



29 April 2026

TO: Honourable Speaker of Council
CC: Municipal Manager
Chief Operations Officer
Head of Legal Services

Per email

Dear Honourable Speaker;

RE: GRAVE CONCERN FOR IRREGULAR POSTPONEMENT OF COUNCIL MEETING

The Democratic Alliance formally records its grave concerns regarding the irregular postponement of the Council meeting held on 29 April 2026.

As the meeting was legally convened and constituted in accordance with the Standing Rules and Orders, there was no rational or legal basis for its delay. Specifically, the absence of the Municipal Public Accounts Committee (MPAC) report does not constitute a compliance failure sufficient to halt proceedings but rather reflects a broader pattern of failing to provide necessary documentation to Councillors and the public as required by law. We have been on the record on several occasions regarding MPAC and its subsequent functionality.

During the Multi-party Whips meeting, the DA explicitly opposed the postponement and rejected any suggestion that the party could be co-opted into a false consensus. Despite this clearly stated opposition, as the Speaker, you permitted non-members of the whips meeting to address the floor while denying the DA the same opportunity. Rather than putting the matter to a mandatory vote, as per the Standing Rules and Orders, as the Speaker, you unilaterally "ruled" to terminate the meeting and closed the electronic platform, an act that exceeded the Speaker's authority and prevented the DA from formally recording its dissent. This ruling is considered legally irrelevant and does not constitute a formal resolution of the Council.

We accordingly here place on the formal record our dissent on that "ruling". To the extent that you believe it to be a resolution of Council, we record our dissent against such a resolution.

Furthermore, the DA maintains that if the meeting was indeed postponed, it cannot simply be moved to the following day. Legal precedent and Standing Rules dictate that a Council meeting cannot span consecutive days and must instead be formally reconvened with proper notice. If the Council meeting was postponed, then the meeting of 29 April must be reconvened. A meeting cannot be simply postponed to the next day. Legal Services has previously provided an opinion that a Council meeting cannot continue into the next day and requires reconvening in accordance with the Standing Rules and Orders. It is therefore not possible to reconvene the next day.



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Because this was a Special Council meeting, the agenda is strictly limited to the items originally tabled. As the missing MPAC report was not part of the original agenda and has not been circulated within the required 48-hour timeframe, it cannot legally be introduced or discussed at any reconvened session of this specific meeting.

That has to be done 48 hours before the commencement of the “reconvened” Council meeting. Accordingly, that report cannot be legally discussed at a reconvened Council meeting as it did not form part of the original agenda for discussion at the postponed meeting. The report was out of time for the original meeting and is accordingly out of time for any reconvened meeting.

Notwithstanding that there may in fact be no legal resolution of the Council, your ruling not constituting such, you have an obligation to comply with rules 25 and 26 as read with rule 9.

Considering the above, I request that the Municipal Manager, in his capacity as the accounting officer and the custodian of corporate governance, provide a written legal opinion on the validity of the postponement and subsequent reconvening. Any decisions taken at a meeting that has been reconvened irregularly are, by extension, legally flawed and subject to judicial review.

Kind Regards,

Cllr A Majeke
DA WHIP



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