permit allowing them to trade at MBTAs on receipt and approval of a complete Mobile Business Permit Application. Applications will be received by the City's Economic Growth directorate. The Economic Growth directorate will facilitate the approval process and the due consideration by relevant City departments.

7.2 The City will develop different applications for food-trucks and non-food mobile businesses. Within the former category, the City will distinguish between Category 1 Food Trucks (low risk food preparation such as, juice, coffee, or ice-cream vending) and Category 2 Food Trucks (with potentially hazardous preparation, handling, or storage risks such as hot food made to order, use of LP gas etc.).

7.3 A completed Mobile Business Permit Application must include:

- a) Where required, a business license, to be issued by the City Health department, and which will include:
  - (i) A waste management plan that indicates controls for waste management inside as well as outside the mobile business, as well as outlines a commitment toward the use of biodegradable packaging, materials, and cutlery so as to reduce the utilisation of single-use plastics;
  - (ii) A certificate of acceptability;
  - (iii) A fire safety certificate issued by the City's Fire and Rescue Services Department via the business license process;
  - (iv) Fuel Burning Equipment permit (food only) in terms of SANS 10087-2:2011; and
  - (v) Certificate of LPG installation or electrical compliance certificate in terms of SANS 10142 (food only).
- b) A copy of the vehicle license disc as issued by the City's Traffic department;
- c) A description of the commercial activity delivered from the mobile business;
- d) Proof of public liability insurance; and
- e) Other requirements that the City may deem necessary.

7.4 With an approved mobile business permit, a MBO may:

- a) Access MBTA's which may include designated green belts, City parks, coastal areas, public places, public roads, public transport interchanges, and public parking bays to supply their product. A list of approved MBTAs will be published on the City's website along with corresponding rules. Enforcement of contraventions to the MBTAs will be included within the City's Informal Trading By-law, 2009.

**APPLICATION PROCESS:**

7.5 The City will accept online and physical applications and queries relating to mobile business permits at:

- (i) The City of Cape Town website (online applications and queries); and
- (ii) Local Area Economic Development offices (physical applications and queries).

7.6 The City will only accept complete applications. Partial applications will be returned to the applicant. Complete applications require all elements described in (7.3). The various application components will be available online and from the above described locations.

7.7 Initially the City will give consideration to both roving and fixed site model for MBOs trading from MBTAs. This will be done to support the practical implementation of managing this type of trade, improving over time, through engagements with MBOs as well as the general public.

7.8 By virtue of their application, MBOs may need to indicate their preference for specific MBTA sites (subject to the applicable S&P). Where there are multiple applications for the same site, a randomisation (or lottery style) approach will be implemented to assure fair allocation (details of which would be contained in the applicable S&P for MBOs). Unsuccessful applicants will be allocated to their alternative sites selected, subject to availability of alternative sites. Applicants will be given the opportunity to submit requests for their selected sites at regular intervals within a year.

7.9 The City's Enterprise and Investment Department will facilitate departmental review of the application within the City. This will include:

- a) Ensuring that the information in the application is complete;
- b) Consulting with relevant City departments if any elements of the application are unclear;
- c) Establishing reasonable time-periods within which to issue a mobile business permit and ensuring that these time periods are upheld;
- d) Responding to applicants on the progress of their applications;
- e) Issuing mobile business permits; and
- f) Guiding applicants to the appropriate rules applicable for MBTAs.

**UNIVERSAL RULES OF OPERATION:**

7.10 A Mobile Business Operator may not:

- a) Operate directly outside or opposite to the entrance of an establishment which supplies a similar product (e.g. a coffee shop, florist);
- b) Operate within 500m of an event for which an events Permit has been issued by the City without concurrence from the event organiser or the City's Event Permit Office;

- c) Operate outside of the operating hours of the relevant MBTA, as determined by the City;
- d) Operate in public areas which are not designated MBTAs;
- e) Sell alcohol without an appropriately obtained liquor license;
- f) Operate directly in front of a residential property should a MBTA overlay within a residential area;
- g) Utilise a generator or artificial lighting unless permitted within the rules for the given MBTA;
- h) Trade beyond the applicable time-constraints applied to the relevant MBTA;
- i) Operate within or adjacent to a film location for which a film Permit has been issued by the City without concurrence from the production company or the City's Film Permit Office. This exclusion zone may include areas beyond the actual "location" where "long, wide or rolling shots" are required; and
- j) Contravene any applicable by-law such as the City's Traffic By-law, 2011, the City's Parking By-law, 2010 or the City's By-law relating to Streets, Public Places and the Prevention of Noise Nuisances, 2007.

