

**The impact of spatial contestation
between street hawkers/traders and
pedestrians on vehicular traffic flow:
Investigating the Durban Central
Business District**

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PREFACE

This postgraduate research was carried out at the North-West University, Potchefstroom Campus, under the supervision of Prof C.B. Schoeman of the Unit for Environmental Sciences and Management and Prof I.M. Schoeman of Mathematics and Applied Mathematics.

The research was conducted on the Durban CBD in the eThekweni Metropolitan Municipality, KwaZulu-Natal Province of South Africa.

I, Agyemang Fredua, hereby declare that this thesis with the title: *The impact of spatial contestation between street hawkers/traders and pedestrians on vehicular traffic flow: Investigating the Durban Central Business District* is my own work and has not been used previously in fulfilment of the requirements for another degree at the North-West University or elsewhere. Use of the work of others has been acknowledged in the text.

Signed at Potchefstroom on theday of September 2021

F. Agyemang

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ABSTRACT

Street trading has been identified as a critical pillar to the informal sector economy although trading activities which mainly take place on sidewalks impeding pedestrian movement; and also, these activities are perceived to generate traffic congestion. Negative aspects of street trading include contestation for space, particularly on the sidewalks and ultimately vehicular congestion due to pedestrian/traders spilling over onto the carriageway. These aspects mostly overshadow the benefits accrued from street trading activities, such as providing livelihood support for many people.

Using Durban Central Business District (CBD) as a case study, the objectives of the research included investigating the impact of spatial contestation between street hawkers and pedestrians on vehicular traffic flow. Moreover, the study aimed at evaluating the measures employed by city authorities in response to street trading. Lastly, to evaluate and propose strategies to integrate street vending in pedestrian walkway design facilities, both locally and internationally.

The research adopted quantitative and qualitative research approach to provide an in-depth theoretical and empirical basis premised on strong support in terms of different case studies used as examples to inform the research and the regulatory and policy framework. The findings were that in the case of the Durban CBD, spatial contestation between pedestrians and street hawkers did not necessarily cause vehicular congestion as many researchers argued, due to proper physical planning, including wider sidewalks and broad carriageways. Hence, the study argued that the impact of street trading on vehicular traffic flow was dependent on spatial arrangement and development of the subject area.

The study revealed that on a global scale, street trading was not an illegal business. However, tension prevails between street trading and the space where the activity occurs. Since most developing countries have developed the tendency of adopting urban forms that meet the standards of the developed world, the realities pertaining to the grounds that street trading is a lawful enterprise are often discounted. Hence, to achieve the standards of the developed world, most city authorities adopt an exclusionary approach aimed at exterminating street traders, both licensed and unlicensed, without success as most traders return to their former trading spot over time after the exercise subsides. The exclusionary tools aimed at street traders often manifest in the form of forced eviction and criminalisation; relocation without consultation; confiscation of merchandise; the use of hostile and ambiguous laws and policies; long procedures to obtain

permits; high rental and registration fees; and the use of media and the public to demonise the activities of street traders. Examples of such cases are the 2014 FIFA World Cup exclusionary zones in Baianas do Acarajé Brazil; Zimbabwe's Operation Murambatsvina; Ghana's Decongestion exercise and Johannesburg' Operation Clean Sweep.

Clearly, the exclusionary practice has often not been successful as traders returned to their previous trading spots. Therefore, there is a need to adopt an alternative approach to deal with the challenges associated with street trading, and to ensure street trading-friendliness in an urban environment. Through the use of policy and legal frameworks, the vital role played by street trading is recognised as leading to issuance of trading permits/licences, the development of trading markets, upgrading of on-site trading spaces, development of planning policies and laws, as well as promoting mixed-zoning ordinance, participatory planning and lastly privately-managed permitted vending zones. Street traders have thus been successfully integrated into the urban space. The natural market system in Ahmedabad in India, Bangkok's experience, Singapore's hawker centre, Zanaki Street, Dar es Salaam's CBD and the creation of the Retail Improvement District in Johannesburg, are examples of such cases. Moreover, the study identified the Warwick Urban Renewal Project and the West Street Urban Design as typical examples of inclusionary cases in Durban. In the end, the study concluded that two main approaches, namely inclusionary and exclusionary approaches were often employed in dealing with the challenges of street trading. However, Durban Street trading management approach is more inclined to inclusive management practice.

Through observation and evaluation, the research revealed that strategies to integrate street trading, particularly in the Durban CBD include: a multifunctional approach to urban space usage, natural market concept, an urban regeneration programme approach, inclusive urban design strategies, incidental or leftover space approach, an off-street site provision approach, space sharing and market system approach. Also, through observation and site evaluation, the study proposed strategies to integrate street trading in the Durban CBD. The strategies include the land-use planning approach, use of barricades, the private sector involvement approach, the participatory planning approach, functional approaches to road classification and weekly space sharing over time.

The study demonstrates that the traffic flow theory can be studied in the context of street trading, particularly in developing countries. In this context, the study revealed that the impact of street trading on vehicular traffic flow is dependent on the spatial setup of the city, and the magnitude

of trade and land-use types pertaining to the area as well as the regulatory approach. Hence, the belief that street traders cause vehicular congestion is not entirely true in some cities.

Also, the study establishes that informal sector trading, including street trading in Durban is taking on a new dimension as it is assuming some characteristics of formal businesses, since they operate in the context of regulatory laws and policies which require street traders to be registered, obtain a permit; and also belong to an organised body. As such, street trading cannot be studied in the context of formal or informal business, but rather in a semi-formal business context.

Again, the research revealed that the intended purpose of constructing sidewalks has changed as street trading continues to be on ascendancy and, consequently, gain recognition in most cities due to continues growth of unemployment. However, despite all efforts made to integrate them into the urban morphology, particularly on the sidewalks, the definition of sidewalks purposely for pedestrian circulation remains the same, and has failed to accommodate street traders due to the perception that street traders operate illegally. Nevertheless, the research revealed that street trading is not illegal, and that the legitimacy or the illegitimacy of street trading is dependent on the trading space.

The study recommends that government should recognise and support the efforts of the informal sector through community initiatives and local, non-governmental organisations, and also limit the structures obstructing their productivity. Moreover, local government must view street trading from an African perspective instead of a western perspective. More so, the local government must promote the benefits associated with street trading rather than dwell on the negative aspects. Lastly, governments, particularly in developing countries including South Africa, must recognise that there is an existing sector of the economy parallel to the formal economic sector which includes street trading, hence the need for a soft procedural approach to formalise street trading. In adhering to the recommendations, the government can develop strategies to integrate street trading into the socio-economic, political and spatial landscape.

Keywords: Traffic congestion, sidewalk contestation, exclusive and inclusive management practices, the influence of street trading on pedestrians

OPSOMMING

Straathandel is as 'n kritiese pilaar van die informele sektor se ekonomie geïdentifiseer, alhoewel handelsaktiwiteite, wat hoofsaaklik op sypaadjies plaasvind, voetgangers se beweging beperk en daar word waargeneem dat hierdie aktiwiteite verkeersopeenhopings veroorsaak. Negatiewe aspekte van straathandel sluit in mededinging om ruimte, veral op sypaadjies en op die lange duur, voertuigopeenhoping weens voetgangers/handelaars wat op die voertuigrypad beland. Hierdie aspekte oorskadu meestal die voordele van straathandelaktiwiteite, soos om die lewensbestaan van vele mense te ondersteun.

Die doelwitte van die studie het ingesluit die ondersoek van die impak van ruimtelike mededinging tussen straatsmouse en voetgangers op voertuigverkeersvloei, met behulp van Durban se sentrale sakekern (SSK) as gevallestudie. Verder het die studie ten doel gehad om die maatreëls te evalueer wat stadsowerhede gebruik in reaksie op straathandel. Laastens, het die studie gepoog om strategieë te evalueer en voor te stel om straathandel by voetgangersloopvlakke se ontwerpfasiliteite te integreer, op beide plaaslike en internasionale vlak.

Hierdie navorsing sluit 'n kwalitatiewe en kwantitatiewe navorsings benadering in, wat die in diepte teoretiese en empiriese basis ondersteun. Hierdie ondersteuning is in terme van verskillende gevalle studies wat gebruik word as toepassings van die regulasies en wetgewende raamwerk. Die navorsing het van 'n gemengde navorsingbenadering gebruik gemaak. Die bevindinge was, dat in die geval van Durban se SSK, die ruimtelike mededinging tussen voetgangers en straatsmouse nie voertuigopeenhoping veroorsaak het soos baie navorsers voorgestel het nie. Dit is die gevolg van behoorlike fisiese beplanning, wat breër sypaadjies en voertuigryvlakke insluit. Die studie het dus aangevoer dat die impak van straathandel op voertuigverkeersvloei afhanklik was van die ruimtelike rangskikking en ontwikkeling van die gebied.

Die studie het onthul dat straathandel op globale skaal, nie 'n onwettige besigheid is nie. Daar bestaan egter spanning tussen die onwettigheid van straathandel en die ruimte waar die aktiwiteit plaasvind. Aangesien die meeste ontwikkelende lande die neiging ontwikkel het om stedelike vorms te ontwikkel wat aan die standaarde van die ontwikkelde wêreld voldoen, word die werklikhede dat straathandel 'n wettige onderneming is dikwels nie in ag geneem nie. Om dus die standaarde van die ontwikkelde wêreld te bereik, het die meeste stadsowerhede 'n benadering van uitsluiting aangeneem wat daarop gemik is om beide gelisensieerde en ongelisensieerde straathandelaars uit te roei – sonder sukses, aangesien die meeste

straathandelaars met tyd weer terugkeer na hul plek van handel. Die maniere van uitsluiting wat op straathandelaars gemik is, manifesteer dikwels in die vorm van gedwonge uitsetting en kriminalisering; hervestiging sonder konsultasie; konfiskering van goedere; die gebruik van vyandige en dubbelsinnige wette en beleide; lang prosedures om permitte te bekom; hoë huur en registrasiefooi; en die gebruik van die media en die publiek om die aktiwiteite van straathandelaars te demoniseer. Voorbeelde van sulke gevalle is die 2014 FIFA Wêreldbeker Sokkertoernooi se uitsluitingsones in Baianas do Acarajé in Brasilië; Zimbabwe se Operasie Murambatsvina; Ghana se dekongestie-oefening en Johannesburg se Operasie “Clean Sweep”.

Dis duidelik dat die praktyk van uitsluiting dikwels nie suksesvol is nie as die handelaars terugkeer na hul vorige plekke van handel. Daar is dus ’n behoefte om ’n alternatiewe benadering aan te neem om uitdagings te hanteer wat verband hou met straathandel en om stedelike omgewings handelaarsvriendelik te maak. Deur die gebruik van beleide en wetlike raamwerke, word die belangrike rol wat straathandel speel erken en dit lei tot die uitreiking van permitte/lisensies, die ontwikkeling van handelsmarkte, die opgradering van handelsruimtes, die ontwikkeling van beplanningsbeleide en -wette, asook die bevordering van gemengde soneringsordonnansies, deelnemende beplanning en laastens, verkoopsones waarvan permitte privaat bestuur word. Straathandelaars het hulself dus suksesvol in die stedelike ruimte geïntegreer. Die natuurlike markstelsel in Ahmedabad in Indië, Bangkok se ervarings, Singapoer se smoussentrum, Zanakistraat in Dar es Salaam se SSK en die vestiging van die “Retail Improvement District” in Johannesburg, is voorbeelde van sulke gevalle. Verder het die studie die “Warwick Urban Renewal Project” en die “West Street Urban Design” as tipiese voorbeelde van insluitende gevalle in Durban geïdentifiseer. Die studie het tot die gevolgtrekking gekom dat twee benaderings, naamlik: uitsluitende en insluitende benaderings dikwels gebruik is om die uitdagings van straathandel te hanteer. Die benadering tot die bestuur van straathandel in Durban is egter meer geneig tot inklusiewe bestuurspraktyk.

Deur waarneming en evaluering het die studie onthul dat strategieë om straathandel te integreer, veral in die Durban SSK, die volgende insluit: ’n multifunksionele benadering tot stedelike ruimtegebruik, natuurlike markkonsep, ’n stedelike herlewingsprogram-benadering, inklusiewe stedelike ontwerpstrategieë, ’n bykomende of oorskietruimte-benadering, ’n buitestraatse ruimtevoorsieningsbenadering, ruimtedeling en ’n vlooiemarkstelsel-benadering. Die studie het ook deur middel van waarneming en terreinevaluering strategieë voorgestel om straathandel in die Durban se SSK te integreer. Die strategieë sluit in grondgebruikbeplanningsbenadering, die

gebruik van versperrings, die benadering om die privaatsektor te betrek, deelnemende beplanningsbenadering, funksionele benaderings tot die klassifisering van paaie en om ruimte weekliks te deel met die verloop van tyd.

Die studie het getoon dat die verkeersvloei-teorie in die konteks van straathandel bestudeer kan word, veral in ontwikkelende lande. Binne hierdie konteks het die studie getoon dat die impak van straathandel op voertuigverkeersvloei afhanklik is van die ruimtelike samestelling van die stad en die omvang van handel en grondgebruik wat op die area van toepassing is, sowel as die regulerende benadering. Dus, soos in hierdie studie veronderstel word, is die oortuiging dat straathandelaars voertuigopeenhoping veroorsaak, nie heeltemal waar in sommige stede nie.

Die studie het ook vasgestel dat die handel in die informele sektor, wat straathandel insluit, in Durban besig is om 'n nuwe dimensie aan te neem omdat dit eienskappe van formele sakeondernemings aanneem, aangesien hul in die konteks van regulerende wette en beleide werk wat van straathandelaars vereis om geregistreer te wees, 'n permit te verkry en ook aan 'n georganiseerde liggaam te behoort. Sodanig kan straathandel nie in die konteks van formele of informele besigheid bestudeer word nie, maar eerder in die konteks van 'n semi-formele besigheid.

Weereens, die navorsing het onthul dat die beoogde doel van die bou van sypaadjies verander het soos straathandel voortgaan om te groei en gevolglik meer erkenning in die meeste stede kry. Maar, ten spyte van die pogings om hulle in die stedelike morfologie te integreer, veral op sypaadjies, het die definisie van sypaadjies wat doelbewus vir voetgangers gebou is, dieselfde gebly en versuim om straathandelaars in ag te neem weens die persepsie dat straathandelaars onwettig handel dryf. Die navorsing het egter aan die lig gebring dat straathandel nie onwettig is nie en dat die regmatigheid of onregmatigheid van straathandel van die handelsruimte afhang.

Die studie beveel aan dat die regering die pogings van die informele sektor moet erken en ondersteun deur gemeenskapsinisiatiewe en plaaslike, nie-regeringsorganisasies, en ook om die strukture wat hul produktiwiteit versper, te beperk. Verder moet die plaaslike regering straathandel vanuit 'n Afrikaperspektief bekyk, en nie vanuit 'n westerse perspektief nie. Nog meer moet die plaaslike regering die voordele wat verband hou met straathandel bevorder en nie op negatiewe aspekte fokus nie. Laastens moet regerings, veral in ontwikkelende lande wat Suid-Afrika insluit, erken dat daar 'n sektor bestaan wat parallel is met die formele ekonomiese sektor, wat straathandel insluit en vandaar die behoefte vir 'n sagter prosessuele benadering om straathandel

te formaliseer. As daar aan hierdie voorstelle voldoen word, kan die regering strategieë ontwikkel om straathandel in die sosio-ekonomiese, politieke en ruimtelike landskap te integreer.

Sleutelwoorde: Verkeersopeenhopings, sypadkongestie, eksklusiewe en inklusiewe bestuurspraktyke, die invloed van straathandel op voetgangers

ACRONYMS

ACHIB	African Council for Hawkers and Informal Businesses
ASGISA	Accelerated and Shared Growth Initiative of South Africa
BSMU	Business Support and Market Unit
BSTMU	Business Support Tourism and Markets Units
BSU	Business Support Unit
CBD	Central Business District
DITSBO	Department Informal Trading and Small Business Opportunities
DMA	Durban Metropolitan Area
DTI	Department of Trade and Industry
ELAP	eThekweni Local Area Plan
EICLAP	eThekweni Inner City Local Area Plan
EMA	eThekweni Municipal Area
EMIEF	eThekweni Municipality Informal Economy Forum
SA	South Africa
GEAR	Growth Employment and Redistribution
GDP	Gross Domestic Product
IDP	Integrated Development Plan
ILO	International Labour Organization
ITMB	Informal Management Board
ITSBO	Informal Trading and Small Business Opportunities
LED	Local Economic Development
NDP	National Development Plan
NGP	New Growth Path
NMT	None Motorized Transport
NSDF	National Spatial Development Framework
RDP	Reconstruction and Development Programme
SACN	South Africa City Network
SDF	Spatial Development Framework
SEWA	Self Employed Women's Association
SEWU	Self-employed Women's Union
SMME	Small Medium and Micro Enterprises
SPLUMA	Spatial Planning and Land Use Management Act
UN	United Nations
WIEGO	Women in Informal Employment: Globalizing and Organization

DEFINITIONS

Glossary	Description
Apartheid	A political system and its policies directed towards the separation of different ethnic or racial groups. Spatially, apartheid involved the physical separation of people on racial lines according to the Population Registration Act of 1950 (National Spatial Development Framework Draft, 2018:12).
By-law	By-laws determine controls for ensuring the cleanliness and safety of urban areas. In the context of street trading, By-laws determine the standards in connection with the goods and services provided by the street vendors; and how they should carry out their businesses (Mitullah, 2003:10).
Central Business District	The major commercial activity and employment area with very high land-use intensity.
City	A human settlement that has the characteristics of large and usually diverse communities of people living at high residential densities; a variety of employment opportunities; and high-intensity business and commercial areas (Draft National Spatial Development Framework, 2018:12).
Exclusionary practices	The act of disallowing someone from taking part in an activity or entering a place. In the context of this research, it includes all practices that seek to prevent street hawkers from using public space.
Inclusionary practices	The idea that everyone should be able to use the same facilities, take part in the same activities, and enjoy the same experiences. In the context of this research, it involves all efforts made by a city authority to integrate street trading into the public space.
Illegal	In the context of urban planning, the term illegal refers to the process of occupation of urban or rural land outside the confines of legal frameworks and regulations (Donovan, 2008:19).

Informal	Keith Hart used the term to describe a series of economic practices that lie outside the confines of official structures laid for the regulation of both economy and production of space associated with the sizeable number of labourers moving into the cities (Villamizar-Duarte, 2015:3).
Junction	A junction is where one road (or street) meets another.
Link	They are network of public rights-of-way within a local mixed land use development. Links serve numerous functions, including facilitating movement by different modes, accommodating utility services, providing commercial activities with exposure to potential consumers, and so on.
Market	In the context of this study, a market (public or private) refers to a specific grouping of traders operating from open stalls within a defined or enclosed space, which are engaged in the exchange of goods and services and governed by a single set of rules.
Mixed-mode Street	Mixed-mode streets are streets accommodating a mix of motorised and non-motorised users.
Natural market	Natural market means a spontaneous market where sellers and buyers conventionally occupied for a long period of time and are involved in the sale and purchase of a specified set of products or services.
Non-Motorized Transport	Non-Motorized Transport includes all forms of movement that do not rely on battery and/or fuel combustion driven mechanisms to be propelled (City of Cape Town NMT Strategy, 2005:1).
Pedestrian	A 'pedestrian' is a person on foot, or in or on a contrivance equipped with wheels or revolving runners that is not a vehicle (New Zealand Transport Authority 2007:3-1).
Pedestrian oriented street	Pedestrian-orientated streets can be regarded as streets set out for the main purpose of pedestrian use (CSIR Building and Construction technology, 2000).
Pedestrian space	Pedestrian space is an area of public space that facilitates pedestrian movement or social interaction (Jones <i>et al.</i> cited by Anciaes <i>et al.</i> , 2015:7).

Policies	Policies are tools that set standards regarding the provision of public goods and services (Mitullah, 2003:10).
Public space	Public space is defined as “a special space in common use which is a product of civilization irrespective of the form of ownership, and its public character follows from the way it is used” (Mierzejewska, 2011:41).
Section 57 Management	‘Section 57’ is a term commonly used for managers employed according to the requirements of section 57 of the Local Government: Municipal Systems Act, 2000 (Act no. 32 of 2000). These managers are sometimes called ‘Section 57 Employees’ briefly described as ‘Municipal Managers and Managers directly accountable to Municipal Managers’ (eThekweni Municipality Official website, 2021).
Sidewalk	A sidewalk is the portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for pedestrian (Department of Transportation, State of Hawaii, 2013:1).
Spatial contestation	The conflict that ensues between public space users in relation to the use of a particular area. In the context of this study, the conflict is between street hawkers and pedestrians on the use of the sidewalk, as well as the conflict between street traders and pedestrians, and vehicles on the use of a road carriageway.
Spill over	The overflow or being forced out of an area. If any activity spills over it begins to affect another situation or group of people in an unpleasant or unwanted way.
Street	A town or village “road” typically with access to buildings on one or both sides (Committee of Transport Official, 2012: iv).
Street trader	Street vendor is defined as a person who sells goods and provides services in the public domain. Street vendors mostly do not have permanent built-up structures where they ply their trade, but may have a temporarily stationed structure or a mobile stall (Sinha and Roevers, 2011:3).

Street trading licence	This is a legal requirement that enables street traders to vend goods and services on the streets.
Traffic congestion	Traffic congestion is a condition on the road network that occurs as use increases, and is characterised by slower speeds, longer trip time, and increased vehicular queuing.
Traffic flow	Traffic flow is the theory developed on the flow of vehicles in a lane, and its connections with other vehicles, pedestrians and signals present on the road. Free movement of traffic is affected by many factors like design speed, percentage of heavy vehicles, number of lanes and intersections present along the road. In the context of this research, traffic is the flow of vehicles in a lane in relation to pedestrians and street traders.
Urban	Urban refers to an area that is characterised by large communities with high residential densities, high-intensity business and commercial areas as well as diversified employment opportunities.