7.11 A Mobile Business Operator must:

- a) Comply with the provisions of this policy and the City's Informal Trading By-law, 2009, as is applicable to them and the MBTAs from which they operate;
- b) Comply with provisions of other applicable City of Cape Town by-laws and policies;
- c) Ensure that each operating mobile business is furnished with a mobile business permit;
- d) Display their mobile business permit at all times;
- e) Adhere to the sites specific rules of the applicable MBTA;
- f) Ensure that the urban and natural environments of the MBTAs are maintained to support sustainable and continual operations;
- g) As part of the Business License Application, submit to the City a Waste Management Plan which determines how the MBO will safely collect, manage and appropriately dispose of all waste generated, inside and outside of the mobile business;
- h) Establish waste disposal points outside the mobile business for customer refuse and, at all times, maintain the integrity and cleanliness of the natural environment around the mobile business;
- i) Remove all waste that they and their clientele are responsible for and dispose of it in a responsible fashion such that City services are not required for this function;
- j) Provide their own potable water and power;
- k) Ensure that waste water is stored within the unit and disposed of at an appropriate site;
- l) Ensure that emissions to atmosphere are managed and mitigated and do not cause a nuisance (e.g. no idling of car engines to generate power); and
- m) Submit to the instruction of an appropriate authorised official in respect to operations.

7.12 The City will:

- a) Administer the application process submitted by MBOs, ensuring that due consideration is granted;
- b) Ensure that application turn-around times are efficient across the categories of application;
- c) Determine the price of a mobile business permit and publish this within an annual tariff schedule;

- d) Publish a list of all permitted MBOs on the City's website;
- e) Determine the parks, green belts, public places, coastal regions, public transport interchanges, public roads, and public parking bays that will serve as MBTAs and where MBOs are permitted to operate from;
- f) Ensure that, where possible, areas of operation have available trading infrastructure (public toilets, seating) to support mobile operations. In the event that MBTAs are not furnished with trading infrastructure, the City may require that mobile business operators provide the necessary portable facilities;
- g) Regularly review the areas of operation and allow for MBOs to submit requests for new MBTA sites;
- h) Consider the rules of operations such as operating times and number of operators on a single MBTA site at a given time.
- i) Consider mobile business permits for MBOs upon successful completion of a mobile business application.
- j) Undertake regular inspections of MBTAs to ensure that MBOs are compliant with the MBTA rules, the terms of this policy and the City's Informal Trading By-law, 2009;
- k) Monitor and record adherence to the rules of operation by MBOs;
- l) Take measures it considers appropriate to remedy any situation, where a person or permit holder on whom a written warning was issued fails to comply, or has complied inadequately to a written warning or instruction by any authorised official;
- m) In time, establish a data system capable of tracking MBOs and their time spent within a specific MBTA. Locational information will be shared with residents so that they are able to follow specific mobile operators as they enter or exit MBTAs; and
- n) Review this policy on a regular basis in order to ensure that it captures the operational needs of the mobile business sector.

7.13 Penalties (suspension of mobile business permits):

- a) Failure to adhere to the Universal Rules of Operation of this Mobile Business Policy or a relevant MBTA will result in fining or the issuance of a written warning to the contravening MBO by an authorised official;
- b) An authorised official may, after issuing three written warnings to the same mobile business operator, suspend the mobile business operator's permit by written notice for a period of up to one year;
- c) As per the Informal Trading By-law, 2009, MBOs will have an opportunity to appeal suspended licenses; and
- d) The City reserves the right to recover costs from MBOs where significant damage is caused to the natural environment as a result of mobile business activity.

**MOBILE BUSINESS TRADING AREAS (MBTAs):**

7.14 MBTAs are established via the City's Informal Trading By-law, 2009, which currently permits economic activity in certain metropolitan areas subject to the conditions of the by-law. As such, the process for enacting a MBTA will follow a similar process to that of establishing an informal trading zone:

- a) The City will investigate the appropriate site, identify the departmental custodian, negotiate the permission to trade via a Service Level Agreement between relevant line departments, ensure management of the site, undertake a public participation process via the local Sub-council, and confirm the final MBTAs via Council;

- b) The City will establish rules for each MBTA, noting that they may differ from site to site and that the context of each site will be taken into account. Rules will include the number of MBOs on a site at a given time, duration of trading time, noise and temporary seating tolerance, and hours of operation in Winter and Summer months;
- c) MBTA rules will be made available at the local sub-council. Changes to the MBTA rules will be for decision by the sub-council;
- d) The City will accept recommendations from the public or MBOs for the creation of new MBTAs. These recommendations are to be submitted via the local Sub-council or directly to the City's Enterprise and Investment department;
- e) Consideration for new MBTA sites will be undertaken routinely. New sites will be added to the active MBTA database once in order to respond to the level of demand from the sector and the public;
- f) All new MBTAs will undergo a public participation process where members of the public, rate payers associations, and local businesses will have the opportunity to comment on potential MBTAs;
- g) The City will also give consideration to the de-commissioning of MBTA sites should they be found to be detrimental to the desired outcomes of this policy or should the City deem an MBTA site not to be in the best interests of the community. The process for the decommissioning of MBTA sites is captured in the City's Mobile Business System and Procedure; and
- h) The City will communicate the decision on MBTAs annually as well as maintain a map of all MBTAs on its website. This map will be made available to all sub-councils.