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CHAPTER 1: INTRODUCTION

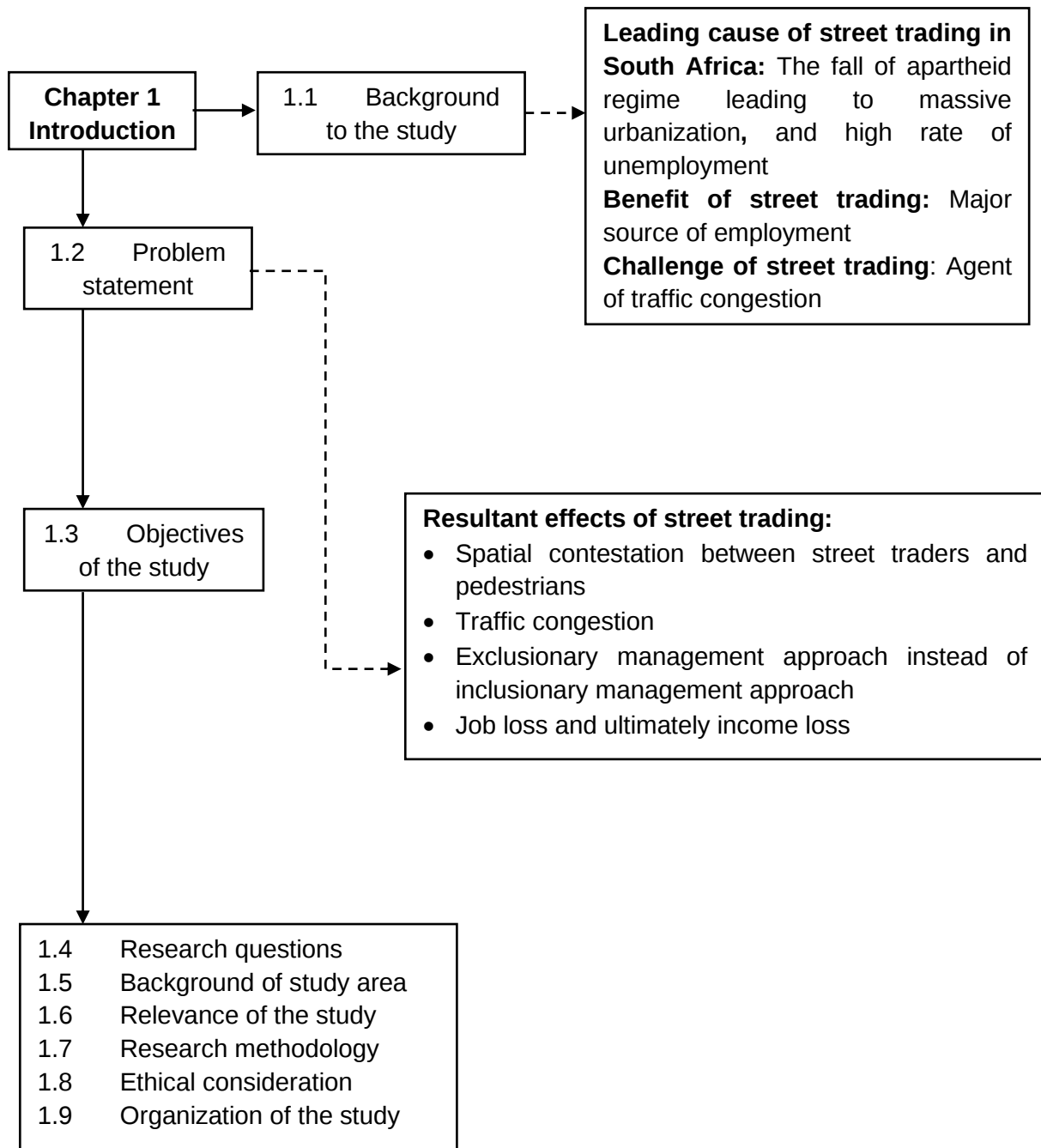


Figure 1-1: Layout and footprint of chapter 1

Author's construction (2019)

1.1 Background of the study

Although sub-Saharan Africa, including South Africa, is the least urbanized region in the world, the rate at which urbanization and its challenges, notably higher unemployment, grow is alarming. According to Saghir and Santoro (2018:1), with a current population of 472 million, urban dwellers are expected to double in the next 25 years, making the sub-Sahara the world's fastest urbanizing region. While other regions in the world, especially the developed countries are experiencing urbanization and economic growth concurrently, urbanization in Africa is taking place at a speedy rate with virtually no expansion in economic growth and no industries to absorb the unemployed who travel to the city (Bello-Schünemann & Aucoin, 2016:7; Outlook, 2016:162; Jedwab & Vollrath, 2015:20). A situation which has often led to the expansion in urban poverty and rising inequality (African Development Bank, 2012). Tannerfeldt and Ljung (2012:13-14) contend that over 40 percent of city dwellers in developing countries, mostly the poverty-stricken, are compelled to turn to the informal economy as alternative measures of making a living despite the fact that the informal economy is widely regulated by outdated policies and laws.

Historically, in South Africa, despite being a livelihood support for the poor, street trading activities were not allowed in the cities under the apartheid government since the cities were planned in accordance with a rational comprehensive planning approach which abhorred any form of informality including street trading. Hence, through legal policy and the use of brutal means, the informal economy was controlled and restricted by the apartheid government. People, mostly of black ancestry, who participated in any form of informal activities, were threatened by legal actions and police harassment. However, in the 1980s it became apparent that the apartheid government could not fully curtail the influx of black people who were mostly associated with informal trading activity into the urban areas. According to South African History online (2019), in the 1980s, opposition to the apartheid regime became united and very active leading to change in the government system.

By the early 1990s flexible approaches towards informal trading ensued in South Africa. Typical of such a liberal approach was the designation of the 1991 Business Act which allowed street traders to trade without any form of harassment (Budlender, 2003:5). However, it appeared the lifting of the ban on street trading coupled with urbanization, mainly orchestrated by the demise of the apartheid regime, increased congestion in the major cities of South Africa, particularly the CBD including the Durban CBD. Street hawkers/traders wrestle with pedestrians and vehicles for control over limited spaces in the CBD turning the entire outdoor public spaces, particularly sidewalks and roadbeds into battlefields.

Although informal trading has continued to gain ascendancy due to the collapse of the apartheid regime, in recent times a high unemployment rate has also contributed to a surge in street trading in South Africa. According to Horn (2011:5), since 2000, the unemployment rate in South Africa has been between 24 percent and 30 percent. In South Africa, like most countries in Africa, expansion in the economy has not yielded to growth and redistribution of wealth. Consequently, many South Africans who are unable to find jobs in the formal sector fall in the informal sector as an alternative way of generating income. Rogan and Skinner (2017:3) contend that over 2.5 million people work in the South Africa informal sector including street trading though, in relative terms, the number is smaller than other developing countries. The relatively smaller number of street traders is partly due to government social intervention programmes such as the child support grant, foster care grant and old age grant.

Admittedly, there are difficulties in measuring the number of street traders in South Africa. Debbie Budlender of Statistics South Africa cited by Motala (2002:7) argues that according to the 2000 Labour Force Survey, there were approximately 500 000 street traders countrywide. Moreover, research conducted on four cities, Cape Town, Tshwane (Pretoria), Johannesburg and eThekweni (Durban) showed that 37 percent of informal traders had obtained secondary education. In Cape Town, 18 percent obtained tertiary education (Horn, 2011:4). The significant number of people with a formal education in the informal sector supports the scarcity of formal job opportunities in South African.

Rogan and Skinner (2017:2) reveal the high level of disparities in the informal sector along spatial lines. Municipal areas in the provinces of Limpopo, Mpumalanga, Eastern Cape and KwaZulu-Natal (KZN) have large informal sectors compared to Western Cape and Gauteng. In support, Motala (2002:7) estimates the number of street traders in Durban, the focus of this study, at 19 000 and Johannesburg's CBD at between 3 000 and 7 000. Also, Çelik (2011:6) estimates the number of street traders in Durban to be between 60 000 and 70 000. Contrary to the figures given by Çelik, the 2009-2010 census recorded 49 739 street traders in the eThekweni Municipality, with the majority of them plying their trade in the Durban CBD (Legal Resource Centre, s.a:3). Notwithstanding the disparities and difficulties in measuring the number of people in the street trading business, the fact remains that there are a significant number of people in the street trading business.

According to Ofori (2007:12), street hawkers in their quest for spaces in the CBD, the focal point of commercial activities to display their goods, often occupy unauthorized public spaces, particularly pedestrian walkways. Encroachment on the sidewalk originally designated for pedestrian use impacts negatively on pedestrian and vehicular traffic flow. In support, Amoako

et al. (2013:3) posit that such encroachment often impacts negatively on pedestrian movements with a ripple effect on vehicular traffic flow, since pedestrians are mostly forced to use the carriageway instead of the sidewalks. Also, Tulu (2013:4) underpins the view that contestation for space between street hawkers on sidewalks constrains pedestrian and vehicular movement as pedestrians' resort to the use of roadways when the sidewalks are inundated with street hawkers and goods on the display. Hence, Blankson cited by (Ofori, 2007:19) states that "Pedestrians have been pushed off pavements...into the streets at risk to life and limb, while the vehicular movement has been reduced to a crawl".

Similarly, research conducted in Bandung-Indonesia, supports the notion that unauthorized occupation of street hawkers on sidewalks forces pedestrians onto the road which consequently impedes traffic flow as the number of road lanes are reduced leading to 'unidirectional traffic' (Chiu *et al.*, 2012:2). Additionally, Broadbent (2012:11) asserts that traffic congestion is directly linked to the presence of street hawkers since their activities cause drivers to drive at a slow pace to enable their passengers to purchase from hawkers or to avoid knocking over hawkers and/or pedestrians. Horn (2018:5) argues that in many countries regulating street trading, particularly mobile vending in traffic has become a challenge to most city authorities as prolonged periods of vehicular traffic congestions serve as fertile grounds for mobile hawkers.

In addition, in the context of South Africa, specifically at the Warwick Junction in Durban, Selwyn (2018:3) argues that a surge in informal trading space along formal businesses embodies appropriation of undesignated spaces into trading areas. Eventually, such activities have reduced vehicular traffic lanes as pedestrians negotiate for space, mainly the carriageway, which have not been taken by unpermitted vending activities. Moreover, a number of unpermitted street vending facilities are seen at the Warwick Junction, which have impacted negatively on the pedestrian environment, as sidewalks continue to be used for trading purposes.

Evidently, street trading has become entrenched in our urban space, and provide livelihood support for many, but also an impediment to vehicular traffic flow. Hence, the research aims at assessing the impact of street trading on vehicular flow in the Durban CBD; and also proposes strategies to integrate street traders drawing lessons from local and international case studies.

1.2 Problem statement

Efficient transportation systems are vital in providing for the daily needs in the lives of citizens. These include providing effective access to amenities and services such as employment, education, health services and leisure that are essential in the lives of people (Anokye *et al.*, 2013:23). Nevertheless, the vital role of transportation, particularly within urban centres, is subjected to travelling time that has been prolonged recently due to traffic congestion. According to Cervero (2013:1), congestion in the cities negatively affects economic activities in even smaller towns and rural communities because urban centres stimulate economic growth.

Street trading/hawking has been identified as one of the key causes of traffic congestion in most CBDs, particularly in developing countries, due to their invasion of the sidewalks for commercial purposes contrary to the purpose for which such spaces were designed (Onuoha, s.a:123). Nonetheless, on the flip side of the coin, informal trading remains one of the vital pillars of the informal economy even though such activities on the already narrowed or non-existing sidewalks cause inconvenience to pedestrians, and ultimately generate traffic congestion. Therefore, although street trading has become a form of livelihood support for many people, the amount of sidewalk space for pedestrians is reduced as street trading continues to gain ascendancy. In the light of this, the challenge of creating a friendly environment for pedestrians, street traders and vehicles remains critical and non-negotiable.

Most city authorities confronted with the challenge to manage and regulate activities of street trading tend to use the eviction approach. However, street hawkers often return to their usual spot after an eviction exercise. In a related case, the Accra Metropolitan Assembly embarked on an exercise to decongest the city by effectively evicting hawkers and removing structures located at undesignated places. In less than a day the hawkers were back in their usual spot to continue with their business (Abrokwah, 2013:7). Similarly, Tichelaar (2016:9) reports of an instance where the Jakarta city government reacted to the challenge of street trading by removing or relocating street vendors to an off-street public market building. The relocation exercise was futile as the street traders returned to their usual spot.

Prominent amongst the reasons often cited by the hawkers is that the alternative locations provided for them by city authorities in some cases are often unhygienic (Abrokwah, 2013:19). More so, relocation of street traders (even if centrally located) has generally led to a loss of income in the short term due to a change of the type of customer base as premeditated buying in markets is not equivalent to impulse buying in the street. Moreover, in the medium-term new street vendors come to occupy the emptied streets after an eviction denying the old hawkers

their previous space (Bénit-Gbaffou, 2015:20). Against this backdrop, Dimas (2008:4) posits that street hawkers mostly reject any decision to be relocated.

Although it has been argued that street trading activities are characterized by challenges including impeding vehicular traffic flow, it appears the elimination of street traders/hawkers from the street has proven to be practically impossible due to social and economic reasons. In a passionate submission, Benítez *et al.* (s.a:16) contend that promotion of a modern utopian city puts urban informal workers, including street vendors, in a dire situation as they are mostly evicted from the streets of the city. However, with the large number of people trading in the streets of many cities including in modern cities, the question is whether a city with no street trading can be considered a modern city. In the face of this question, some vendors' organizations continue to ask the question: world class for who?

Ethan (s.a) contends that although continuous growth of informal trading limits the spaces on sidewalks, successful integration of vendors can add to the 'lifeblood' of a thriving city. Moreover, Asiamah cited by Moro (2009:58) concludes that removing street hawkers/traders is 'politically inexpedient', 'socially it is difficult' and lastly it is 'economically unwise' as it does not inure to sustainable development, but rather injures the social and economic means of survival for the majority of the people involved in such activity. Therefore, the pragmatic approach is to conceptualise how cities can keep the sidewalks pedestrian friendly, yet allowing informal street vendors to make a living is the key approach to managing street trading. In view of this, the question of how to integrate/reconcile street traders by ensuring the friendliness of pedestrians/hawkers on the sidewalk or dealing with the challenge of street trading is a debatable issue confronting many city authorities.

1.3 Objectives of the research

Primarily, the research aims at investigating the impact of spatial contestations between street hawkers and pedestrians on vehicular traffic flow in the Durban CBD. The sub-objectives are as follows:

- To evaluate the approach/measures employed by city authorities in response to street trading, particularly the impact of street hawking/trading on vehicular traffic flow.
- Lastly, to evaluate and propose strategies to integrate street vending in pedestrian walkway design facilities, taking as a case example the selected street hawking precinct within the local Durban CBD and other countries.

1.4 Research questions

The research questions to be answered are as follows:

- What are the impacts of spatial contestations between street hawkers/traders and pedestrians on traffic flow in the Durban CBD?
- What approach/measures are employed by city authorities in response to street trading, particularly in response to the impact of street trading/hawking on vehicular traffic flow?
- What strategies have been adopted to integrate street trading in pedestrian walkway design facilities?

1.5 Background of study area

1.5.1 eThekweni Municipality in a provincial and national context

The eThekweni Metropolitan Municipality is located on the east coast of South Africa in the KZN Province. The municipality covers a landmass of approximately 2300km²; mostly characterized by steep and dissected topography (eThekweni IDP, 2015/2016:97). The area shares a border with the Ugu District to the south, the Ilembe district to the North, the uMgungundlovu to the east and the Indian Ocean to the west as indicated on the district map below (figure 1-2).

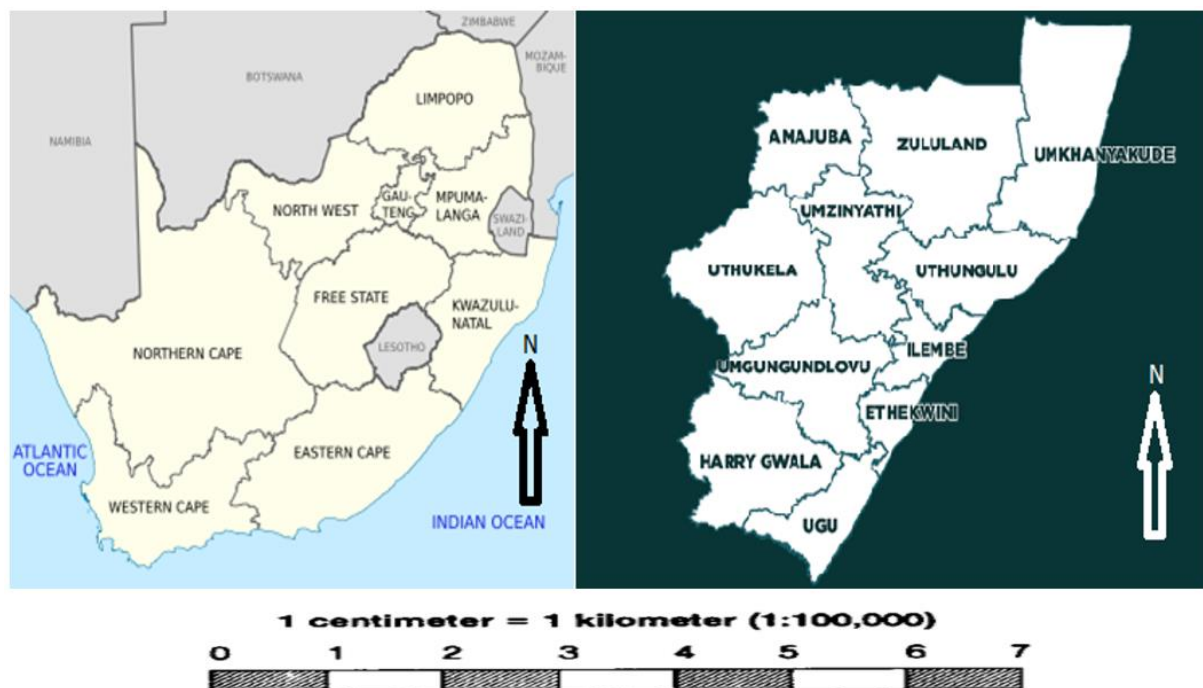


Figure 1-2: Location of eThekweni Municipality in Provincial context

Source: Google image (2019) updated by Author

Researchers have demonstrated that Durban is leading all the major cities in South Africa in the field of developing strategies to integrate the concerns of the informal economy. Firstly, the

local government recognizes the economic significant role of informal trading. In view of the significant role of the informal street trader providing a means of livelihood to the majority of the urban folks, street trading has been on the policy and legal radar of the framers of local policies and laws. Hence, through broad consultation between the local government and all stakeholders, policy and legal approaches to street trading have been formulated and executed. More so, Durban has invested substantial resources, mostly in the development of satellite markets and provision of infrastructure such as shelters and ablution facilities in the central city. For instance, according to Durban's Informal Economy Policy (2001:5) funds went into the development of informal trading facilities at the beachfront, and in the herbal market. Again, there had been urban renewal programmes such as the Warwick Junction Urban Renewal Project and the Cato Manor Development Association embarked by the city of Durban authorities.

However, besides the Warwick Avenue triangle on which there is extensive documentation, most of the areas, lack extensive research. Hence, the area selected for the study will extend the literature on street hawking in Durban since almost all the literature on street trading in Durban is centred on the Warwick Urban Renewal Project.

1.6 Relevance of the study

Often, research into the notion of street hawking/trading is geared towards the socio-economic and health impact on the traders, and the environmental impact with less work looking into the effects of street hawking/trading on pedestrian and vehicular movements. Many factors including design speed, percentage of heavy vehicles, number of lanes and road intersections, pedestrian density and economic activities (including street trading) pertaining to the site affecting the free movement of vehicles. Nonetheless, many traffic flow theories developed on the flow of vehicles are mostly designed in relation to other vehicles, pedestrians and signals present on the road, with less emphasis on the activities of street trading on vehicular traffic flow.

This study is relevant in the sense that it seeks to draw the existing relationship between street trading and transportation by investigating the impact of street hawking/trading on pedestrian and vehicular traffic flow in the Durban CBD. The insight gained from the study will assist departments in charge of transport as well as small-scale business in the eThekweni Municipality in terms of spatial planning and decision-making on how to reduce spatial contestations between street hawkers/traders and pedestrians. This will ultimately reduce the negative impact on vehicular movement yielding to efficient travelling time.

Also, vast literature is inclined to a repressive or restrictive municipal approach to street trading management, an approach which fails to acknowledge the legitimacy and the reality of the presence of street trading (Bénit-Gbaffou, 2015:19-20). Even though a few research works have been conducted to acknowledge the vital role played by street trading, the study deviates from the normal route as it ascertains the various strategies and practices of integrating street trading facilities.

More so, the study seeks to improve on the current and future literature as well as the knowledge on street hawking/trading as it investigates the impact of spatial contestation between street hawkers and pedestrians on vehicular movement using a quantitative research approach. This research work will serve as evidence to verify the validity of the hypothetical claim that spatial contestation between street hawkers and pedestrians hinders vehicular movement, using the Durban case as a new study that has not been tested in the literature from a quantitative approach perspective. In essence, the study has the potential of extending the literature further besides its importance to the community and the state.

Moreover, the study seeks to unravel the historical trends on street trading, in the context of legislative, policy and theoretical frameworks in relation to practice, from the apartheid to post-apartheid era. In fact, the research will shed light on the current stage of informal trading management in South Africa.

1.7 Research methodology

Pandey and Pandey (2016:8) define research method as a process of studying problems with the aim of providing solutions using facts.

1.7.1 Research approach

The research adopts a mixed approach: a quantitative and qualitative approach. A mixed research method is defined as “Research in which the investigator collects and analyses the data, integrates the findings and draws inferences using both qualitative and quantitative methods in a single study or programme of inquiry” (Tashakkori & Creswell, 2007:3). Meanwhile, Muijs (2010:1) defines quantitative research as a type of research that explains a phenomenon by collecting and analysing numerical data from a mathematical perspective. Meanwhile, a qualitative research approach is based on the researcher’s judgments and perspective (Laerd Dissertation, s.a).

Table 1-1: Quantitative and qualitative research approach basic differential divide

Differences	Quantitative	Qualitative
Purpose	To measure numerically	Mainly for describing a situation
Format	Response categories are pre-determined	Response categories are not pre-determined
Data	Boarder scope of data from large samples from statistical representative	A small sample of data but well explained
Analysis	Hypotheses are tested and conclusions are substantiated by using data	Trends are drawn based on concepts and insights
Result	Uses numerical values in summaries and responses are clustered	Uses illustrative explanations in summaries and responses are individualistic
Sampling	Statistical	Theoretical

Source: Christopher (s.a:5)

Table 1-2: Quantitative and qualitative research approach assumption divide

Assumption	Quantitative	Qualitative
Ontology: nature of reality	Reality is objective and singular mostly from the researcher	Reality is subjective and diverse due to the multiple numbers of respondents in the study
Epistemology: the relationship between the researcher and what is being researched	The researcher is independent of what is being researched	Researcher interacts with what is being researched
Axiology: the role of exiting beliefs	Divorced from existing beliefs	Dependent on existing beliefs

Linguistic: language style of the research	Formal, founded on a set of definitions, impersonal voice and use of appropriate quantitative words	Informal, evolving decisions, personal voice and satisfactory qualitative words
Methodology: approach to research	Deductive process, cause and effect, static design is made before the study. Generalizations that may lead to explanation, understanding, accurateness and reliability come from validation	Inductive process, mutual simultaneous shaping of factors, emerging designs are identified in the course of the research process Context-bound, patterns, theories leading to understanding, accurateness and reliability come from verification

Source: Sukamolson (2007:2)

Table 1-3: Data collection method for the quantitative and qualitative research approach
data collection method

Method	Quantitative	Qualitative
Sampling	Random sampling	Open ended and less structured protocols
Tools	Structured data collection instruments	Dependent on interactive interviews
Results	Produce results that generalize, compare and summarize	Produce results that give meaning, experience and views

Source: Christopher (s.a:5)

Table 1-4: Quantitative and qualitative research approach

Analytical	Quantitative	Qualitative
Research question	Extensive, contextual and flexible	Focused
Expected outcome	Mostly emerges from the research question	Mostly identified prior to the research
Hierarchy of phases	Circular	Linear
Confounding factors	Conducted in the field	Controlled through design and analysis
Time dimension	Expeditious	Time consuming

Source: Christopher (s.a:6)

1.7.2 Sampling techniques

The key objective of sampling is to make an accurate generalization on a larger group using sampled data collected from the study of a smaller group (Quantitative Sampling, s.a: 22). The

study adopts a case study research method where the Durban CBD was selected as a case study and also, lessons are drawn from street trading management experience and from selected local, continental and international case studies. Press Academia (2018) defines a case study research as a research approach whereby experimental survey is used in investigating a phenomenon within its real-life setting. Hence, this study employed a non-probability sampling technique in selecting the sample population. A non-probability sampling technique enables researchers to select from a population of their interest. Collectively, these units form the sample population that the researcher studies based on the subjective judgment of the researcher and drawn from theory and practice (Laerd Dissertation, s.a). The theoretical reason behind the use of non-probability sampling in this study was that in practice, it was more relevant to exploratory research, and for that matter relevant to this research as one of the objectives of the research was to explore the impact of street trading on vehicular traffic flow, and the management approach towards street trading within the Durban CBD. Purposive sampling, a non-probability sampling type, was used in the selection of the streets in the Durban CBD and the respondents since it allowed the research to focus on areas which would best assist in accomplishing the research objectives. The purposive sampling technique, also called judgment sampling, is a thoughtful selection of participants for research based on the qualities they possessed (Etikan *et al.*, 2016:3). Due to the heterogeneous nature of the respondents, a stratified sampling approach was employed to secure primary data from 608 randomly selected respondents, including street traders, pedestrians, motorists, municipal officials, academics, informal trading organization and expert personnels using questionnaire and interview schedule.

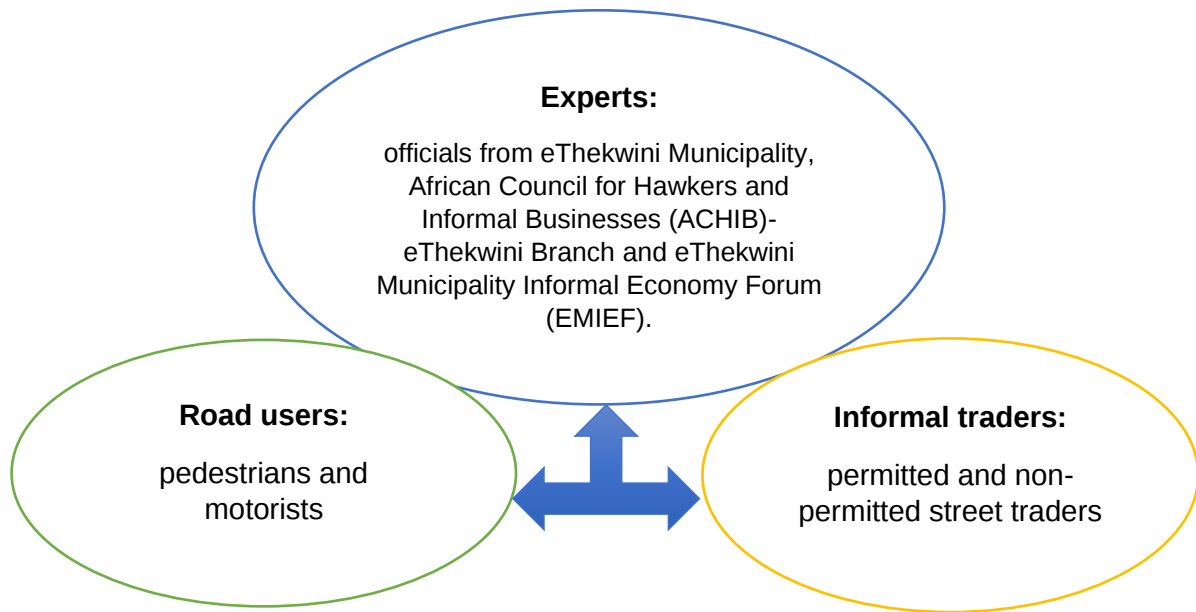


Figure 1-3: Summary of respondents

Source: Author's construction (2020)

1.7.3 Source of data, collection methods and instruments

1.7.3.1 Primary data source

Primary sources are first-hand information which has not been interpreted before. Primary data are created by witnessing or participating in an event, except in cases of historical research written after the fact (St Mary's University, s.a:1). Primary data for this research was collected through participatory observation, interview and questionnaires.

Table 1-5: Merits and demerits of data collection methods

	Interview	Observation	Research/Documents
Methods	Talk to someone face-to-face or over the phone	Watch someone or something closely	Use data sources like books magazines and database
Advantages	- Can clarify questions - Can note responses in a regular manner - Response rate likely to be quite high - Can be video/audio-taped	- Affordable - Quick - Can sort data easily while recording	- Easily obtainable - Affordable - Data already sorted

Disadvantages	▪ Interview is expensive ▪ The respondent may misinterpret questions ▪ The respondent may give misleading guidance ▪ Time-consuming	▪ Can easily record data incorrectly ▪ Time of the day has an influence on the results of the data collected	▪ The source may be incomplete ▪ The source may be biased
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Source: Ladewig *et al.* (2016:66)

Table 1-6: Merits and demerits of data collection instruments

	Questionnaire	Data collection sheets	Instruments
Tool	Structured Interview	Observation guide, pedestrian and traffic counting sheets	Google map, GIS and cameras, YouTube
Advantages	▪ Can be conducted and completed in your own time ▪ Can be completed in privacy ▪ Can obtain answers to personal questions	▪ Affordable ▪ Easy to handle ▪ Sorting and recording can be done concurrently	▪ Easy to find and work with ▪ Can be used repeatedly ▪ Level of accuracy can be restricted
Disadvantages	▪ Tedious and expensive ▪ Respondents can misinterpret the questions ▪ Possible low response rate ▪ Can contain leading, biased or offensive questions	▪ Personal interpretation can influence the data ▪ Can easily record data incorrectly ▪ Time or day could lead to the sample being biased	▪ Workplace required ▪ The tool can be calibrated incorrectly ▪ Weather conditions can have an influence on some measurements ▪ Possible incorrect measurements

Source: Ladewig *et al.* (2016:67)

Table 1-7: Respondents and their focused question

Instrument	Respondents	Focused question
Interview	Personnel from the eThekweni Municipality	Management and the support given to street traders

	Personnel from street trading organization	Essence of forming street trading association
Questionnaire	Street traders (Permit and non-permit holders)	Survey characteristics of street trading in the Durban CBD
	Road users (Pedestrians and motorists)	General perception about street trading
	Experts (Officials from eThekweni Municipality, ACHIB and EMIEF	General perception about street trading

Source: Author's construction (2020)

Table 1-8: List of expert respondents

Department
eThekweni Municipality Business Support Unit-CBD region
eThekweni Municipality informal economy and retail markets
Market Management-eThekweni Municipality
ACHIB/EMIEF
Traffic Engineering Technician, eThekweni Municipality Transport Authority
Road Safety Manager, eThekweni Municipality Transport Authority
Road Safety Manager, eThekweni Municipality Transport Authority
Pavement and Geotechnical Engineering-eThekweni Municipality

Source: Author's construction (2020)

1.7.3.2 Secondary data source

Secondary data sources consist of information which has been interpreted before (St Mary's University, s.a:1). Secondary data for this research was collected through a variety of methods including documentaries, videos and reviews of academic and non-academic publications. Document review served as the main source of secondary data for this study. In summary, the following list includes the sources of secondary data used in this study.

- Internet documents
- Newspapers from the media
- Policies and legislative instruments on urban space
- Research reports, academic papers, journals, reports and books from published and unpublished sources as well as other online repositories
- Official statistical records from the relevant sector agencies
- Books and reports from the eThekweni Municipality and other affiliated institutions in South Africa's informal trading sector and transport sector

1.7.4 Data processing and analysis

Prior to the analysis, the data collected was processed and organized into quantitative and qualitative data, and further sub-divided into categorical, and discrete and continuous data correspondingly as indicated in figure 1-4.

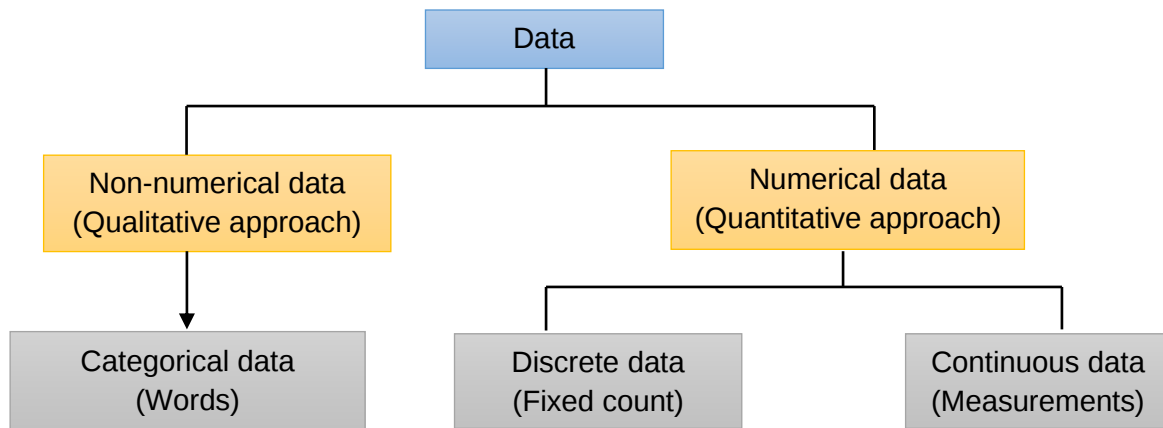


Figure 1-4: Data classification and organization

Source: Ladewig (2016:69)

Data analysis in the context of this research refers to using research methods to examine, structure, explain and interpret and give meaning to the data collected. In the context of this research, the information secured through observation surveys was shaped into a form that could be read and processed. The data obtained during the field observation was transcribed and analysed using thematic analysis and descriptive analysis methods. Thematic Analysis is a type of qualitative analysis used to analyse classifications and present themes that are in relation to the data collected (Boyatzis, 1998:1). Alhojailan (2012:10) posits that thematic analysis allows the researcher to determine the exact relationships between concepts. On the other hand, descriptive analysis was used in analysing the quantitative data secured of this study. Henn (2006:205) supports that descriptive analysis gives the basic summary of each variable in a data, by displaying a proportional breakdown of the classifications for each variable.

1.7.5 Summarizing and representing data

Data obtained and analysed is represented using tables and graph graphs. This is then followed by a statement that adequately explains the results in detail, a procedure known as descriptive statistics. Descriptive statistics is defined by Garnsey and Hefferman (2005:44) as a process of summarizing and presenting data in a reduced form and explaining the existing trends in the data.

1.7.6 Data reliability and validity

Reliability deals with the consistency of measurement in a given set of data, or the degree to which a measuring instrument produces the same results under the same condition with the same subjects. In simple terms, it is the repeatability of the measurement. On the other hand, validity is the strength of the deductions, interpretations or proposals (Student Affairs Assessment, s.a:1). To ensure data reliability and accuracy, a pilot survey was conducted by the researcher to apprise himself with the methods and instruments to be used in conducting the research, and ascertain the trend in the data beforehand. More so, during data processing the results from the various data sources were compared to ensure consistency.

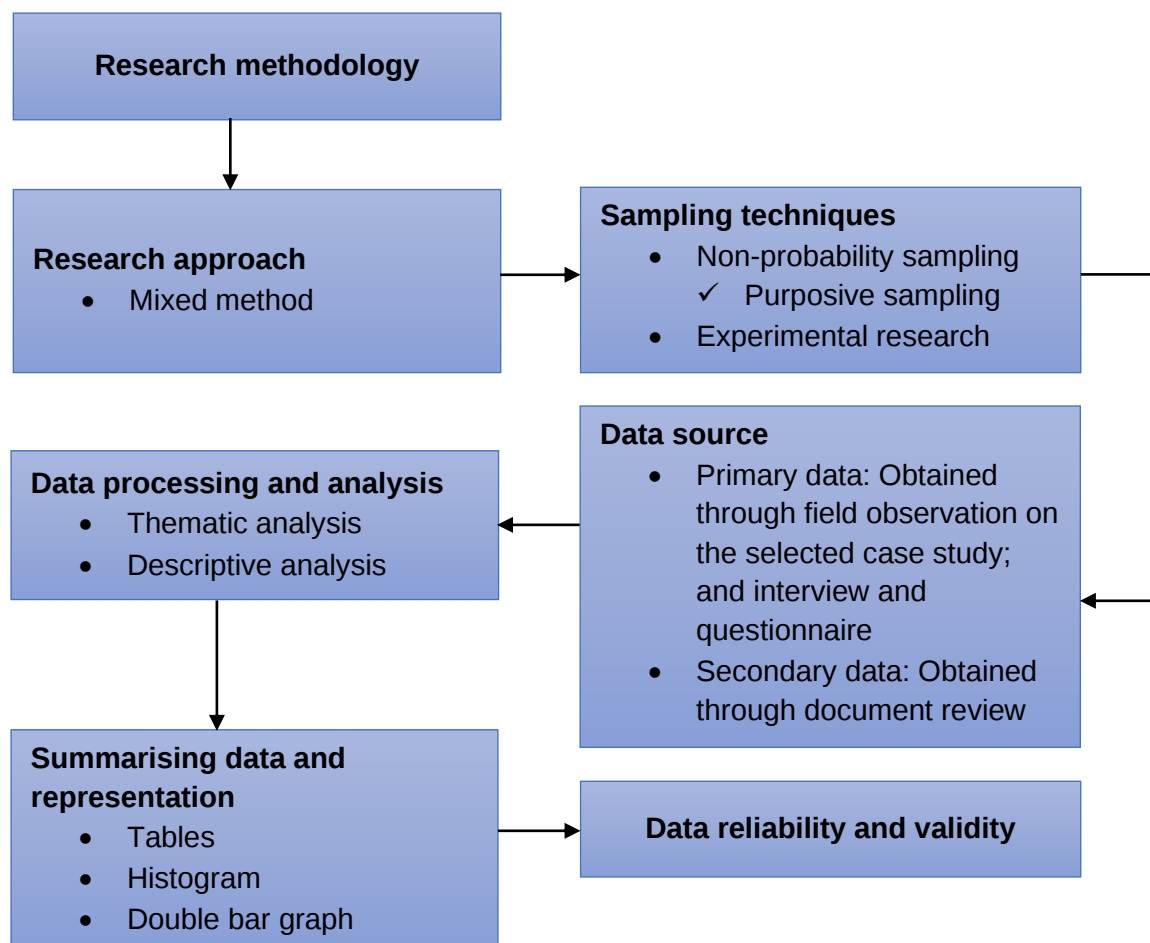


Figure 1-5: Layout of the research methods

Source: Author's construction (2019)

1.8 Restrictions of the research

The study is limited to street traders plying their trade in the Durban Central, and excludes traders at the Warwick Triangle. Moreover, other limitations include the lack of Global

Information System data on the Durban Central to assist in demonstrating the current spatial trends of the impact of street trading on vehicular traffic movement. Also, the study could not identify who were the resident pedestrians and motorists at the Durban CBD due to their fluidity nature; therefore, the data secured on the perception of street trading may be used as a general representation of the Durban CBD. However, the researcher verified the perception of the respondents through a field observation survey.

1.9 Ethical consideration

Research ethics refers to the accepted norms, conduct as well as moral standards that are widely accepted in conducting research (Resnik, 2011:1). Basically, ethics lays emphasis on the standards and conduct such as methods and procedures that promote good research. Ethics provides guidelines on the conduct and values a researcher must adhere to in order to instil trust, accountability, mutual respect and fairness in the research process (ibid). In the context of this study, to ensure that this study was guided by proper research ethics, the researcher took an online course to apprise himself on the norms and standards of research ethics to avoid contradictions (refer to annexure 1A). Moreover, ethical clearance was sought from the research office of the North-West University to ensure that ethical considerations were strictly adhered to during the data collection process and methods. In addition, the researcher sought for the consent of the eThekweni Educational Unit prior to the data collection exercise (refer to annexure 1B).

1.10 Organization of the study

The study is outlined into five sections and nine chapters as follows:

Section 1: Introduction

- Chapter one touches on the introduction of the study, problem statement and the need for the research. The section discusses the research objectives and questions. Additionally, the organization of the study is discussed in this section, which also covers the research methodology used to accomplish the research objectives and questions.

Section 2: Theoretical founding

- Chapter two covers the theoretical founding of the study. It defines and explains the concepts and theories that link the practical component of the research.

Section 3: Empirical research

- Chapter three deals with the precedential case studies of the research. The section gives practical examples to support the theoretical aspects of the research.
- The fourth chapter of the study discusses the policy and legislative framework that may enhance or limit the development of street trading in South Africa, particularly in the Durban CBD.
- The fifth chapter describes the study area. The chapter discusses the spatial aspects that might have contributed directly or indirectly to the success or failure of street trading in the Durban CBD.
- The sixth chapter of the study entails the analysis of the qualitative and quantitative surveys relating to the studies.

Section 4: Findings and conclusions

- The section entails the seventh chapter of the study which deals with the findings and conclusions of the study. Interpretation and discussion of findings of the research are discussed in line with the research objectives and questions.

Section 5: Planning recommendations

- Chapter eight touches on the integrated sustainability assessment. The section highlights on models, including cost benefit analysis and urban economic themes and urban space typologies that inform the design of a proposed strategies to integrate street trading in an urban centre.
- Chapter nine, which is the last section covers planning recommendations. The section explains and summarizes the research. Moreover, it makes recommendation based on the empirical findings, and also, suggests topics for further studies, and summarises the conclusion remarks and contribution to knowledge of each chapter.