7.15 The following types of spaces are considered appropriate for MBTAs, and will be investigated by the City in establishing the initial list of operable MBTAs:

- (i) Green belts;
- (ii) Coastal areas;
- (iii) Public places;
- (iv) City parks; and
- (v) Public transport interchanges, public roads and public parking bays.

7.16 As outlined in the definitions to this Policy, designated mobile business site trading plans refer to the creation of specific MBO bays within a given MBTA. Though it is not the intention of this iteration of the Policy to establish designated mobile business site trading plans for all MBTAs, these can be established via sub-council should a given MBTA require an orderly determination of mobile business operations.

7.17 Recommendations by the community, the mobile business sector, or the City can be made to the sub-council to investigate the creation of designated mobile business site trading plans.

7.18 The sub-council will work alongside appropriate officials from Enterprise and Investment to determine designated mobile business site trading plans.

7.19 Council approved MBTAs together with relevant MTBA rules will be uploaded to the City's website, and made available to all mobile business applicants.

## 8 ROLE-PLAYERS AND STAKEHOLDERS

### Active operational role-players

<b>City of Cape Town:</b>	<b>Responsibility</b>
City of Cape Town	Enforcement of rules governing MBOs.
Coastal Management department	Responsible for recreational activities and environmental interventions along the City's coastline. Co-determinant of MBTAs along coastal stretches within the municipal bounds.
Council	Approves MBTAs and amendments to the applicable policies that have bearing upon the Mobile Business Policy.
City Health department	Approval of Business Licence; and Approval of Certificate of Acceptability, which includes a Waste Management Plan.
Enterprise and Investment department	Recipient of completed application to operate a mobile business within the City of Cape Town; Responsible for facilitating review of the application by relevant City departments and issuing the mobile business permit, if supported; Responsible for amending the City's Informal Trading By-law, 2009 (as needed), establishing the MBTAs, and working with sub-councils to draft designated mobile business site trading plans.
Recreation and Parks department	Management of City parks and beaches. Co-determinant of MBTAs in parks green belts, and beaches managed by the City.
Sub-council	Receipt of new MBTA recommendations from MBOs and the general public. Responsible for developing designated mobile business site trading plans, alongside Enterprise and Investment officials.
Urban Mobility directorate	Custodian of public roads and public parking areas. Co-determinant of MBTAs on parking bays, public roads, and public transport interchanges.

### Passive role-players



Events department	Issuer of event permits for events and filming activities which may or may not include mobile business operations.
Traffic department	Issuer of vehicle license disc and management of vehicular traffic flows
Fire department	Issuer of Fire Safety Certificate.

### Outside role-players

Mobile Business Operators	Application and adherence to mobile business regulations; submission of recommendations for new MBTAs.
City Improvement Districts (CIDs), Residents and other business owners	Notify the City of contraventions by MBO. Submit complaints regarding MBTAs to sub-councils.

## 9 MONITORING, EVALUATION AND REVIEW

### 9.1 Review

This policy should be reviewed within three years of approval by Council, or as needed.

The Enterprise and Investment department will:

- a) Establish an industry forum through which to engage the mobile business sector;
- b) Engage with the mobile business sector to understand the operating areas of highest demand;
- c) Track the number of mobile businesses operating within Cape Town at any given time;
- d) Develop a more sophisticated model for operating areas should the quantity of MBOs demand a more rigorous framework;
- e) Engage with brick-and-mortar businesses to ascertain the impact of the Policy on traditional brick-and-mortar business;
- f) Engage with residents to ascertain the impact of MBTAs and mobile businesses upon their neighbourhoods;
- g) Engage with the Recreation and Parks department to review the parks and greenbelts that are included within the MBTAs;
- h) Develop more extensive operating areas should a need exist to do so; and
- i) Keep a record of policy transgressions by MBOs.

### 9.2 Monitoring and Evaluation

The following elements should be presented to the Economic Growth Portfolio Committee when considering the factors that guide successful implementation of this Policy:

- a) The number of registered Mobile Businesses Operators in the City;
- b) The number of annual jobs created within the mobile business sector;
- c) The areas in which the supply of mobile businesses is the greatest;
- d) The year-on-year increase in implementation of mobile business registrations;
- e) The waste mitigation measures undertaken by MBOs;
- f) The environmental climate and resource adaptation measures undertaken by MBOs;
- g) The average length of time to process a mobile business application;
- h) The number of mobile business violations issued per quarter/ number of MBOs who have had their permits suspended; and
- i) Annual mobile business survey indicating:
  - (i) Where they operate;
  - (ii) Where they would like to operate and why they can't do so;
  - (iii) Whether they operate in non-traditional tourist areas; and
  - (iv) Ease of process/ interaction with the City.