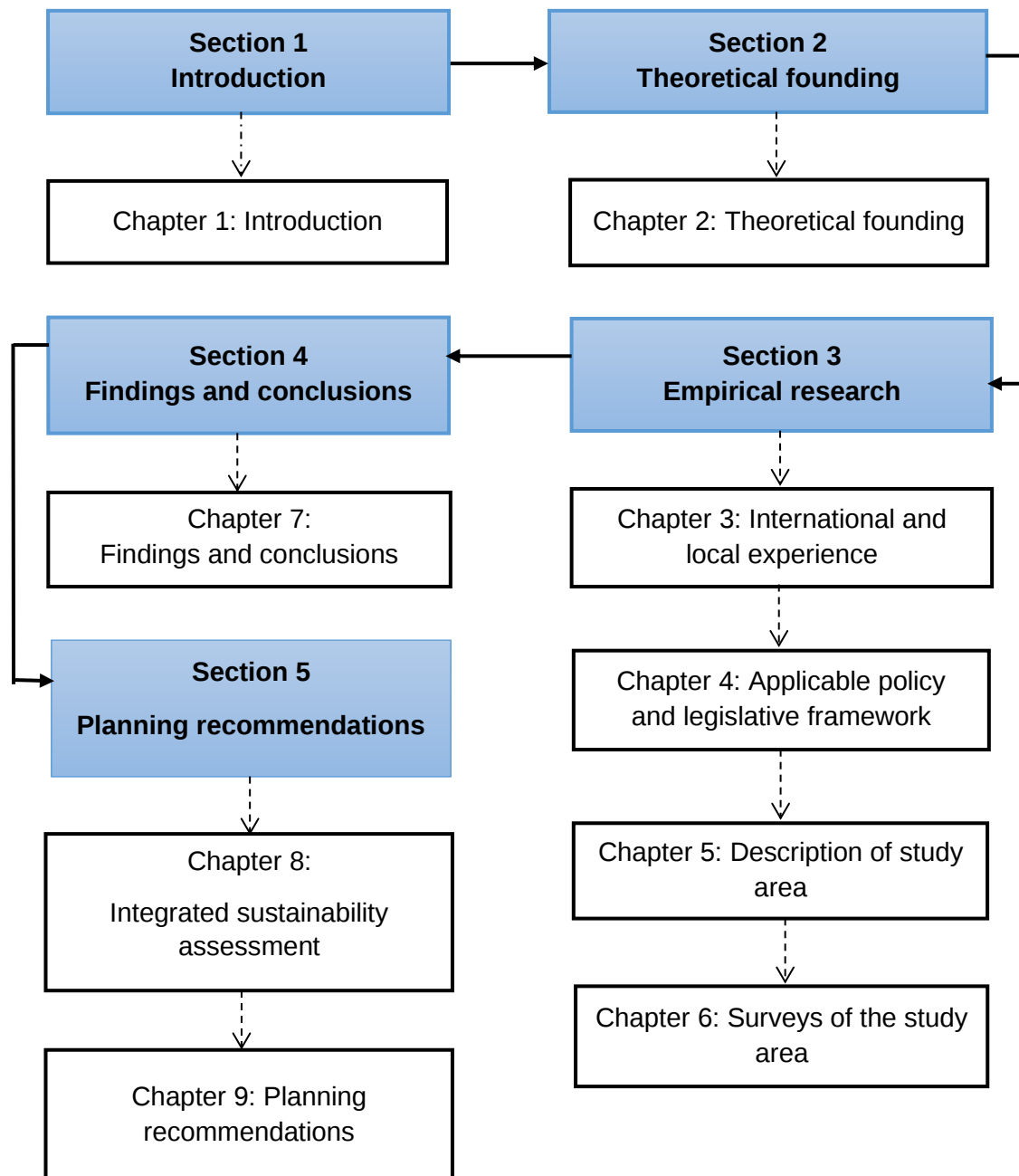


Figure 1-6: Structure of the thesis

Source: Author's construction (2019)

CHAPTER 2: THEORETICAL AND CONCEPTUAL FOUNDINGS

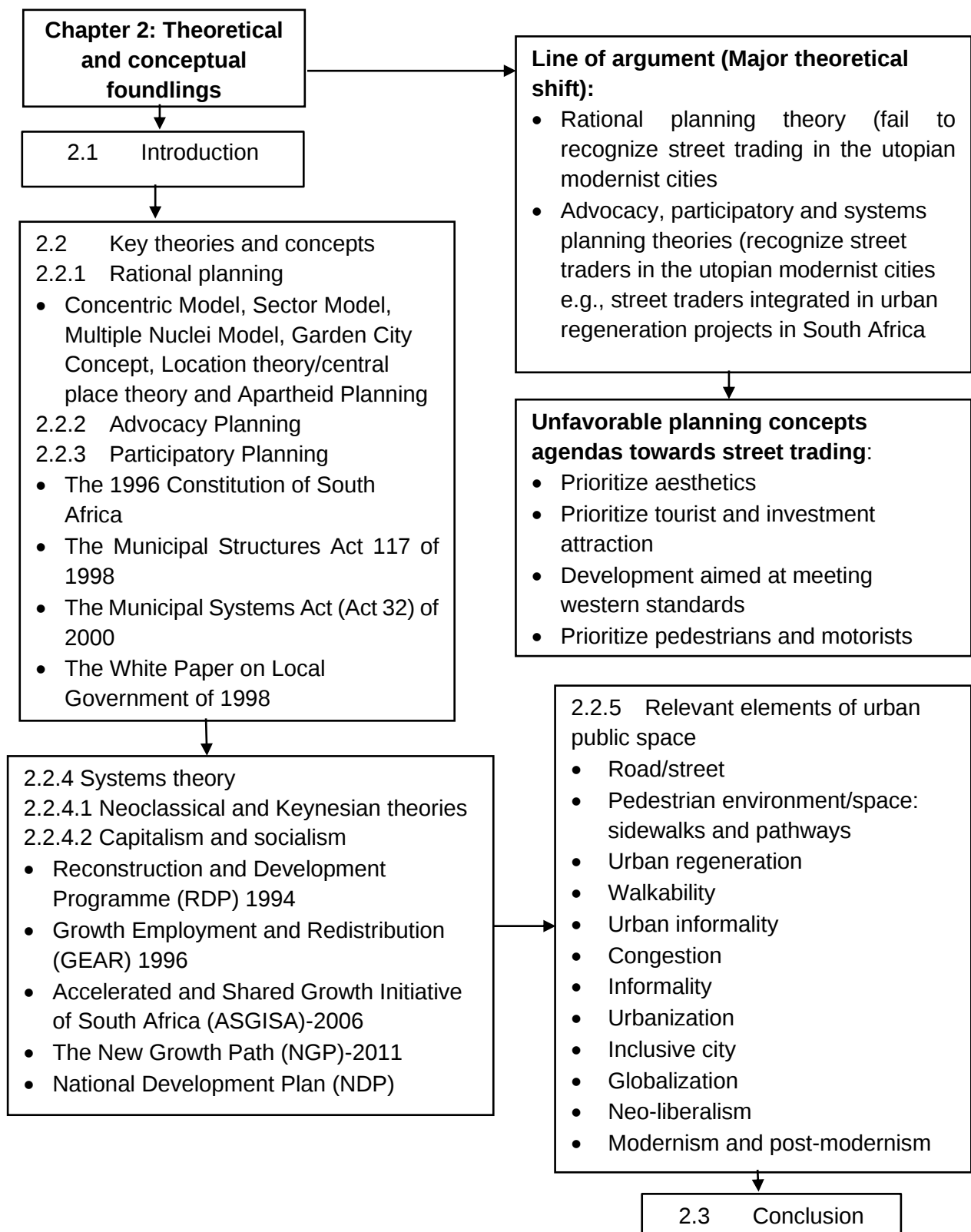


Figure 2-1: Layout and footprint of chapter 2
Author's construction (2019)

2.1 Introduction

This chapter deals with the conceptual and theoretical framework of the study. The aim of this section is to define and explain the concepts and theories of this study. Henn (2006:53) defines a concept as an abstract summary of a phenomenon that is of interest to the researcher and a representation of an object, while Mertens (1998:60) defines theoretical framework of a research project as the logical foundations upon which the research thrives and serves as a linkage between the theoretical and the practical aspect of the research. The chapter is outlined in three parts. The first part introduces the chapter, while the second part mentions and explains the concepts and theories of the study. In essence, the entire section conceptualizes and theorizes street trading. The final part summarizes and concludes the section.

2.2 Definition of key theories and relevant elements of the concept urban public space

2.2.1 Rational planning approach

Elliott (2018:23) defines rational planning as a means of making planning decisions in an organized fashion often towards the attainment of desired objectives after careful consideration of potential consequences of the options available. With this planning approach, the planner is considered an expert capable of designing and handling multifaceted urban environments through the use of specialized knowledge, techniques and technologies in addition to a well-tailored decision-making process. In support, Dodero (2010:2) contends that rational planning is often based on the assumption that the populace “does not know what it wants” or in simple terms, experts understand the needs of society better. Esteva and Sachs (1992:135) argue that rational planning assumes that specific advanced techniques are required by the government to deal with the issues of urban development. The model is believed to be founded on the idea that economic and planning mechanisms can assist in resolving social, economic and urban challenges in western economies.

However, the rational planning model, mostly influenced by western ideologies was only adopted in developing after the end of the Second World War to drive cities to the attainment of “world-class” status. This development agenda posed several challenges due to the complexity of the implementation strategies coupled with macroeconomic issues and political insecurity, often leading to stiffer resistance from civil societies. The incompatibility between traditional socio-cultural and western-imported concepts is also one of the reasons for the opposition, since such legal frameworks and regulatory approach influenced by western legislation divorced urban planners from the needs of the populace or majority. In the end,

individual and social groups, particularly the less privileged ones, create their own and easy means of access to urban facilities, which are usually situated outside of the sanctioned standard and norms (Dodero, 2010:1-3).

Articulating the concept of rational planning approach into this study, in a bid to integrate street trading into the urban morphology, the cost and time involved in the form of registration and license acquisition during the formalization process is often costly and tedious to bear by the majority of street traders due to lack of financial and intellectual acumen. In the end, majority of street traders tend to ignore the process and go their own way contrary to the outlined norms and standards.

2.2.1.1 Rational planning and land use development pattern nexus

Land use development patterns refer to human use of the earth's surface, including the location, type and design of infrastructure such as roads and buildings (Litman, 2021:2). Land-use patterns and the built environment shape the demand for travel and can either contribute or reduce the need for motorized travel (Cervero, 2001:4), as it determines the level of spatial concentration of activities and their intensities of mobility requirements (Slack *et al.*, 2009:180). Concurring, Litman (2021:13) underpins that land use features including regional accessibility, centrality and land use mix and roadway connectivity increase density of an area and may often result in traffic friction (interactions among road users) leading to a reduction in traffic speeds, while enhancing other transport options such as walking. Hence, the main impact of land use on urban dynamics is its function as a generator and attractor of movement, so that land use, population and economic activities are interlinked (Slack *et al.*, 2009:180). Land use patterns impact on accessibility by providing the means for people to reach the preferred services and activities which eventually affects mobility, the amount and type of travel activity (Litman, 2013:23).

Urban land use comprises two elements including the level of spatial accumulation, which determines the intensity and concentration of use of an area, and the nature of land use referring to the kind of activities taking place in each precinct. While some activities such as commuting and shopping occur regularly and are predictable, others such as sports events and leisure are institutional and irregular, and are often shaped by special needs or lifestyle (Slack *et al.*, 2009:180). Street vendors' activities can be said to be irregular and shaped by special needs as they do not grow in isolation but grow and develop in urban space as a result of the influence of other activities in the area where they are located (Widjajanti, 2016:187).

According to Litman (2016:6), different land use patterns have different accessibility features. He opines that whereas land use in urban areas has diverse transport systems, and also, more accessible, automobile travel is slower and costly in such areas compared to suburban and rural areas which are often characterized by less accessible land use and fewer travel options, coupled with faster and cheaper driving per mile. To ensure a quality urban street environment, two basic influential factors which must be factored and balanced are land use type and transport volume. The land use type in most cases changes along the same road to meet the needs of its environment. This change needs to be captured at the design stage of streets. As such, more intensive land use may require greater provisions for transit, wider sidewalks, greater network connectivity, and in some cases, more travel lanes (Council AUDP, s.a:2), especially in developing countries where street trading is most likely to occur in areas which were originally zoned for residential use but change to commercial use with time.

Common land-use development patterns that emerged with the rational planning theory and worthy of discussion include the concentric model, sector model, multiple nuclei and the garden city concept; and in the context of South Africa apartheid planning. Although, these development patterns are not directly linked to street trading, they shed light on the urban form where the CBD is situated and street trading thrives.

2.2.1.1.1 Concentric model

The concentric model was proposed by Ernest Burgess during an investigation of spatial patterns at an urban level in 1925, a time when the impact of the industrial revolution was on a full scale. The primary aim of the model was to examine social classes and population mobility as the core determining factors to the spatial structure of a city (Slack *et al.*, 2009:182). Burgess argues that land-value decreased with respect to increasing distance from the city's CBD regardless of time and space. Basing his argument on travelling distance from the CBD, the model was illustrated by using a set of equidistance circles with each circle signifying a specific socio-economic urban land use (Slack *et al.*, 2009:182) as shown in figure 2-2. The fundamental principle of the concentric model is that the development of cities emanates from the central area, which is the CBD, forming a series of concentric zones. Concentric zone model examines the competition between land uses as well as people for spaces in urban precincts by means of invasion and succession (Do Rego, 1995:29-30). Relating the concentric model to street trading, it is not surprising that street traders have always sought to invade and conquer pavement space for their trading activities.

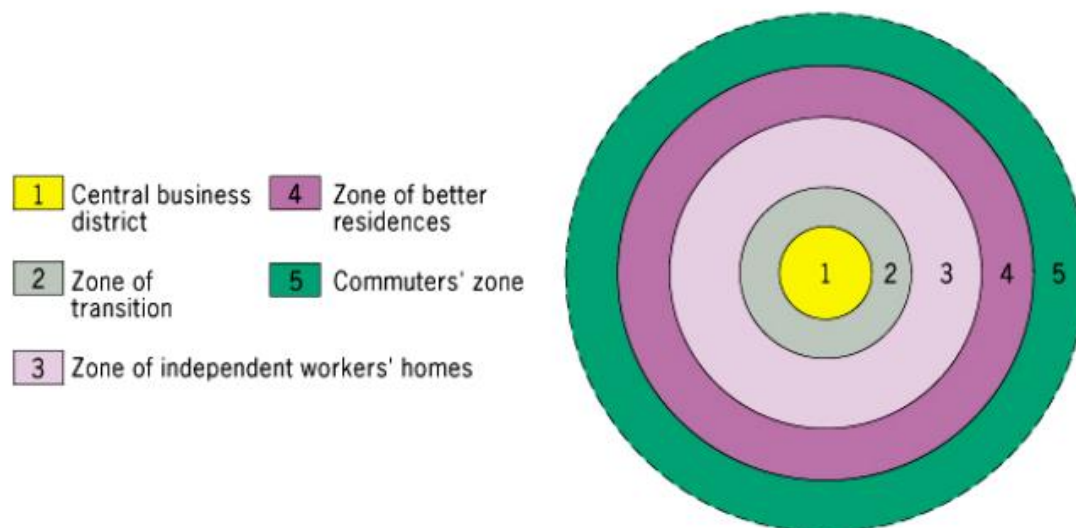


Figure 2-2: Burgess' concentric model

Source: Graeme College (s.a:1)

Table 2-1: Zones of Burgess' concentric model

Zone	Feature
Central Business District	▪ Situated in the heart of the city, forming the commercial, social and cultural hub ▪ It is the most accessible, and at the focus of the urban transport network ▪ It is characterized by major retailers and offices ▪ It is mostly a host to tall buildings due to high rents resulting from keen competition ▪ The zone has high concentration of traffic and pedestrians
The zone of transition (Twilight zone)	▪ It is an area of blight and mixed land uses mostly wholesale, light manufacturing, and residential surrounding the CBD ▪ It provides cheap housing for new immigrants and it is often characterized by slums, immigrant ghettos, unstable and low social groups and crime
Zone of independent workers' homes	▪ It is an area characterized by some of the older, often terraced housing areas surrounding the transition zone ▪ It is mostly occupied by workers who have left the transition zone to seek better living conditions, but who still require ready access to their places of work in the central parts ▪ Second generation immigrants form an important element of the population in this zone

Zone of better residences	▪ This zone is usually characterized by single-family dwellings in a semi-detached or detached house and some light industries
Commuters' zone	▪ Situated on the fringe of urban area consisting of discontinuous urban settlement interspersed with recreational facilities, woodland and pastures ▪ It is the zone of high-class residential properties where people can afford the high costs associated with travelling

Source: AP Human Geography (s.a:3-4)

2.2.1.1.2 Sector model

The sector model was developed by Homer Hoyt in 1930 in response to the weaknesses associated with the Burgess concentric model (Slack *et al.*, 2009:182). Residential rent pattern and the impact of transport axes on the spatial configuration of a city form the basic tenet of the theory (Anon.a, s.a:62). Hoyt argues that most major cities develop around nodes of transportation facilities such as railway lines and roads that radiate from city centres. Acknowledging that such routes represent lines of greater access, Hoyt discovered that areas of high rent tend to develop and congregate along major transportation routes though commercial functions remain in the CBD. This situation causes development of cities to assume characteristics of segmentations that project from the CBD. The sector or segment with low-income housing borders the manufacturing and industrial sectors, while sectors of middle- and high-income households are located furthest away from these functions (Graeme College, s.a:1). Also, Hoyt observed that in most cases, low-income households were located in proximity to railroad lines and commercial establishments along business thoroughfares (Slack *et al.*, 2009:182). This observation made by Hoyt is in direct relation to the locational decision of street traders as most street traders prefer their establishments in proximity to transportation facilities.

Contrary to Burgess's view, the sectors model assumes that land rents (for residential, commercial or industrial) change from sector to sector, but not in the form of successive concentric ring areas (Anon.a, s.a:63). Also, Hoyt discovered that land rent could remain constant from the CBD through to the city's outer edge as areas which develop a unique land use, or function may retain that land use as the city stretched outwards (Graeme College, s.a:2). In fact, rent areas may be identified in one or more sector of a city (Siddiqui, 2011:7). Hoyt's sector model represents the changes made in the concentric zone model that describes the impact of transportation systems on accessibility (Anon.c, s.a: 3).

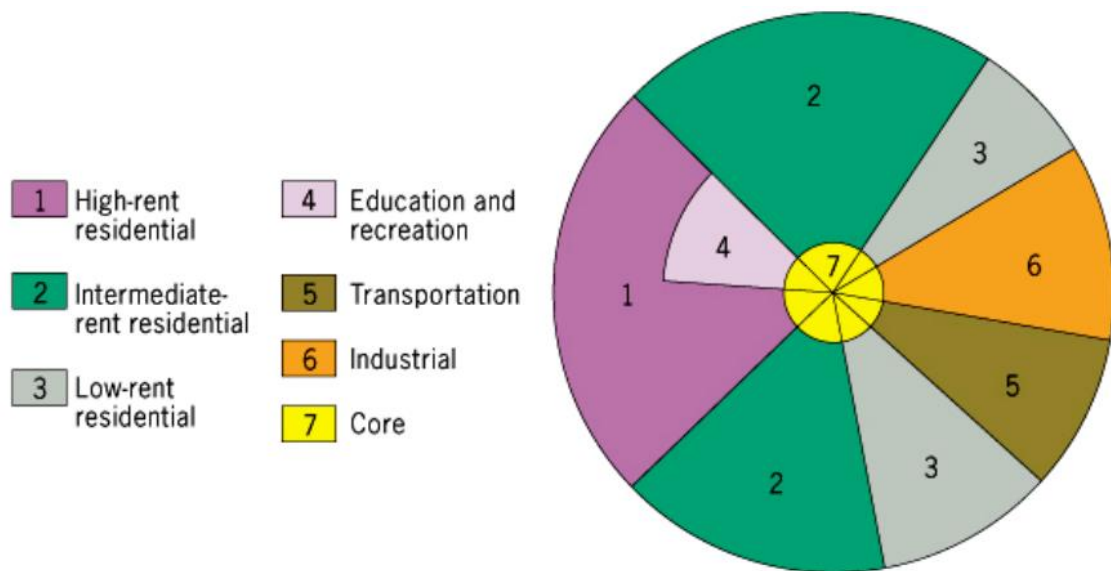


Figure 2-3: Homer Hoyt's sector model

Source: Graeme College (s.a:1)

2.2.1.1.3 Multiple nuclei

In 1945 Harris and Ullman developed the multiple-nuclei model with the assertion that the CBD was no longer the only centre of an urban area. They argued that most settlements in large cities did not develop around one CBD, but were formed through amalgamation of a number of separate nuclei. Again, the growth process of the nodes is influenced by automobiles allowing for regional centres to specialize in businesses (AP Human Geography, s.a:2). In support, Do Rego (1995:31) postulates that certain activities demand a special environment to be successful. Such an environment might be in existence naturally or was created. In this instance, the CBD is described as the most vital zone which is endowed with the characteristics to attract greater number of people. Relating the feature of the CBD as a centre of attraction to street trading, it is not surprising that street trading activities are often successful within the CBD region.

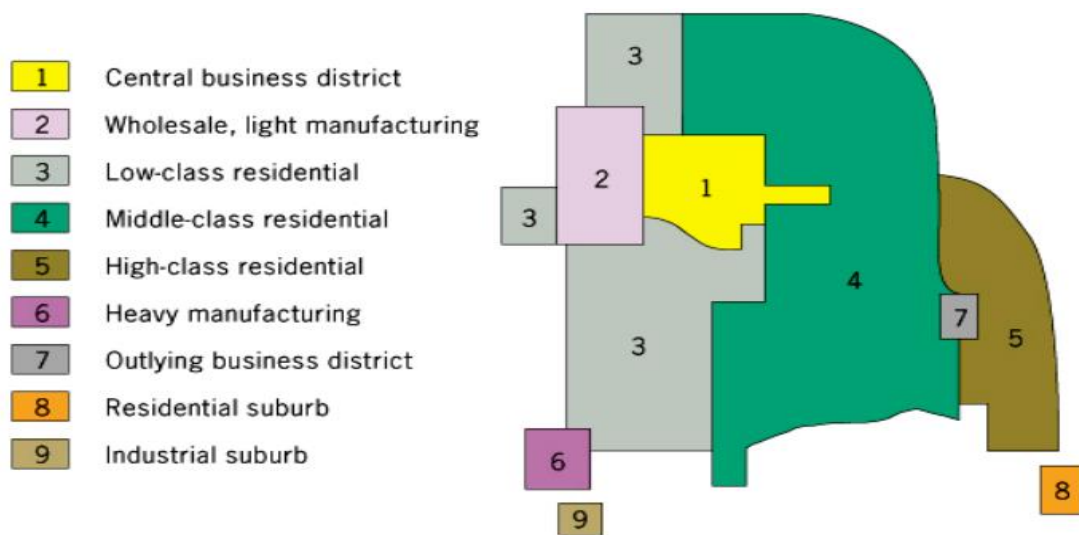


Figure 2-4: Harris and Ullman multiple nuclei model

Source: Graeme College (s.a:1)

Table 2-2: Nodes of Harris and Ullman's multiple nuclei model

Nodes	Principal features
The Central Business District	The CBD remains the principal nucleus with multiple small business districts emerging around the metropolitan area with some competing with the CBD for traditional businesses, including banks, real estate and insurance companies. The separate nuclei become specialized and differentiated, hence reducing the strength of the CDB
Wholesale/Light Manufacturing	They are mostly consumer-oriented businesses such as clothing lines, furniture and electronic shops as well as manufacturing goods that do not require large amounts of raw materials and space that spring up in the proximity and around residential vicinities
Residential Districts	Residential neighbourhoods of varying status that develop in a nearly haphazard manner resulting in a mixed class housing development. Unlike the concentric ring cities which make it easy for simple identification, the randomness of multiple nuclei cities makes the landscape less familiar for strangers and people who have not been to other similar cities
Low-Class Residential	Next to the industrial corridors are the lower- or working-class residential zones that provide labour capital to the factories. Housing is more affordable owing to its proximity to the industry where pollution, traffic, railroads, and environmental hazards

	impact negatively on living conditions. People preferred to live in such areas in order to minimize the cost of commuting to work
Middle-Class Residential	The middle-class sector is the largest of all residential settlements. People prefer to live in this area as it is located further from industry and pollution. Moreover, people have access to good transportation lines, making their commute easier
High-Class Residential	Comparatively, high-class residential sectors tend to have the characteristics of serenity and cleanliness and have less traffic environment. Hoyt's model also recommends a distinct physical separation between the wealthy and the poor
Residential Suburbs	These suburbs usually contain single-family homes on a small plot of land on the outskirts of the city often laid out on roads with cul-de-sacs contrary to the traditional grid pattern
Outlying Business District	This district competes with the CBD for residents who live in the nearby middle and high-class neighbourhoods since they offer similar services and products like the CBD. Businesses which are mostly found in this node include malls, airports, colleges and community businesses
Heavy Manufacturing	This node is occupied by factories that produce material that is heavy like chemicals, steel, industrial machinery. Mining and oil refining industries can also be found in this node
Industrial Suburb	This is a community created and demarcated for industrial land use, mostly located on the outskirts of the city to avoid pollution to residential areas. Industrial districts mostly rely instead on truck freight to receive supplies and to ship products

Source: AP Human Geography (s.a:3-4)

2.2.1.1.4 Garden city concept

The Garden city concept was proposed by Ebenezer Howard in 1898 in reaction to the failure of the 19th-century industrial city mass movement of people into cities resulting in inherent social and environmental problems such as overcrowding and general poor health conditions. He espoused this model in his book titled "tomorrow: a peaceful path to real reform" which was first published in 1898 and later revised in 1902 under the title "the garden cities of tomorrow" (Phillips, 1977:17). Howard compared the benefits and challenges of living in towns and country, and later combined the advantages of the town and country into a future-oriented plan

(Evalina and Sawab, 2011:20). By so doing, he argued that to remedy the unhealthy situation in cities, town and country (village) must be integrated and from this union, a garden city which would afford a new hope and life would be realized (Howard, 1902:8-10). Three magnets namely: the town magnet, a country magnet with their advantages and the third magnet with palatable features of both the town and country magnet, namely the Garden City, which will automatically attract people were used in his illustration.

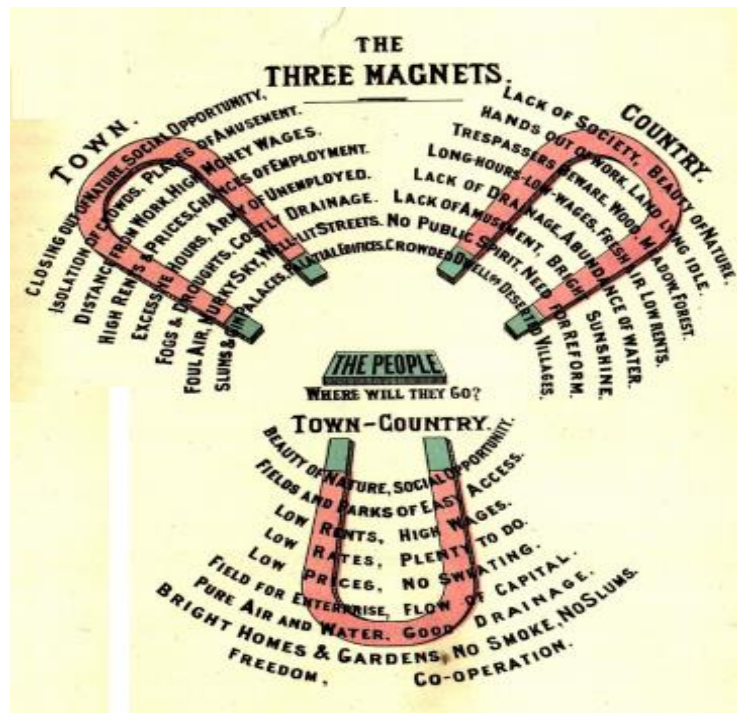


Figure 2-5: Ebenezer Howard Garden city concept

Source: Google images (2019)

2.2.1.1.5 Location theory/ central place theory

Location theory deals with the question of where and why certain economic activities are located in some areas. The underlying principle of the theory is that agents act to the benefit of their own interest. Hence, in terms of a business location, firms and individuals select areas where profit and utility can be maximized. In support, Jordaan *et al.* (2004:532) argue that the demand for land is dependent on the satisfaction derived or to be derived from its use by the current or potential user, as well as its ability to provide accessibility benefits within the urban setup. Accessibility of a place determines the profit potential of the area. The more accessible a place may be, the greater its profit margin. Also, the more accessible a location is in proximity to a positive element in the environment, the more valuable it becomes.

Land use including the type of activities of the subject location affects land optimization. While business prefers access to active labour force and other businesses and households to amenities, commercial establishments desire the market. The distinctive feature of urban space that distinguishes it from other areas such as rural areas and suburban areas is a high concentration of activities and people (Jordaan *et al.*, 2004:532). In the case of street trading, access to buyers is vital. Areas with a high concentration of people and activities are essential; hence the CBD is the preferred choice. The number of street traders decreases as the distance from the CBD increases. Within the CBD, transportation hubs, market places, sidewalks, road intersections are mostly the sites of interest to street traders, since they are mostly areas of higher pedestrian density and route choice.

Central place theory explains the spatial arrangement and size of settlements. The theory was originally introduced in 1933 by a German geographer Walter Christaller. Christaller noticed that towns of a certain size were roughly equidistant in flat landscapes of Germany. By examining and defining the functions of the settlement structure and the size of the hinterland, he modelled the pattern of settlement locations using geometric shapes (Agarwal, 2001:2).

Table 2-3: Assumptions, concepts and principles of Central Place theory

Details	Explanation
Assumption	▪ An isotropic (all flat) surface ▪ An evenly distributed population ▪ An evenly distributed resource ▪ Similar purchasing power of all consumers as consumers may buy from a nearby market ▪ Transportation costs are the same in all directions and proportional to the distance ▪ No excess profits
Order	▪ A central place renders one or more services for the population living around it ▪ Low order entails basic services such as grocery stores, while high order include specialized services such as universities ▪ Having a high order service are provided in high order settlements, meanwhile, low order services are provided in low order settlements ▪ The sphere of influence is the area under the influence of central place
Concepts	▪ Threshold is a minimum number of people in an area required to attract certain types of goods or services ▪ Range of goods or services explain how far people are willing to travel to purchase goods and services

Principles	▪ The market principle argues that there can be many orders of settlements such as first, second and a third order service centre in a hierarchy providing first, second and third order services correspondingly ▪ The transportation principle argues that distribution from central places can be successful when many vital places are located on a traffic route connecting to important towns, and the route established is straight and as cheap as possible ▪ The administrative principle evolved when it was realized that it was unrealistic for centres to be 'shared' from a political or administrative perspective
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Source: Anon.b (s.a)

According to Christaller, transporting will be equally easy in all direction if each central place could have a circular market area as shown in C in figure 2-6. However, the circular shape of the market areas may contribute to a scenario where some areas are not served or are over-served. To rectify this challenge, Christaller proposed that the shape of the market should be hexagonal as shown in D in figure 2-6. (Anon.b, s.a:3).

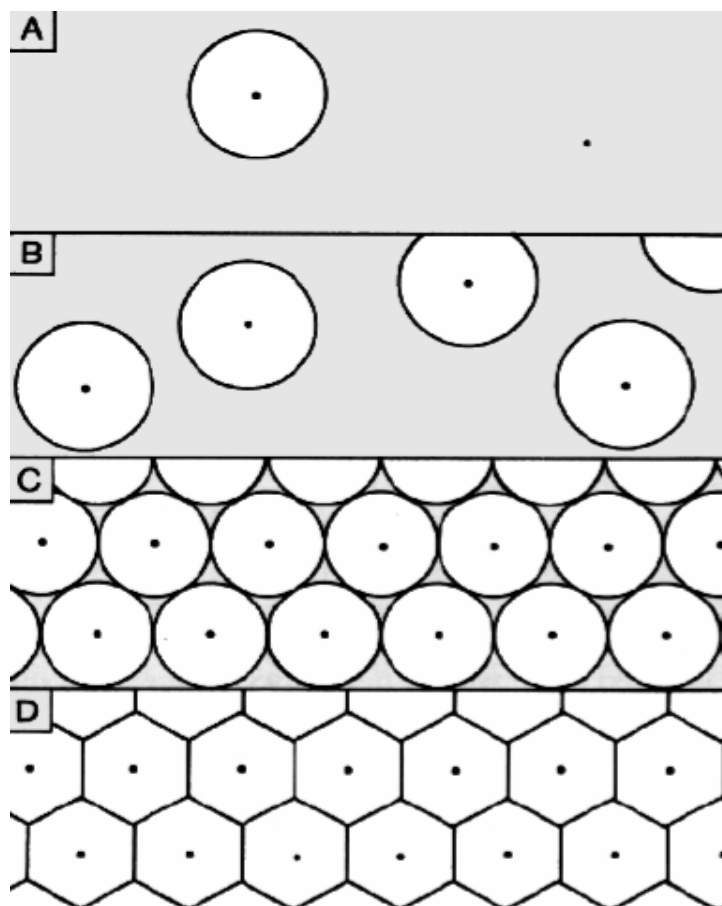


Figure 2-6: Arrangement of the central places

Source: Anon.b (s.a:2)

Actualising street trading in the context of locational decision making, street vendors do not just select any site to conduct their trading activities as certain areas offer vast locational advantage over others. Hence, their decision of selecting a space for their activities is informed by several factors. Street traders prefer areas of high human and vehicular traffic intensity, mostly areas along main roads and streets, proximity to commercial centres or in areas where they can easily be noticed by commuters and car users (Steel *et al.*, 2014:2; Abrokwah, 2013:5), due to a common notion that business thrives well in an area where congestion is high, reflecting the characteristic of most street hawkers. As such transport interchanges, pavements and road intersections are the preferred choice for street traders. In support, a study conducted revealed that access to a strategic location in proximity to transportation nodes or site of high pedestrian density remains one of the key features of ensuring successful street trading (Andrag, 2011:5).

Most research conducted into the relationship between land uses and street hawking established a strong link between transportation nodes and street vendors due to the ability of such facilities to attract a high number of commuters as in the case of the transport hub in Warwick Junction in Durban and the Cape Town railway station. Other areas which attract a large concentration of vendors are thoroughfares and streets, areas around market places, bus stops, worksites and preferred downtown locations, and traffic intersections as many of these locations attract a high pedestrian traffic which provides a ready market for informal goods and services (Ofori, 2007:14; Tumelo, s.a:20). Even though the occupation of such spaces may be illegal, street traders often do so under the pretext of lack of enough dedicated space and facilities for their use (Efroymson, 2015:3). However, it appears, there is enough space for trading within the urban setup, but the busiest locations where competition for space is high are more successful and profitable. Zulu (2015:26) argues that although, the existing opportunities pertaining to transportation hubs promote informal markets, informal activities in such areas may grow out of hand if not properly managed. Hence, the National Policy on Urban Street Vendors of India 2004 and 2009 in planning for street vendors recognized and laid special emphasis on locational dynamics of the street market. The policy states that naturally street vendors may choose certain areas over others. The preferred areas are termed as 'natural markets' (Mahadevia and Vyas, 2012:20).

2.2.1.2 Rational planning from the South African Apartheid planning perspective

From 1940 onwards, the South African planning system was developed in tandem with the apartheid ideology, a system which was largely influenced and reshaped by non-democratic ideologies, and largely characterized by racism, discrimination, inequity and the spatial segregation of different cultures and economic classes (Coetzee, 2006:30-40). The right of all citizens to access quality public spaces was denied to the majority of South Africans, mostly black South Africans. Spatial segregation enforced discriminatory access to the city centres and certain areas for most citizens. White South Africans lived in pleasant suburbs, whereas black population lived in underdeveloped townships with few economic opportunities (Findley & Ogbu, 2011).

For instance, influx control approaches such as Urban Areas Native Pass Act (1909) limited people of African origin from moving into towns as well as determining who was permitted in the urban centres was a way of promoting urban segregation. As such, spatial segregation enforced discriminatory access to the city centres and certain areas for most citizens (Apartheid Museum & the Gauteng Department of Education, 2006). Between 1948 and 1994, segregation doctrine embedded in the spatial landform of South Africa became entrenched into the apartheid legal system under the Group Areas Act of 1950 (Landman, 2004:3).

The non-democratic and top-down policies which characterized the apartheid government contributed to the spatial configuration of the city and consequently a hostile urban environment towards black citizens was to a large extent inspired by land use control and zoning and structural planning concepts that evolved from the United States of America, United Kingdom and Western Europe in the 1990s as legislation and ordinances such as the Housing Act of 1901(Netherlands), the Housing and Town Planning Act of 1909 and the Housing and Town Planning Act of 1909 (England), and the 1916 Building Heights Ordinance (United States of America) influenced the planning thinking in South Africa (Slater cited by Coetzee, 2006:40).

The National Development and Planning Commission (1999:6) argue that town planning schemes adopted from the United Kingdom assumed the centre stage of the town planning system in South Africa. In support, Findley and Ogbu (2011) state that:

The use of townships as a racial construct was reinforced by theoretical movements within architecture and planning. Le Corbusier's concept of temporary workforce housing, presented in the 1922 utopian proposal, 'Ville Contemporaine', inspired the white South African vision of the positive yet controlled movement of a black population as temporary labour; and the influence of Ebenezer Howard's Garden Cities can be seen in township plans, which often included neatly drawn boulevards and neighbourhoods laid out in lovely curving grids.

The resultant effects of these urban management processes include distortion of settlement forms in both urban and rural areas, and ultimately spatial environments that were inconvenient to the majority of citizens, since movement became more expensive in terms of time, money, energy and pollution, and ultimately poverty and inequality aggravation (National Development and Planning Commission, 1999:7). As such, Coetzee (2006:42) contends that the system with its strong master plan, physical and control-oriented nature created a fragmented spatial pattern that was characterized by racial, socio-economic and land use segregation, with human settlements further from the workplace. In essence, the system failed to address the broader aspects of urban development. In the end, similar to the international critique that befell on comprehensive planning from the 1970s onwards, the apartheid system was widely bashed for its complex, autocratic and rigid nature.

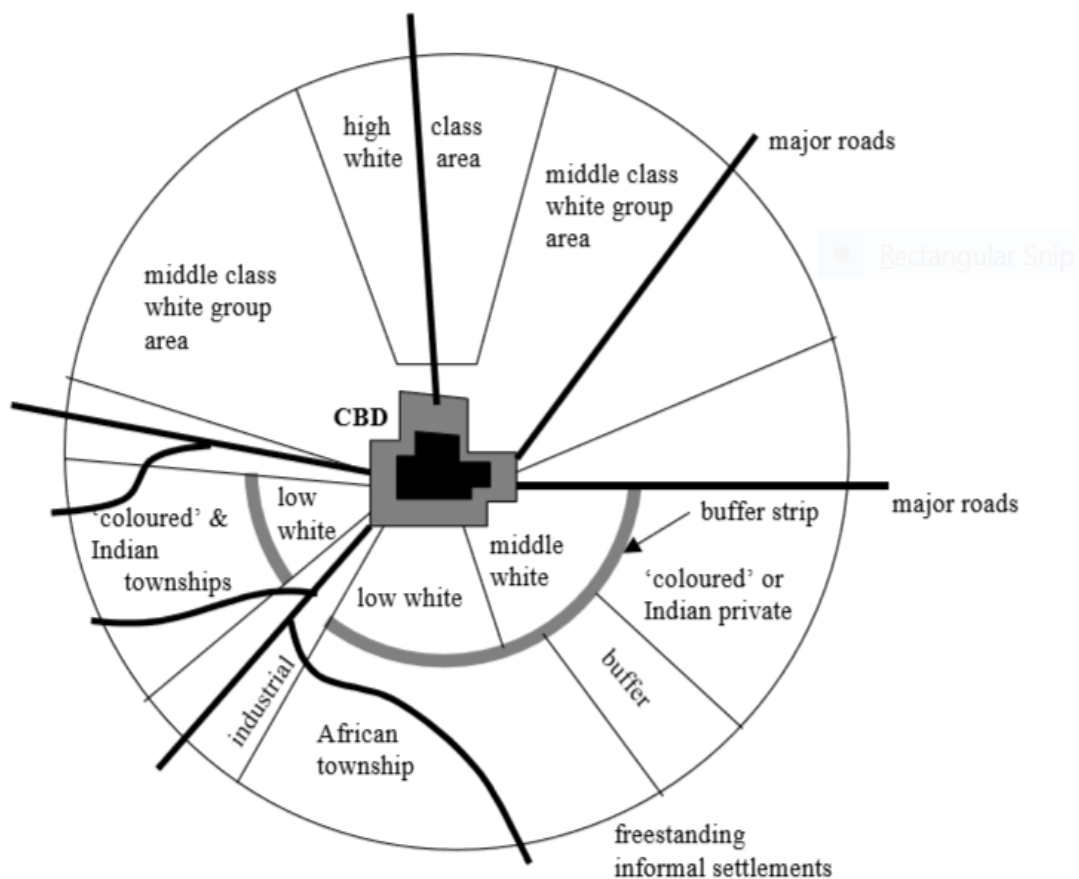


Figure 2-7: Apartheid planning structural model

Source: Landman (2004:3)

Table 2-4: Summary of planning and related laws that enforced racial spatial segregation

Legislation	Spatial impact
Group Areas Act (Act 41 of 1950)	The Act is noted for segregating people on racial lines by creating separate communities for each race
Prevention of Illegal Squatting Act (Act 52 of 1951)	The Act is well-known for supporting the removal of black South Africans from public or privately owned land to other areas mainly established for people of black descent
Bantu Authorities Act (Act 68 of 1951)	This Act made provision for the creation of black homelands and regional powers aimed at ensuring self-governance for people in the homelands
Natives Laws Amendment Act -1952	The Act redefined the rights entitled to black South Africans by limiting their right to permanent residence in towns
Reservation of Separate Amenities Act (Act 49 of 1953)	The Act aimed at preventing whites and other races from sharing living space. Hence, public facilities, public buildings and public transport were separated on racial lines using signs such as “Europeans Only” and “Non-Europeans Only”
Natives Resettlement Act (Act 19 of 1954)	Legalised the removal of black South Africans from areas within and in proximity to the magisterial district of Johannesburg or any adjoining magisterial district and their other settlement
Group Areas Development Act (Act 69 of 1955).	The Act was enacted to further the purpose of the Group Areas Act of 1950 to ensure exclusion of non-whites from living in the place reserved for whites
Preservation of Coloured Areas Act (Act 31 of 1961)	It was promulgated to enable racially based land separations entrenching Coloured areas in the law. Lands situated within coloured communities could only be taken on compensation
Group Act (Act 36 of 1966)	Established separate areas for different race groups. Persons from other race groups besides the approved race were prevented from using,

	occupying or acquiring ownership of land in areas designed for a specific racial group
Removal of Restrictions Act (Act 84 of 1967)	The Act empowered the administrators of provinces to amend or repeal certain restrictions and obligations in respect of land
Physical Planning Act (Act 88 of 1967)	The Act encapsulates the provisions specifically for land allocated for a certain purpose in white communities
Black Communities Development Act (Act 4 of 1984)	The objective of the Act was to ensure a purposeful development in black communities outside of the national states
Land Use Ordinances such as the Natal Town Planning Ordinance 27 of 1949 in the former black townships	They were designed to ensure the creation of urban environments in which differing land uses could be arranged in order to minimise conflict and enhance compatibility through a suitable pattern of land use zones in the former white area
Amendment of the Prevention of Illegal Squatting Act of 1988	The Act gave additional powers to local authorities to demolish unlawful structures from public space. Moreover, the Act eroded the powers of the judiciary in the common law principles regarding the rights of the accused
Physical Planning Act 1991	The Act was the final legislation that regulated land use in white communities. It put much emphasis on physical development and subdivisions in an orderly manner and continued to promote rigidity as well as spatial imbalances

Source: Muller (2013:1-10) and Van Wyk (2012:49-54, 277-280)

2.2.2 Advocacy planning

According to Hutchison (2009:2), advocacy planning signifies a shift from rational planning, which espoused a scientific method of planning over inclusion of different interests in the planning process. The concept was widely introduced to other professional planners in Davidoff's 1965 article in the Journal of the American Institute of Planners, "Advocacy and Pluralism in Planning", which sought to provide answers to a critical question that came out in urban planning in the late 1950s and early 1960s: "Who speaks for the poor, the disenfranchised, and the minorities?" He introduced the questions of "who is the client?" and "who is the stakeholder or the constituent?" into the planning fraternity. Davidoff's major

concern was that planning decisions significantly impacting on urban neighbourhoods were made in the absence of or with less representation from the residents. Because the residents of the subject area were not usually skilled and knowledgeable about planning, they were not able to participate effectively in the planning decision process. Davidoff's opinion was that all interests in the planning process should be given fair and equal representation. In essence, the underlying tenets of advocacy planning in the planning process are social justice and equity.

Coetzee (2006:30-41) argues that in the late 1980s, progressive planners and private institutions in South Africa gained ascendancy after realizing the failings and weaknesses in the rational planning system, specifically in the context of the apartheid system, which led to protests against government policies, similar to the reaction of advocacy planners in the 1960s and early 1970s. The social movement reached a crescendo in the mid-1990s, during the government transformation process. Therefore, new government policies and acts began to emphasize on the need for planning to focus on social issues, social restructuring and social development.

In the context of street trading in South Africa, typical of such laws included the Business Act of 1991 which was introduced to enable street traders to trade without a license. Also, the Municipal Systems Act of 2000 mandated local authorities to create economic opportunities within their economic jurisdiction. Thus, in a bid to creating jobs within their jurisdiction, many local municipalities, including the eThekweni Municipality, Cape Town City and the City of Johannesburg recognized street trading as livelihood support through policy formulations and enactment of By-laws. In addition, the advocacy groups demanding the need to recognize street trading in the urban space proliferated.

Table 2-5: Rational planning and advocacy planning theory divide

Process	Rational Planning	Advocacy planning
Assumption	Perfect information, rational outcomes, one solution is best for all, the city is a system of interrelated functions	▪ Imperfect information ▪ Non-value-neutral decisions ▪ Plural society ▪ Normative planning is rational ▪ Each group is entitled to its own planner, Different outcomes benefit different interest
Client	Mainly the elite	Mainly the marginalised people in the society

Public interest	Unitary public interest	Plural special interest
Role of a planner	Advisor to political decision maker-technocrat	Expert advice
Locality of the planning process	Centralised	Community based
Goals of paradigm	Hierarchy of goals-physical land use goals	Represent majority interest Citizen participation
Resource allocation	Through the planning process	Redistribution of wealth and public power increases the choices for the poor
Public participation	Public hearing	Coalition building
Planning methods	Complementary rational process-value neutral, physical land use based	Policy techniques, the rational model
Definition	Value- neutral, procedural process begins with a goal, rationality and choice decision making	Facts and value as a decision assume a pivotal stage

Source: Hutchison (2009:4)

Table 2-6: Examples of street trading advocacy groups in South Africa

Scale	Functions
International	WIEGO: This is a global network that focused on safeguarding livelihoods of the working poor, mostly women in the informal economy. WIEGO creates change through capacity building amongst informal worker organizations, broadening knowledge base, and influencing local, national and international policies StreetNet International: This is an organization consisting of street vendors. It was launched in Durban, South Africa, in November 2002 with the aim of promoting deliberation on critical issues facing street vendors, market vendors and hawkers and on practical organizing and advocacy strategies. StreetNet International joined the other international street trading organization to launch a global campaign dubbed “World Class Cities for All” to persuade government to involve vendors in decision-making processes
Local	Self Employed Women's Union: The primary objective of SEWU is to provide support to people who are self-employed and help them acquire recognition for the work they do. Therefore, the organization trains women in leadership and lobbying skills to equip them to deal with relevant institutions regarding their interest and needs which may include credit,

	childcare and legal issues, as well as providing information on access to other organizations which assist in facilities for training, credit, health, counselling
	Asiye eTafuleni: The organization was formed in Durban in 2008 due to the widening gap between the city government's urban agenda and the realities faced by Durban's CBD informal workers. The advocacy efforts of the organization are mostly focused on inclusivity and building capacity among informal workers, empowering them to become their own advocates. In 2010, the organization engaged the Faculty of Law at the University of KZN to raise awareness on the legal challenges confronting informal workers at the Warwick junction
	The Greater Johannesburg Hawkers Planning Committee: The organization was formed in 1992 in Johannesburg. Advocacy work done by the organization includes the organization of mass strikes against the By-laws that restrict hawkers from trading. More so, they demanded the council to recognise the presence of street trading on the Johannesburg streets. Again, the committee mandated all goods seized by the police from street traders in the past 15 months to be returned to traders either in a form of goods or compensation

Source: Author's construction (2019) updated from multiple sources

2.2.3 Participatory planning

Community participation refers to a situation where ordinary citizens are involved or engaged in the affairs of planning, governance and the general developmental agendas at the grassroots scale (Williams, 2006:197).

Table 2-7: Traditional (rational) and integrated (participatory) planning approach divide

Traditional urban planning	Integrated urban planning
Less flexible action model	Broader flexible action model
It worked before 1980	It came after 1980
Planning is centralised and done in an orderly fashion depending on the availability of public funding for urban planning	Planning is decentralized and characterized by reduced public funding for urban planning
Decision making is mainly done by the central authority and applied at the local level	Decision making involves the central public authority and the local authority through negotiation
Regulation of a city's development is done through urban plans	Regulation of a city's development takes the local actors into consideration. Hence, development is in line with urban plans completed by involving local actors

Planning and resource allocation are in line with urban plans	Planning and allocation of resources is done through an integrated system consisting of plans and urban rules, where contributions are made by local actors
Urban development plan entails broader city integrated development	Urban development plan is designed in urban projects defined as space, resources and responsibilities

Source: Alpopi and Manole (2013:180)

2.2.3.1 Participatory planning from South Africa legal perspective

Community participation to a greater extent never existed in the days of the apartheid regime until the first democratic elections in 1994. This afforded citizens the right to considerably participate in local government and the planning process. Participatory planning in South Africa is not by word of mouth, but it is enshrined in the legal and policy documents.

2.2.3.1.1 The 1996 Constitution of South Africa

The Constitution is directly linked to the planning system in the sense that provisions like co-operative governance and participatory rights that ensure transparency, promotion of socio-economic rights and safeguard the environment, directly impact on planning (National Development and Planning Commission, 1999:7). Within the Constitution, the key goal is to deepen democracy by promoting community involvement in matters within the local government (Cameron, 2006:97). The following sections sampled from the Constitution (1996) speak to public participation in South Africa. Section 59, Section 118 and Section 152 as indicated in table 2-8, mainly apply to public participation in the National, Provincial and Local government context. Also, section 195 encourages the public to take part in decision making.

Table 2-8: Relevant excerpts from the 1996 Constitution of South Africa

Section 59 (1): Public access to and involvement in the National Assembly (l) The National Assembly must: (a) facilitate public involvement in the legislative and other processes of the Assembly and its committees. (b) conduct its business in an open manner, and hold its sittings, and also must be able: i. to regulate public access, including access of the media, to the Assembly committees, in public, but in a reasonable manner. ii. to provide for the searching of any person and, where appropriate, the refusal of entry to, or the removal of, any person.
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Section 118: Public access to and involvement in provincial legislatures.

(1) A provincial legislature must:

- (a) facilitate public involvement in the legislative and other processes of the legislature and its committees.
- (b) conduct its business in an open manner, and hold its sittings and those of its committees, in public, but reasonable measures may be taken:
 - i. to regulate public access, including access of the media, to the legislature and its committees.
 - ii. to provide for the searching of any person and, where appropriate, the refusal of entry to, or the removal of, any person.

Section 152 (1) (e): The objects of local government (are) to encourage the involvement of communities and community organisations in matters of local government.

Section 195 (e): In terms of the basic values and principles governing public administration – people's needs must be responded to, and the public must be encouraged to participate in policy-making.

Source: The 1996 Constitution of South Africa

2.2.3.1.2 The Municipal Structures Act 117 of 1998

The Municipal Structures Act 117 of 1998 remains one of the key legal documents in terms of public participation. The formation of ward committees under Sections 72 and 73 of the Act suggests the critical role played by the Act in terms of public participation. Ward committees are representative committees charged with the responsibility of seeing to it that the needs of the public are met. Such an important role played by ward committees enhances community participation in a democratic process.

Table 2-9: Relevant excerpts of Municipal Structures Act 117 of 1998

Section 72 (3) (3)

The object of a ward committee is to enhance participatory democracy in local government.

Section 73 (1) and (4)

73. (1) If a metro or local council decides to have ward committees, it must establish a ward committee for each ward in the municipality.

(4) The metro or local council may make administrative arrangements to enable ward committees to perform their functions and exercise their powers effectively.

Section 12 (4)(b)(c)

(4) The MEC for local government must -

(a) before publishing a notice in terms of this Section, consult:

- i. organised local government in the province.
- ii. the existing municipalities affected by the proposed establishment.

(b) after such consultation publish particulars of the proposed notice for public comment.

Section 14(5) (SA 1998:23).

(5) The MEC for local government in a province. By notice in the Provincial Gazette. The MEC must consult the existing municipality before publishing the notice.

Source: Municipal Structures Act 117 of 1998

2.2.3.1.3 The Municipal System Act (Act 32) of 2000

In the context of participatory planning, Section 17 of the Act stipulates the different mechanisms, processes and procedures for public participation, while Section 17(1) specifies how the structures set out in the Municipal Structures Act must be applied. Moreover, Section 18 of the Act deals with the communication of information to community members. To facilitate community participation, there is a system, processes and procedures that ensure that community members are privy to the information. This includes, paying attention to the language usage and special needs of the people in the process of communication.

Table 2-10: Relevant excerpts of the Municipal System Act (Act 32) of 2000

Section 17 (1)

17. (1) Participation by the local community in the affairs of the municipality must take place through:

- (a) political structures for participation in terms of the Municipal Structures Act.
- (b) the mechanisms, processes and procedures for participation in municipal governance established in terms of this Act.
- (c) other appropriate mechanisms, processes and procedures established by the municipality.
- (d) councillors.

Section 17(2)

17. (2) A municipality must establish appropriate mechanisms, processes and procedures to enable the local community to participate in the affairs of the municipality, and must for this purpose provide for:

- (a) the receipt, processing and consideration of petitions and complaints lodged by members of the local community;
- (b) notification and public comment procedures, when appropriate;
- (c) public meetings and hearings by the municipal council and other political structures and political office bearers of the municipality when appropriate;
- (d) consultative sessions with locally recognised community organisations and, where appropriate, traditional authorities; and
- (e) report back to the local community.

Section 18

18. (1) A municipality must communicate to its community information concerning:

- (a) the available mechanisms, processes and procedures to encourage and facilitate community participation.
- (b) the matters with regard to which community participation is encouraged.
- (c) the rights and duties of members of the local community.
- (d) Municipal governance, management and development.

(2) When communicating the information mentioned in subsection (1), a municipality must take into account:

- (a) language preferences and usage in the municipality.
- (b) the special needs of people who cannot read or write.

Source: Municipal System Act 32 of 2000

2.2.3.1.4 The White Paper on Local Government of 1998

Under the local Government White Paper of 1998, inclusivity and interactivity, and transparency are ensured through a three-phase approach during the developmental process stage of the White Paper on Local Government. Phase one provided the grounds for consultations and discussing the document which was published in April 1997. The document details the earlier strategic issues which needed to be rectified in the White Paper. Phase two consists of issue-based research processes, provincial and local seminars and other consultation programmes, which eventually led to production of the Green Paper on Local Government, that was released for public comment in October 1997; while phase three comprises Portfolio Committee hearings, local government seminars, public submissions and sectoral consultative workshops which yielded the White Paper on Local Government as approved by Cabinet. The paper gives reasons why active participation by citizens is needed (see table 2-11).

Table 2-11: The need for public participation

Actors	Explanation
Voters	Through voting, public participation can ensure democratic accountability from the politically elected members who have been mandated to implement the policies
Citizenry	Citizens are able to take part in the decision-making through different stakeholder associations before, during and after a policy development process to ensure that policies are in line with the goals and aspirations of the community
Consumers and end users	Public participation ensures that customers and end users get value-for-money, reasonably priced services and considerate and responsive service
As organised partners	Involving the public or the affected people in the process of mobilizing resources from profit making organizations, non-governmental bodies and locally based organizations for development

Source: The White Paper on Local Government of (1998)

Moreover, the paper enjoins the municipalities to be aware of the disunions within local communities and challenges to public participation, and also to ensure participation of relegated groups in community involvement. However, the participatory processes must not be a hindrance to development. Also, the interest of a few groups must not be permitted to hold the development process to ransom. In view of this, the paper argues for the need for

municipalities to find ways of structuring participation to enhance the delivery process. Therefore, municipalities are charged with the responsibility to develop mechanisms to ensure citizen participation in policy initiation and formulation, as well as monitoring and evaluating decision-making and implementation. This process is acknowledged as one of the strengths of integrated development planning.

Table 2-12: Approach to ensuring citizen participation in policy initiation and formulation, monitoring, evaluation, and implementation

Approach	Explanation
Forum	Establishing structured organizations to initiate policies and/or influence policy draft, and also to take part in the monitoring and evaluation process
Structured stakeholder	Structured stakeholder involvement in certain Council committees, particularly in issue-oriented committee
Participatory budget initiative	Linking community priorities to capital investment programmes
Focus group	Participatory action research conducted by focus groups in partnership with non-governmental organisations and community-based organisations to provide comprehensive data on a wide range of specific needs and values
Support for organizational development	Providing assistance in the form of skill development and resources to deprived communities to ensure effective public participation

Source: The White Paper on Local Government (1998)

The Acts discussed are evidence that public participation is actively taking place within the local government setup. The introduction of democracy in South Africa has transformed urban planning and urban management in South Africa. Moreover, the Acts have formally established community participation as a central pillar of the urban planning system as it acknowledges the relationships between development, delivery and democracy as one of the major strengths of integrated development planning.

2.2.3.2 Examples of participatory planning approach in street trading context

In the context of street trading, participatory planning was ensured as street traders participated in most of the decision-making processes that affected their operation through the street trading organization. For example, the policy process that established the eThekweni informal trading policy exemplifies participatory planning in that its existence resulted from consultations, interviews and workshops held with stakeholders from diverse background,

including informal and formal business establishments, government officials and civic organisations (eThekweni Municipality Informal Trading By-law, 2014:13). Moreover, in 2000, the Informal Traders Small Business Opportunities Department of the Durban Municipality established a Trader Representative Forum which invited the Informal Trading Management Board together with other trader associations. Through this forum, the Informal Trading Management Board represented the voice of Durban traders. The organization bargained on several issues, including trading site demarcation to prevent new traders from taking over sites, site patrolling to monitor crime and site storage facilities (Motala, 2002:20).

In addition, the Brook Street Central Market in Durban became a reality due to the suggestions made by the Badsha Peer Mazaar Society to mount a permanent roof over a portion of Brook Street Central, adjacent to their mausoleum. The structure was to be available annually for their ceremonies, and also to provide shade for the informal traders in the area the rest of the year. The idea was unconventional, so the success of the project was dependent on an acceptable collective decision. Hence, the Inner-City eThekweni Regeneration and Urban Management Programme communicated with all the affected local stakeholders whose participation was critical towards ensuring the progress of the proposal (Dobson, 2008:3).

Also, in the Johannesburg Region, the Gauteng Hawkers Association successfully negotiated an agreement with the Johannesburg Local Council and the South African Police Service on a street trading site demarcation exercise in the CBD. An exercise that according to many enabled street traders to reinforce their right to trade on the streets, particularly in areas expressly designated for such purposes (Motala, 2002:22).

2.2.4 Systems theory

The basic tenet of the systems theory is conceptualising the city as a 'system', with various land uses interlinked by transport and other communications (Taylor, 1999:61). As such, planning, controlling and understanding the functionality of a city become critical in the sense that a change to one part in a city would have a ripple impact on the other. The theory was in reaction to challenges that were associated with traditional perspective of planning for failing to factor the social and economic aspects of cities, as well the intricacies and interrelatedness of urban life. In essence, the systems theory argued that the traditional planning approach lacked flexibility in their approach. In light of this, the theory preferred more flexible plans to fixed plans, arguing that planning of a city should be seen as an ongoing process, including monitoring and taking action in the city; rather than just producing the blueprint at one time. Moreover, the systems theory demanded for economic and social aspects of cities, beyond

just the aesthetic and physical spatial planning to be considered in city planning (Taylor, 1999:677-8).

Contextualising the systems theory into this study, the approach is more favourable towards street trading, as it recommends for a more flexible planning approach, taking into consideration the economic and social aspects of the city. On the economic front, street trading is regarded as a means of providing jobs, hence, high number of unemployment will lead to high number street traders. Also, on the social scale, street traders, particularly mobile or itinerant traders are fluid in nature, often in response to seasonal changes, and events. Comparatively, events, such as concerts, sports and religious festivities are likely to attract large number of street traders, due to their ability to generate high traffic volumes.

2.2.4.1 Neoclassical and Keynesian theories

Advocates of the neoclassical economic theory argue for less or no state intervention in the management of the economy, since they argue that state interventions often deemed as external forces undermine the market system irrespective of the intentions. The advocates of the Keynesian theory argue for market liberalization, extension of existing markets, and creation of new markets to remedy the economic challenges that may arise and caution for state intervention (Wolff & Resnick, 2012:3).

Contrarily, the devotees of Keynesian economics and its policy recommendations entrust the state to regulate the markets in the event of inevitable market imperfections and failures. This is because in the absence of state intervention, market failures could be persistent. They argue that in practice, self-correcting mechanism as claimed by the neo-classicists does not work or works slowly. Hence, the Keynesians recommend for a state intervention programme to deal with the challenges of the economy as opposed to the neoclassical economists who prefer the private decisions of individuals and businesses as a better means to solving similar problems (Wolff & Resnick, 2012:3).

Neoclassical theorists argue that institutions do not matter as the focus is on a complete set of markets where people make trades “with the market”. However, the belief that history as well as institutions contribute to wealth distribution and ultimately impact on the economy is supported by Keynesian theorists. Citing the Black Plague as an instance where history has influenced the economy, the Keynesians argued that the plague led to a shortage of labour; and eventually adoption of labour-saving innovations in Europe (Hoff and Stiglitz, 2001:6).

Similarly, in South Africa, De Villiers (1971:411) argues that access to land, the fundamental asset to agricultural production, was determined by the South African 1913 Land Act (Natives

Land Act, 1913). While people of European descent had over 87 percent of the land under their control, the African population only had 13 percent of the land in the Bantustans over which they could not exercise ownership under the Bantu Authorities Act of 1951. According to Welsh (1971:181-2), through the Group Areas Act of 1950, people of black origin were forcibly removed from most places that were valuable, in an economic sense, to the advantage of their white counterparts. The dispossession of this “natural capital” meant that the black people who formed the majority did not have adequate means to fend for themselves (ibid). It can be concluded that the promises and challenges associated with the South African urban space date back in history as spatial disintegration on racial lines started from the colonial era. Street trading mostly within the CBD is situated in this historical context, in that spatial injustices stemming from land seizure, particularly from black majority, the developmental agenda which located blacks in deprived areas and on the peripheries of the city, coupled with the restriction of black South Africans from accessing spaces of equal opportunity, including the CBD, and the situation where blacks were excluded and subjected to below minimum paying jobs contributed to the rise in the number of street traders, both in the past and currently.

2.2.4.2 Capitalism and socialism

Capitalism is defined as an economic system in which factors of production, including entrepreneurship, capital goods, natural resources and labor are owned and controlled by private individuals or businesses rather than the government. Capitalism's success is dependent on a free-market economy, driven by supply and demand. Western European countries are more inclined to capitalist economies and try to chart a middle course (Thangavelu and Boyle, 2021)

Table 2-13: Advantages and disadvantages of capitalism

Advantages of capitalism	Disadvantages of capitalism
Encourages competition: Competitive market is an indication that higher-quality goods and services are being produced and provided from different and variety of source	More inequality: The gap between the rich and the poor widens; the rich get richer, and the poor get poorer since the means of production are controlled by certain individuals who are mostly profit oriented
Provides consumers with choices: Consumers have wide range of options to choose their preferred products and services from	Lack of social safety net: Comparatively, capitalism may curtail on the provision of social benefits programs such as

	universal health care due to its profit maximization inclination
Potential for economic growth: Wide range of selected product and services often attract a higher consumer spending, and ultimately leads to economic expansion	Opportunities for corruption: The blurry nature of separation of government and private business under capitalism indicates that wealthy business owners may lead to corruption in the sense that some businesses lobby for favour among politicians; a situation which often lead to economic disparity between those within the corridors and outside the corridors of power

Source: Carlson (2021)

Meanwhile, socialism is defined as an economic system whereby government makes all legal production and distribution decisions, while the individuals are dependent on the state for food, employment, healthcare, and everything else. The government, rather than the free market, determines the amount of output (or supply) and the pricing levels of these goods and services. Communist countries, such as China, North Korea, and Cuba tend to favour socialism (Thangavelu and Boyle, 2021)

Table 2-14: Advantages and disadvantages of socialism

Advantages of socialism	Disadvantages of socialism
Reduces income inequality: Socialism leads to relative poverty reduction due to equal distribution of wealth amongst the population	Depends on cooperation: There is no guarantee that individuals will always want to cooperate with each other as speculated by socialism
Social stability and infrastructure: Socialism tends to mitigate economic hardship amongst the population due to high social intervention programs such as universal basic income, universal health care, and tax-funded education	Government may abuse power: Government is responsible for distribution of wealth and resources; a corrupt government may lead to unequal and unfair wealth and resource distribution
Greater rights for workers and individuals: Workers are protected from exploitation since the means of production are controlled by the	Fewer rewards for innovation: Since means of production is controlled from a central point, mainly by the government, workers

government. Hence, labour exploitation often driven profit maximalization is curtailed to a greater extent	and businesses might not be interested in continually improving their products and services
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Source: Carlson (2021)

Table 2-15: Differences between capitalism and socialism

Indicator	Capitalism	Socialism
Ownership of assets	Means of production are owned by private individuals	Means of production are owned by government or corporation
Income equality	Income level is determined by free market forces	Distribution of income is done in accordance with the needs of the people
Consumer prices	Prices are determined by demand and supply	Prices are determined by the government
Efficiency and innovation	Efficiency and innovation are achieved through free market competition	There is less incentive for efficiency and innovation as businesses are mostly owned by the government
Taxation	Limited taxes based on individual income	High taxes are imposed in order to meet the public the budget for the high public service demand

Source: Longley (2020)

Actualizing informal sector economy in the debate of capitalist and socialist economies, there seem to be semblance in the two economic regimes. According to (Portes and Böröcz, 1988:21), high capital-intensive production and trade tend to remain in the regulatory confinements of formalization under the capitalist and socialist economic regime in spite of their vast differences. In essence, capital-intensive activities do not simply switch to informatization. In common, both economic regimes may be penetrated by informal activities due to the need for flexibility to accommodate structural inflexibilities, unforeseen fluctuations in business conditions, seasonal variations, and structural changes resulting from business cycles. Moreover, in common with both capitalist and socialist economies, informal employment offers an opportunity for survival and economic ascent. Under capitalism, informality increases profitability by reducing labour costs and increasing the flexibility of production arrangements. In this manner, the informal sector contributes to the long-term survival of a certain regime of accumulation. Coincidentally, the informal sector economy portrays the same effect under the socialist economy. This is often achieved through by

partially correcting the shortfalls of the system, and eventually contributing to the survival of its major actors, and other opposing forces (Portes and Böröcz, 1988:26).

Table 2-16: Differences between informalization under capitalism and informalization under socialism

Informalization under capitalism	Informalization under socialism
Informality often arises in reaction to: ▪ Union power ▪ The regulation of the economy by the state through taxation and social legislation ▪ International competition ▪ The inability of Third World industrialization to fulfil formerly established labour regulations ▪ Economic crises	Informality often occurs due to bureaucratization of planning and the resulting pervasive shortages of capital, labour, and commodities. Under such conditions, informality may render a partial corrective measures to the stringent system, and eventually relaxing the economy for easy participation of individuals, households and companies.
Informalization of certain economic sectors decreases the power of organized labour and increases flexibility and profits for firms	Informalization provides an escape route and a means to avoid bottlenecks in a rigid centrally controlled economy. This situation directly threatens the state's regulatory powers, the very same powers the existence of a formal economy is firmly grounded on
Informality decreases union power, thus making labour more vulnerable to the market logic of capital and its allies in the state apparatus.	Informality creates an avenue for civil society to manifest itself separately from the state, hence, providing a short-term and individualistic, and alternative to a politically and centrally commanded economy
There is a consistent income differential which favours workers in the formalized sector than those in the informal sector	Informal sector contributes to a structural differentiation in income levels, since most working members of the society receive incomes through the state's welfare provisions, and salaries from the formal economy. However, due to the low average income levels in the socialist sector, income levels of most workers in the informal tend to be higher than those in comparable positions in the formal sector except for members of the political elite, the bureaucratic apparatus, and top managers. The reason being that the informal

	enterprise earns additional income by supplying goods and services of high demand
Informality tends to put downward pressure on labour earnings in two ways: ▪ By circumventing labour protection legislation, it decreases average labour costs of the society in general ▪ By direct competition, it decreases either the size of the higher paid formal labour force or its level of remuneration	The effects of informality on average earnings are just the opposite: ▪ Evading the rigidities of the centrally steered economy may raise the wage levels in the formal sector, and ultimately leads to payment of extra income ▪ Laying off the best qualified and most reliable workers may force the formal sector to invest directly or indirectly in order to meet wage demands and to retain at least part of its labour force
In wealthier countries such as the United States, informality as a phenomenon is perceived to have been created and maintained due to the arrival of immigrant, hence, migration and informality are often interlinked. However, some researches have shown that informality may even exist under advanced capitalism in the absence of immigrant group	There is often no link between informal economy and immigrant group as in most socialist economic states, immigrants tend to form infinitesimal proportion of the population

Source: Author's construction (2021) adopted from Portes and Böröcz (1988)

2.2.4.3 Economic policies in the Post-Apartheid South Africa

Often times in South Africa, government intervention in the form of policy formulation and legal enactment to save the economic predicament are mostly in tune with the Keynesian economic theory as they are inclined towards resolving the historical injustices, or in line with neoclassical theory in order to stimulate investment in the private sector. Moreover, in some cases the policies may be towards capitalist or socialist economic ideas, or try to blend the economic system by including elements of both capitalism and socialism. For instance, in South Africa, there are private and individual businesses, and many government-run programs that are funded through taxes, including social intervention programs. Therefore, there is the need to have an overview of the post-apartheid social intervention programmes formulated to mitigate the economic challenges in South Africa is essential.

2.2.4.3.1 Reconstruction and development programme (RDP)

The RDP was introduced in South Africa in 1994, when a democratic government assumed office to reform the social and economic conditions inherited from the previous regime. The focus of the RDP was to ensure poverty reduction, mainly through job creation, welfare, housing, transport, land reform, healthcare, education, training, water and sanitation (Chagunda, 2006:1).

The RDP concentrated on the supply and demand side of the economy. The production of goods and services and public works programmes and infrastructure were mostly labour intensive leading to job creation and ultimately poverty reduction (Lewis, 2011). Moreover, according to Lewis (2001:4), the RDP was successful in the field of social responsibility and a proficient welfare system judging from the government's ability to cater, particularly for children, the elderly and the disabled. Nonetheless, the policy failed to create jobs to deal with poverty on a permanent basis. In support, Seekings (2014:4) posits that the RDP failed to empower the poor to seize opportunities to develop their full potential to sustain themselves through production.

2.2.4.3.2 Growth Employment and Redistribution (GEAR)

The GEAR policy framework is a policy instrument that was employed by the South African government with the aim of building and reconstructing the economy by addressing the failings of the RDP (Aregbeshola, 2012:1254). It was launched in South Africa in June 1996 by the Department of Finance as a microeconomic strategy with the aim of strengthening economic development, increasing employment for the poor, redistribution of income and creating social and economic opportunities for the poor. This was to be achieved by stressing on the need for market-led growth and fiscal discipline, as well as boosting investor confidence (UN, 2011).

The GEAR managed to achieve economic stability by introducing more economic discipline and microeconomic stability and reducing the fiscal deficit from over 9 percent of the Gross Domestic Product (GDP) in 1994 to less than 3 percent. Again, for the first time in over 30 years, inflation was reduced to its lowest level, and also foreign exchange reserves increased (UN, 2011). Also, in 2005 the South Africa economy experienced GDP growth of 5 per cent, the highest since the end of apartheid. Also, inflation became stable at just 4.5 per cent in 2004 (OECD Development Centre and the African Development Bank 2005-2006:481). In spite of the success chalked up by the GEAR policy, the policy failed to increase formal employment. Also, the policy could not ensure fair distribution of wealth. More so, Foreign Direct Investments did not materialize, and the GDP growth target of 6 percent was not met (UN, 2011).

2.2.4.3.3 Accelerated and shared growth initiative of South Africa (ASGISA)

The GEAR policy was replaced by ASGISA, which aimed at reducing poverty, inequality and unemployment through the general 'trickle down' to sustain high growth. Again, the policy aimed at massively expanding government investment spending on the country's infrastructure (Hodge, s.a:3). Moreover, ASGISA sought to accelerate economic growth to an average of at least 4.5 percent between 2005 and 2009, and also to sustain a 6 percent average annual rate between 2010 and 2014. This was to be achieved through a robust economy. Value was to be added to products and services. Also, there was to be a reduction in cost of production and distribution and the creation of sustainability. Expansion and survival of new businesses was to be ensured in six main areas, including infrastructure investment, sector investment strategies, education and skills development, elimination of a second economy, microeconomic issues and governance and institutional interventions (UN, 2011).

The ASGISA programme achieved encouraging results as well as meaningful growth in gross fixed capital formation in the public sector. Also, the programme assisted in reducing employment slightly and created employment solutions through the expansion of public works programmes, particularly at the local government level and in the primary sectors. Again, under ASGISA, economic growth outpaced employment growth, mainly due to strong real wage growth rate exceeding the growth rate of labour productivity. However, the UN Development Programme reports that although poverty declined from 0.24 in 1994 to 0.20 in 2007, the Gini coefficient, which measures income inequality, increased from 0.672 to 0.685, higher than that of Brazil, the Bahamas, Jamaica and 33 other developing countries (UN, 2011).

2.2.4.3.4 The New Growth Path (NGP)

The NGP was announced in October 2010 with a primary objective of enhancing growth, creating employment and greater equity through six fixed prioritized areas, including infrastructural development, agriculture, mining, manufacturing, the "green" economy and tourism. The target of the policy was to create 5 million jobs that would reduce unemployment from 25 percent to 15 percent. Active economic intervention programmes, competitive exchange rate and lower cost of capital, fiscal discipline and reprioritization of public expenditure were the macroeconomic requirements needed to achieve that target. The microeconomic approach which targeted job support included skill development, industry and development of small businesses, reforms in the labour market, rural and African development and trade policy reforms (Jaffer, 2010). Despite all the economic measures put in place, the NGP failed to meet its job creation target of 5 million, because it failed to attract investment into the sectors identified as the sources of job creation.

2.2.4.3.5 National Development Plan (NDP)

The NDP aimed at creating employment by improving on the economic policy by creating public/private partnerships, the promotion of investment in labour-intensive economic sectors, competitiveness, promoting export, improving labour market functionality, and skill enhancement linked to business requirements (Meyer, 2014:74). Again, it sought to ensure that between 1.2 and 2 million, new jobs were created in the informal sector economy to alleviate poverty and reduce inequality by 2030, by drawing on the energies of the citizens, growing an inclusive economy, building capabilities, enhancing the capacity of the state and promoting leadership and partnerships in society, a process known as the six pillars of the NDP (Kretzschmar, 2014:6; National Planning Commission, 2012:121).

The 2017 annual budget speech by the South African Finance Minister Pravin Gordhan laid emphasis on the clarion call made by Jacob Zuma, the former president, on the need for inclusive planning and economic restructuring in both the formal and informal economy arguing for the use of the informal economy as a plan of action against unemployment (Selwyn, 2018:38). In support, Mahajan (2014:08) recommended that “South Africa’s economic growth potential could be significantly enhanced if it can launch its own version of economic convergence, one that would enable rapid growth of the informal economy. However, Rogan and Skinner (2017:4), and Tshofuti (2016:2) argue that the informal economy was mostly disregarded to the advantage of small formal businesses although they formed part of Small Medium and Micro Enterprises (SMMEs).

2.2.5 Urban public space

Public spaces have been of great concern to urban planners for ages, from the era of the Greek Agora and Roman fora through to the time of the planning of renaissance Italian piazzas as well as the nineteenth-century boulevards and arcades of Paris. In recent times, public space has drawn the attention of sociologists, geographers and political scientists who are not just interested in how they are built and managed, but rather in how they serve a social, economic and political purpose (Neal, 2010:1). While from the standpoint of a legal and economics, the question of who pays for a public space lay the definitional basis, the socio-spatial perspective is more concerned with the design and use of public space. On the other hand, the political standpoint seeks to understand the role of public space in democracy, which in its virtual state as a place of discussion, and physically, as a place of exclusivity or inclusivity (Neal, 2010:1). Houssay-Holzschuch and Teppo (2009:353) support that politically, public space symbolizes a place for debate. However, in social sense, public space refers to a physical place where people of diversified backgrounds encounter and interact with one

another. More so, from the judicial point of view public space refers to land owned and managed by public authorities, including but not limited to streets, squares, parks, and gardens. Considering this definition, urban planners distinguish between private and public land on the basis of its ownership.

At the congress held in Poznań in 2009, the Polish Urban Planners defined urban public space as a special space which is in common use irrespective of the form of ownership. In fact, the character of urban public space follows from the way it is used (Mierzejewska, 2011:41). Also, according to Tonnelat (2010:1), in the history of urban planning, public space has been defined as open space, including the streets, parks and recreation areas, plazas, as well as other outdoor areas which are publicly owned and managed contrarily to other areas such as places of accommodation and work which are privately controlled.

Mierzejewska (2011:40) supports that 'space' is mostly understood as spaces that one can physically access. Primarily, such space mostly includes roads and streets, city squares, and buildings that belong to the public. However, Tonnelat (2010:1) argues that with the current evolution of public space discourse, new forms of urban neighbourhoods and growth of different types of semi-public spaces managed by private-public or entirely private partnerships raise an objection to the definition of space in legal context. Tonnelat suggests that the understanding of contemporary public space should not be limited to areas under the control and management of the state, but rather must be understood as spaces that are publicly accessible. In view of this, Neal (2010:1) defines public space as "all areas that are opened and accessible to all members of the public in a society, in principle, but not necessarily in practice".

Table 2-17: Types of public spaces

Space type	Distinguishing characteristics	Examples
'Positive' space		
Natural/semi-natural	Natural and semi-natural features	Rivers and natural features
Urban space	Within urban areas, typically under state ownership	Seafronts and canals
Civic space	Managed open space, typically green and available and open to all, even if temporarily controlled	Streets, squares and promenades.
Public open space	Managed open space, typically green and available and open to all, even if temporarily controlled	Parks, gardens, commons, urban forests and cemeteries

'Negative' Spaces		
Movement space	Space dominated by movement needs, largely for motorized transportation	Main roads, motorways, railways, and underpasses
Service space	Space dominated by modern servicing requirement needs	Car parks, service yards
Leftover space	Space often designed without a specific function	'SLOAP' (space left over after planning), modernist open space
Undefined space	Undeveloped space, either abandoned or awaiting redevelopment	Redevelopment space abandoned space and transient space
Ambiguous Spaces		
Interchangeable space	Transport stops and interchanges, whether internal or external	Metros, bus interchanges, railway stations and bus/tram stops
Public/private space	Seemingly public external space, in fact, privately owned and under greater or lesser degrees of control	Privately owned 'civic' space, business parks and church grounds
Conspicuous space	Public spaces designed to make strangers feel conspicuous and, potentially, unwelcome	Cul-de-sacs and dummy gated enclaves
Internalized public space	Formally public and external uses, internalized and mostly privatized	Shopping/leisure malls, introspective and mega-structures
Retail space	Privately owned, but publicly accessible exchange spaces	Shops, covered markets and petrol stations
Third place space	Semi-public meeting and social places, public and private	Cafés, restaurants, libraries, town halls and religious buildings
Private/public space	Publicly owned, but functionally user determined spaces	Institutional grounds, housing estates and university campuses
Visible private space	Physically private, but visually public space	Front gardens, allotments and gated squares
Interface spaces	Physically demarcated but publicly accessible borders between public and private space	Street cafés and private pavement space
User selecting spaces	Spaces for selected groups determined by the type of activities that take place in that space and also the kind of people that uses the space	Skate parks, playgrounds, and sports fields/grounds/courses

Private Spaces		
Private open spaces	Physically private open spaces	Urban agricultural remnants and private woodlands
External private space	Physically private spaces, grounds and gardens	Gated streets/enclaves, private gardens, private sports clubs and parking courts

Source: Carmona *et al.* (2008:62)

Table 2-18: Benefits and function of public space

Benefit	Function
Economically	▪ Can impact positively on property prices – studies suggest variously from 5 percent to 15 percent or even up to 34 percent in some circumstances ▪ Creates enabling environment for business – boosting commercial trade by 40 percent in some instances ▪ Can boost investors' confidence ▪ Enhances regional economic performance
Human health	▪ Can encourage exercise with related health benefits – for instance, limiting the risk of heart attack, diabetes, colon and bone cancer ▪ Can stimulate a longer life ▪ Provides a space for formal and informal sports and games ▪ Lessens stress and enhances mental health ▪ Improves child health – for instance, helping parents manage children with attention deficit disorder
Socially	▪ Offers learning benefits to children, creative play, and reduces absenteeism ▪ Nurtures social and cognitive skills ▪ Can assist in the reduction of incidents of crime and anti-social behaviour ▪ Encourages neighbourliness and social cohesion ▪ Provides a venue for social events ▪ Reduces child mortality – by avoiding car-dominated environments ▪ Provides a venue for social interaction and for supporting the social life of communities
Environmentally	▪ Can promote the use of sustainable modes of transport ▪ Improves air quality, reduces heat island effects, pollution and water run-off ▪ Creates space for urban wildlife to thrive

Source: Carmona *et al.* (2008:7)

Urban space tends to be highly political, involving several interest groups (Kusakabe, 2006:3) where all and sundry, the rich and poor, wrestle for their rights, leading to a tension often stemming from the use of public space to create a friendly environment for private investment

or as a site for “informal survivalism” (Davis, 2006:178). Thus, Donovan (2008:30) posits that public space has become a common turf where many conflicts between various social and political groups are ironed out and translated into space. The contestation often arises due to the perception that economic activities, including street trading have taken over the streets to the detriment of other uses. In support, Goldstein (2016:5) states that “Vendors convert any open area into a place of business, stripping urban public space of their intended purposes and colonizing them for buying and selling”.

Hence, in order to identify and avert any conflicting issues within public spaces, it is imperative to view public space as a physical asset, within which conflict inherently exists. Some of the competing interest that often leads to contestations over the use of public space include traffic police concern with improving traffic flow, business investors seeking to ensure conducive environment that portrays order, pedestrians seeking to use the pavements without obstruction, and street traders quest to conduct their business.

Amidst the contestations for public space, the question of “who has the right to the city?” has been raised severally by researchers including David Harvey and Henri Lefebvre. Kusakabe (2006:3) contends that the political nature of urban public space tends to favour the interest of modern infrastructural development to the detriment of traditional livelihoods conducted on sidewalks. According to Donovan (2008:36), city mayors, particularly mayors of Bogota, Columbia, argue that seizure of urban space from vendors may seem an effective means of limiting crime. Hence, in the process of ensuring public order, pro-public-space programmes that enhance aesthetics are prioritised. Meanwhile, Guy Trangos (cited by the Informal City Reader, 2013:12) laments on the processes that seek to create cities fashioned on investor and tourism interest. He argues that such processes run the risk of entrenching inequality as living cities are moulded into mere consumable products replete with marketing messages such as ‘A World Class African City’.

According to Steel *et al.* (2014:3), urban public space remains a key element in the livelihoods of the urban poor, but its importance is not enshrined in the development policies for many cities. In Ghana and many parts of the world, urban public space such as sidewalks and open areas are perceived as physical assets to sustain livelihoods of the majority of the urban poor. Hence, such spaces have been turned into areas of livelihoods. Street vending is identified as one of the most visible and debated components of the urban economy due to the fact that most street traders operate from spaces or areas originally not meant for trading purposes, particularly the sidewalks (Ayeh *et al.*, 2011:20). Yasmeen and Nirathron (2014:6) underscore the notion that the use of the sidewalk for business transactions, mostly by street traders,

contradicts its original intended use, that is for pedestrian flow. As such street traders encroach on the common rights of urban space by operating on the sidewalk. In many parts of the world, including South African cities, pedestrians, retail outlets and car users find it difficult to co-exist with informal traders. According to Do Rego (1995:1-5), hawkers take up half of the pavement with their tables and stocks, and to avoid the cramped sidewalks, most people preferred to walk on the roads instead. Therefore, the struggle of informal traders seeking to occupy urban central spaces in major urban areas forms part of the broader "struggle for the city". The UN Habitat (2008:25), notes that:

Given their vast numbers, poor urban dwellers are now the dominant market sector. They transform the city to meet their needs in a way that are often inconsistent with urban laws and urban development plans.... In response, many central and local governments resort to forced eviction, citing planning standards, development plans and lack of documentation to defend their actions.

In a celebrated case between Sodhan Singh and New Delhi Municipal Council, the judge argued that the right to carry on the trade of business on street pavements if properly regulated cannot be denied on the ground that the streets are meant exclusively for passing or re-passing and for no other use. In essence, proper regulation is a necessary condition, if not, the primary objective of constructing a road to facilitate traffic movement is defeated (Anjaria, 2006:2140). Steel *et al.* (2014:2) argue that control over public space by the state or city authorities may be a form of control over the working poor. Haan (1998:12) refers to such practices as 'social exclusion', that is a practice by which individuals or groups are wholly or partly excluded from fully participating in societal activities.

Guzman (s.a:3) asserts that urban public spaces are not only defined and shaped by ordinances, laws, policies, and architecture, but also street traders and demonstrators. The presence of street traders on sidewalks depicts the dynamic nature of public space emanating from contestation which reshapes and reinterprets public space. De Certeau cited by Guzman (s.a:3) describes how merely walking in the city shapes public space as it actualizes some possibilities and interdictions. Through manipulation of existing realities and inventing the none-existing ones, the walker makes such possibilities and interdictions come into reality as improvisation of walking privileges transforms or abandons spatial elements.

De Certeau further argues that the creation of public space is not the sole mandate of architectural designs, but also it involves other people who shape, contest and create public space by virtue of their use of ingenuity and the way they navigate through the built environment. He argues that spaces often used by street vendors are mostly sites of struggle and contestation that help in changing the known norms traditionally prevailing in public

spaces. As such, street vending is a manifestation of how urban space and its politics can be fashioned through a bottom-up approach. Through their activity, street vendors and day labourers, driven by economic need, have negotiated their presence, evading or challenging regulations and asserting claims to the city in the process (Loukaitou-Sideris and Ehrenfeucht, 2009:6).

Taking cognizance of the navigation of street vendors in public space, particularly on the sidewalk, it brings to bear how street vendors fashion urban public space that is lively in the sense of urban cultures and social movements that can be developed into an alternative form of urban public space that is more inclusive and open to everybody. In essence, the daily melees of street hawkers suggest fresh demands for rights to the city that are “outside of the normative and institutional definitions of the state and its legal codes” (Guzman, s.a:4).

Kusakabe (2006:33) laments on how urban space is often seen as a mono-function unit, despite having the potential to accommodate a secondary function without disrupting the primary function (Perera cited by Kusakabe, 2006:33). Kusakabe maintains that public space can serve multiple purposes by accommodating street vendors in urban spaces. She opines that despite spatial planning techniques recognising the multi-layered-secondary and tertiary functions of space, street vending may still be side-lined from market management if spatial governance fails to recognize the equal needs of each function.

In conclusion, Ethan Kent in his article titled: The city of the future will be a ‘market city’ seeks an answer to the question of how cities will keep their sidewalks pedestrian-friendly yet allow informal street vendors to make a living (Ethan, s.a). Against this backdrop, there is the need to reconsider how streets are designed to accommodate all road users. In view of this, it makes sense to discuss the areas where the spatial contestations between street hawkers and pedestrians, with a ripple effect on vehicular traffic flow, occur. Hence, urban public spaces in relation to roads and the pedestrian realm, as well as other relevant elements of urban public space are discussed. The researcher acknowledges that a great number of public spaces abounds, however, the study is limited to the discussion of roads and the pedestrian environment as they remain the focal points of contestation between street vendors and pedestrians with its ripple effect on vehicular traffic flow.

2.2.5.1 Relevant elements of urban public space

2.2.5.1.1 Road/street

Historically, roads were constructed to serve a military purpose, primarily to ensure easy flow of troops, and to connect Rome with its colonies for effective communication and

administration. However, with time, the use of roads by the civilian population increased (Prieto-Portar, 2009:2).

.....road has been so inextricably bound up with our very existence that we think no more of it than we do of any member of our personal body - until we lose it. Along these arteries of existence flowed everything that made us men, commerce, knowledge and religion (Jacobson, 1940:3).

Road refers to a way or strip of land open to the public for the purposes of travel as a matter of right and over which abutting property owners have the right to light, air and access, and includes roads, streets, rights-of-way, bridges, railway-highway crossings, tunnels, drainage structures, traffic control devices, guardrails and protective structures connected with public ways (Slack *et al.*, 2009:176). A road is basically constructed to ensure movement of people or goods from one point to another; it is a “path, way or course to journey” (Moughtin, 2003;129).

However, in the context of this study, a road is defined as that strip of land improved or constructed intended for vehicular movement. Although roads/streets are constructed for vehicular movement, they remain a space for street vendors where they interact with their customers. Roads/streets are very important in the study of street trading in the sense that the type of street/road determines the vending typology (mobile or stationary), and how they arrange themselves to form a market. Moreover, street elements such as tree shade and sidewalk play a key role in determining a vendor’s choice of location (Deore and Lathia, s.a:11).

According to Talvitie (1996:1), a road management system may be classified into two including administrative and functional. While the former classification is based on road ownership the latter relates to technical requirements and maintenance practices. Administratively, most countries organize roads into hierarchy depending on the purpose they serve. On the other hand, functional classification refers to the idea of grouping roads into classes depending on the intended services. Accordingly, roads are assigned with the responsibility of effectively channelling trips through a network.

Table 2-19: Road hierarchy and function

Road hierarchy	Function
National roads	Roads that link the capital to provincial centres, major cities and other centres of national importance
Urban roads	Roads and streets which serve transport demands within cities and towns
Rural roads	These are roads that are meant to serve the local transport demands in rural areas

Source: Author, 2018 updated from Talvitie (1996:1)

The basic function of a road primarily for motorized movement determines the hierarchy of roads depending on the travelling speed and level of connectivity (Gauteng City-Region Observatory Report, 2018:5). The names are descriptive, and countries often have their own names for classes.

Table 2-20: Functional classification of road

Detailed functional class breakdowns	Function and relationship with street trading
Arterials: ▪ Motorways and other divided arterials ▪ Principal arterials ▪ Minor arterials	Roads that are meant for through traffic usually on a continuous route. Parking, loading and unloading and pedestrian crossing are regulated with caution. High traffic mobility supported by arterial streets makes it difficult for street trading to be successful; hence, it has the least number of street vendors. Highways and wide, busy arterial roads are constructed with the intention of connecting places along their route. However, they mostly serve as blockades since they sever one part of the city from another. This barrier function of major roads and highways characterized by high-speed rate was employed by apartheid city planners to enforce racial segregation in South African cities (Gauteng City-Region Observatory Report, 2018:5)
Collector: ▪ Major collector ▪ Minor collector	Roads constructed purposely for collecting and distributing traffic to and from local streets, and also to provide access to arterial and sub-arterial roads. They are mostly located in residential, business and industrial areas with few parking restrictions even during peak hours. Collector streets attract many vendors because of a high number of customers due to higher pedestrian movement and concentration

Local: - Public local roads - Private local roads	Roads which provide access to residences, businesses and other buildings. Depending upon the importance of the adjoining areas, a local street may be in residential, commercial or industrial areas. Pedestrians may move freely, and parking may be permitted without any restriction, with comparatively low-speed limit. They are usually narrow with high variations in land use that serve neighbourhoods in the area and have vendors which are mobile in nature or stationary vendors located at street junctions. The streets should facilitate the needs of street vendors by providing safety measures and shade along the street for standing as well as movement. Junctions should especially have provision of space for the vendors. Local streets provide lower vehicular movement, but these streets too have a fewer number of pedestrian movements over the time of the day. For example, these streets are only used by the residents hence making for a lower customer base for vendors.
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Source: Talvitie (1996:2)

Table 2-21: Class of road and recommended design speed

Class of road	Design speed (km/h)
Vehicles only (freeways)	100 - 120
Vehicles only (other)	70-100
Mixed (higher order)	60-80
Mixed (middle order)	40-60
Mixed (lower order)	40-60
Pedestrian	30
Shopping precincts	30

Source: Council for Scientific and Industrial Research (CSIR) Building and Construction (2000: Chapter 7:7)

Table 2-22: Comparison between classification systems

Movement network	Five-tier system
Vehicle-only route	Regional distributor
	Primary distributor
Mixed pedestrian and vehicle route	District distributor
	Local distributor
pedestrian-only route	Access distributor

Source: CSIR Building and Construction (2000: Chapter 7:3)



Figure 2-8: Dynamics of arterial road and street trading

Source: Deore and Lathia (s.a)



Figure 2-9: Dynamics of collector road and street trading

Source: Deore and Lathia (s.a)



Figure 2-10: Dynamics of local road and street trading

Source: Deore and Lathia (s.a)

2.2.5.1.2 Pedestrian environment/space: sidewalks and pathways

A pedestrian is a person on foot, or in or on a device equipped with wheels or revolving runners that is not a vehicle (New Zealand Transport Authority, 2007:3). In a broader sense, they include people on foot as well as foot/wheel combined: walkers, runners, bladders, skateboarders, and persons using a foot on the ground to propel a scooter or bicycle, as well as people rolling in a wheelchair (Thomas, 2008:15). Also, according to the World Health Organization (2013:3), pedestrians include people who are involved in activities such as running, jogging, hiking, or when sitting or lying down in the roadway. However, for the purpose of this study, a pedestrian will be limited to any person who travels by means of walking.

Pedestrian space is defined as that portion of public space that facilitates a linkage for pedestrian movement and social interaction (Anciaes *et al.*, 2015:7). Slack *et al.* (2009:176) define the pedestrian environment as the amount of space devoted to walking. In central areas, pedestrian areas tend to use a greater portion of the right of way and in some instances whole area are reserved for pedestrians. However, in a motorized context, most pedestrian areas are for servicing people with access to parking of automobiles.

According to Hodgson *et al.* (2004:12), the pedestrian environment includes the infrastructure, the geometric layout and the management of the transport system with respect to areas provided for pedestrian use. Furthermore, Murguía (2012:14) refers to pedestrian facilities as any infrastructure constructed to enhance the free movement of pedestrians including sidewalks and crosswalks. However, a more extensive definition encompasses walkways, trails, and kerb ramps as well as pedestrian-friendly urban furniture such as benches, urban trees and streetscapes. Pedestrian facilities come in different forms. They include off-street footpaths, connector pathways, sidewalks and road shoulders. However, pedestrian environments (sidewalks, paths and walkways) form a greater percentage of the public realm. The benefits associated with pedestrian infrastructures include socializing, waiting, shopping and providing a space for eating (TDM Encyclopaedia, 2019).

Historically, sidewalks were intended for transport demarcation in an urban environment. The first sidewalk was constructed in the modern-day Turkey around 2000 BC. Despite the fact that sidewalks throughout time have been principally used as spaces for movement, it has developed to be an important element of the urban fabric. For instance, in response to the 1666 fire in London, the Westminster Paving Act of 1751 remodelled the streets after the devastation of the fire to create substantive amounts of sidewalk environment in a bid to improve street projects. Also, in the later stages of Paris, Haussmann's grand boulevards were

created to separate pedestrians from the horse intruded streets with the aim of protecting both grandeur and pedestrian (Deacon, 2013:10).

According to Jacobs (1961:29) sidewalks are “the main public places of the city” and “its most vital organs”. She argued that sidewalks are the place where people socialize and have fun and through this social interaction, neighbourhoods are kept safe and controlled.

Also, Loukaitou-Sideris and Ehrenfeucht (2009:3) states that:

Sidewalks are unassuming, standardized pieces of grey concrete that are placed between roadways and buildings, and their common appearance belies their significance and history as unique but integral parts of the street and urban life often serving as social, economic, and political uses. A commercial terrain for merchants and vendors, a place of leisure for flaneurs, a place of refuge for the homeless, a place for day-to-day survival for panhandlers, a space for debate and protest for political activists, an urban forest for environmentalists.

While there is a direct social, political and cultural benefit from sidewalk space, there are also informal economic benefits on the sidewalk as it provides space for street hawking. Moreover, scavengers in search of aluminium cans and bottles for recycling, newsstands, payphones, advertisements and signage for businesses also take advantage of the spaces on the sidewalk (Deacon, 2013:36-37). In essence, Deacon (2013:9) contends that “sidewalks are the city’s most public space filled with a diversity of both users and uses”. Deacon argues that diversity in activities and people on the sidewalk creates conflict in the space.

Sidewalks form an integral component of streets and roadways where pedestrians need to experience safety, comfort, accessibility, and efficient mobility. Sidewalks and walkways increase pedestrian safety by separating pedestrians from vehicle traffic (Department of Transportation, State of Hawaii, 2013:4). However, whereas in many advanced countries the benefit of pedestrianizing shopping streets has been acknowledged by shoppers and traders alike, it remains a challenge to prioritize pedestrians in developing countries (Kumar & Barrett, 2008:2). The political behaviour towards pedestrians is often neglectful and as such pedestrian space continues to diminish (Gwilliam, 2002:126). Coupled with this is the insurgence of commercial activities on sidewalks without adequate consideration for pedestrian safety. These actions have often led to many pedestrian challenges by limiting the pedestrian route choice as the already narrowed footpaths continue to be encroached by street hawkers (Amoako *et al.*, 2013:6).

Hawaii State Statutes define sidewalk as that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for pedestrian use (Department of Transportation, State of Hawaii, 2013:1). Many urban philosophers have

sought to investigate and postulate theories about what characteristics contribute to a good or even an ideal environment for pedestrians. The issue has been approached from a range of perspectives, including economic, social, environmental, transport-oriented and purely design-focused viewpoints (Stevenson, 2006:8). According to Amoako *et al.* (2013:7), preferably pedestrian infrastructure should be incorporated at the design stage of CBDs. However, in most countries, particularly in the Global South, available pedestrian facilities appear to have been incorporated after development. Murguía (2012:14) maintains that the key to improving walking conditions and managing pedestrian flow is when pedestrians are appropriately separated from vehicles. Contrarily, unpaved streets in informal areas are mostly shared by pedestrians and motorized vehicles in developing countries (Anciaes *et al.*, 2015:7).

Moreover, transport infrastructure planning should respect the hierarchy of modes by prioritizing pedestrians over bicycles, public transport, private motorized vehicles in that fashion. Hence, any modification to an existing pedestrian infrastructure should be made with the idea of reducing space for cars and not encroaching on pedestrian designated spaces (Murguía, 2012:8). However, the advent of the popular automobile culture has played a critical role in the demise of this traditional character in urban centres as urban space (including pedestrian facilities) devoted to community congregation rapidly began to disappear due the ever-expanding lanes of traffic and parking areas (Stevenson, 2006:9). New infrastructure planning prioritizes motorized modes of transport due to the surge in road traffic demands resulting from a higher rate of car ownership and usage (Anciaes *et al.*, 2015:2). Consequently, sidewalks which play a vital role as a link to points of origin and destination are frequently not given the deserving attention in the urban form.

The “sidewalk corridor” is a term often used in urban areas or town centres. Generally, it encompasses the space between curb or street edge and the face of buildings or property lines along the street. Sidewalk corridors may include sidewalks or walkways, as well as space for landscaping, street trees, furnishings, utility appurtenances, signs, streetlights, and other features. Another term used to describe pedestrian areas in urban, suburban, or rural settings is the “pedestrian realm.” The pedestrian realm includes the space between the edge of the street and the outside limit of the right-of-way (building line/property line), as well as any area pedestrians may travel within the right-of-way, such as intersections and mid-block crossings (Department of Transportation, State of Hawaii, 2013:4).

Pedestrian flows can be very high in the CBD ranging from 50 to 90 percent of the total traffic (FHWA, s.a:2). Research conducted on 13 selected Asian countries supports the high walkability rating in commercial areas. The average walkability rating for the 13 selected cities

in Asia was 58.43 percent. Commercial areas attained the highest rating, and this was estimated at 60.94 percent (Fabian *et al.*, 2010: vii). In view of this, sidewalks in business districts, downtown, and village/town centres need to be designed to efficiently accommodate heavy volumes of pedestrian traffic.

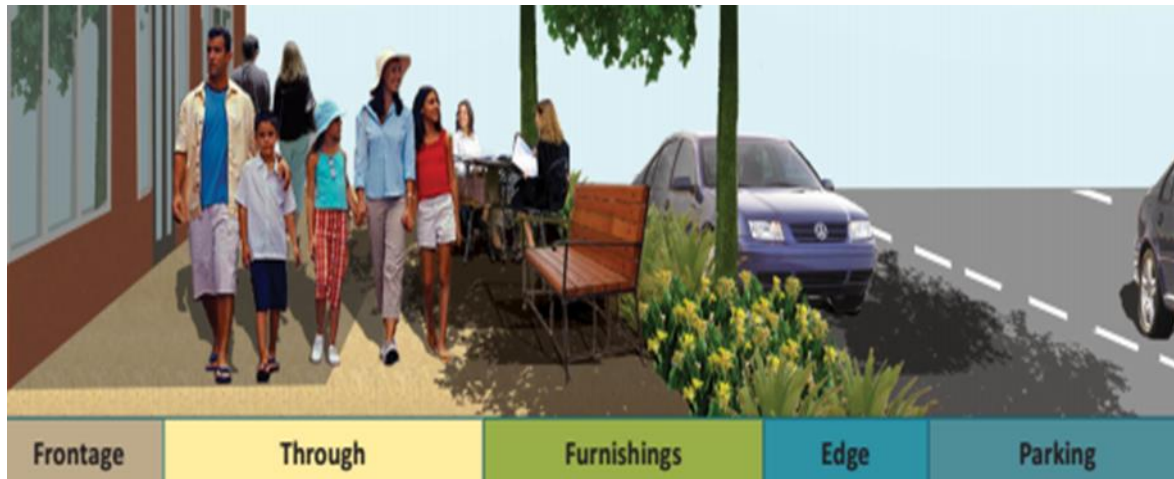


Figure 2-11: Pictorial view of the pedestrian realm

Source: Department of transport, the state of Hawaii (2013:19)

Table 2-23: Pedestrian realm components and function

Realm	Function
Building Frontage Zone	These are the areas which facilitate the entry and exit of people into/from buildings. Moreover, they are areas where pedestrians may travel at a slower pace to window-shop or to stop and chat. The frontage zone starts adjacent to a property line
Through	The pedestrian through or travel zone is predominantly obstacle-free space; primarily, the walking area of the sidewalk for pedestrian movement
Furnishings Zone (Fixtures painting zone)	The zones which provide space for street furniture, utility equipment, trees, landscaping, storm water facilities, newspaper and entertainment flyer boxes, transit stops, and other features such as kiosks, sidewalk cafes, vendors, and public art. It serves as a buffer between street traffic and the pedestrian through/travel zone
Edge (Curb zone)	The edge, also known as curb zone, is adjacent to on-street parking, bike lanes, or motor vehicle lanes. It provides space to open a car door. It also may be where pedestrians wait for taxis and buses when combined with the furnishings zone (to become the extension zone). This zone is often where streetlights, signals, traffic signs, parking

	metres, and street-related infrastructure are placed (these elements may also be placed in the furnishings zone)
Extension Zone	The extension zone refers to areas of the street side pedestrian realm extended into the parking lane. They may include curb extensions, flexible use of parking lanes, bicycle parking, tree planting, landscaping, storm water facilities, seating, and additional site furnishing areas

Source: Department of transport, state of Hawaii (2013:17-21)

2.2.5.1.3 Urban regeneration

Alpopi and Manole (2013:179) define urban regeneration as actions aimed at solving urban challenges and finding lasting solutions to enhance the economic, physical, social and environmental aspects of urban areas, particularly areas subject to decay, by employing actions such as rehabilitation of historic areas, improving living conditions in residential districts, redevelopment of public spaces and modernization of urban infrastructure. The challenges that may call for these actions may include lack of identity of an area, lack of public spaces and high urban density.

Table 2-24: Urban regeneration programmes objectives

Action	Reason
Social	▪ Enhancing the quality of life ▪ Ensuring that buildings and housing are developed to suit the needs of society ▪ Improving the image of residential communities ▪ Improving on communal relations and people's opinion on security
Economic	▪ To enhance the value of an area
Technical	▪ To ensure continuous maintenance of property within a certain jurisdiction to avoid unnecessary wear and tear to reduce long-term costs

Source: Alpopi and Manole (2013:179)

After the fall of the apartheid regime in 1994, eThekwin saw an influx of rural migrants into the city centre, specifically to the Warwick Junction, and ultimately pressure on facilities and infrastructure which culminated into urban decay similar to all the other metropolitan areas including Johannesburg and Cape Town. In relation to street trading, urban regeneration programmes were used to rectify the disorderliness that ensued after the demise of the apartheid regime. Similar to that of the Warwick Junction Pilot Renewal project, other urban regeneration projects targeting street trading have taken place in the urban landscape across the length and breadth of South Africa. These developments aimed at legitimizing the informal

use of space by addressing the needs of traders, particularly in terms of the right to land ownership, while contributing to the socio-economic dynamic of the CBD.

Table 2-25: Example of urban renewal projects to integrate street trading in South Africa

Urban Regeneration Project	Aim
Warwick Project, eThekweni	The market began spontaneously in the 1980s on the arrival of 300 migrants from India to work as indentured labourers in what was then the Natal colony. Warwick Junction was later upgraded as part of an urban regeneration programme in 1995
Yeoville Market, Johannesburg	The market was created to absorb the traders whose businesses were no longer feasible due to the housing of many traders in a single trading facility. The project houses the informal traders under a shed structure with floor specifically demarcated for traders' operations
Metro Mall Transport Facility and Traders Market, Newtown, Johannesburg	The key factors leading to the execution of the project were the formalization of the street trading community, and the provision of a permanent home for taxis in the city. The project consists of 800 trader stalls and retail shops
Baragwanath Public Interchange and Traders Market, Soweto, Johannesburg	The site is about 1.3 km long and is approximately 50 metres wide stretching along the Old Potchefstroom Road, which is a primary access route into Soweto. The facility accommodates 500 street traders along with associated amenities

Source: Case studies (s.a:51)

2.2.5.1.4 Walkability

Walking and public transport remain the most dominant modes of travelling for majority of people living in South Africa to access work, schools and services, in spite of high growth in car use (Pillay and Seedat, 2007:399). Walking is the original and definitive form of human transportation and for some years remained the principal means to get from one place to the other (Thomas, 2008:5). Walking serves as a form of mobility to a greater number of people in many urban centres, particularly the underprivileged who often do not have other alternative means of travelling. Murguía (2012:6) argues that everybody, including people in private cars or using public transport, is a pedestrian since every single trip begins with walking and ends with walking. Empirically, between 25 and 50 percent of all trips in major African cities, are entirely on foot (Gwilliam, 2002:126).

Having emerged as a popular topic in transportation related conferences and urban planning, there has been a generalized lack of consensus on the meaning of walkability (Cambra, 2012:19). "Walkability" is a term used in describing and measuring the connectivity and quality

of walkways, footpaths, or sidewalks in an area. It can be measured through a comprehensive evaluation of the infrastructure available for pedestrians, and studies linking demand and supply of pedestrian infrastructures (Fabian *et al.*, 2010:9). Moreover, walkability explains the degree of walking-friendliness of an urban environment (New Zealand Transport Authority 2007:4.1). Transport for London (2004:6) refers to walkability as “the extent to which walking is readily available to the consumer as a safe, connected, accessible and pleasant activity”.

Nonetheless, the orthodox way of evaluating the importance of transportation to the economy tends to denigrate the benefits accrued from non-motorized transportation which includes walking (Litman, 2013:3). Buttrressing this, Anciaes *et al.* (2015:1) argue that as cities expand in size, centres of desirability become disseminated and dependence on motorized transport gains ascendancy. As such, the importance of walking is reduced to a residual activity, with less priority attached to it during urban policy formulation. For instance, after the turn of the 20th century, early motorization became a threat to walking as the primary mode of transportation. New suburban housing developments disregarded sidewalks as they were deemed to be expensive, and unnecessary due to the advancements made in road networks and motorized transport in the 1940s.

However, as time passes, society has become aware of the negative implications such as cost of fossil fuels, concerns about obesity as well as restriction on accessibility of some groups to jobs and services. and inadequacy in the walking environment resulting from over-dependence on motors. Meanwhile, the concept of walkability ensures communal integration, shared ideas, cultural expression, sense of ownership, pride and passion and belongingness, healthy lifestyle, enhances property values and promotes attraction of residents and visitors; and also, has a very negative impact on the environment (EICLAP, November 2016:69; Anciaes *et al.*, 2015:1). Moreover, according to the city of cape town City of Cape Town NMT Strategy (2005:14), Non-Motorized Transports (NMTs), mainly walking potentially contribute to economic transformation, hence, NMT planning and design should consider informal trading activities, including street trading. The need to create a pedestrian friendly environment to encourage walking has become paramount. Planning for walking then became an important agenda for promoting public health and social equality (Anciaes *et al.*, 2015:1).

Admittedly, the corrective measures to ensure change have been slow as pedestrian facilities were removed at an overwhelming scale, allowed to deteriorate or may not have existed, especially in the United States of America (Thomas, 2008:8), and in most African countries, including South Africa. However, recognition of the benefits of walking led policy-framers around the world to formulate and execute transport and urban policies that were walking

friendly (Anciaes *et al.*, 2015:1). Governments, particularly in developed nations, have formulated policies to ensure investment towards providing movement space for walking and cycling to reap the associated benefits including physical activity and increasing security as well as reducing the impact of climate change and reducing traffic congestion and road accidents (Litman, 2013:17). Also, pedestrian rights have been safeguarded and enshrined in most constitutions particularly in the developed world. According to the Oregon Criminal Code section called “Disorderly Conduct”, it is an offence to “disrupt” pedestrian traffic on a public way since a free society guarantees the right of citizens to be able to move freely and safely (Thomas, 2008:7). Similarly, the European Charter of Pedestrian’s Rights adopted in 1988 by the European Parliament, gives pedestrians an exclusive right to urban areas intended for their use. The Charter argues that such spaces should not just be mere pedestrian precincts, but should be broad enough and in harmony with the general organization of the town (Ramachandran, s.a:1). Besides the policy formulation and legal enactments, initiatives of lobby groups such as the ‘car-free days’ held globally continue to draw the attention to the need for pedestrian space particularly, in the CBDs (Stevenson, 2006:4). More so, researchers continue to produce many indicators of walkability taking accessibility to specific destinations, land use mix and street layout into consideration (Anciaes *et al.*, 2015:1) as good quality pedestrian facilities, including absence of obstruction influence the demand for walking (Cambra, 2012:19). Against this backdrop, globally, it appears the pedestrian right to the city has gained momentum similar to motorist right. However, despite informal trading contributing enormously, particularly towards provision of employment in middle-income countries, informal trading right to the city has not garnered the attention it deserves.

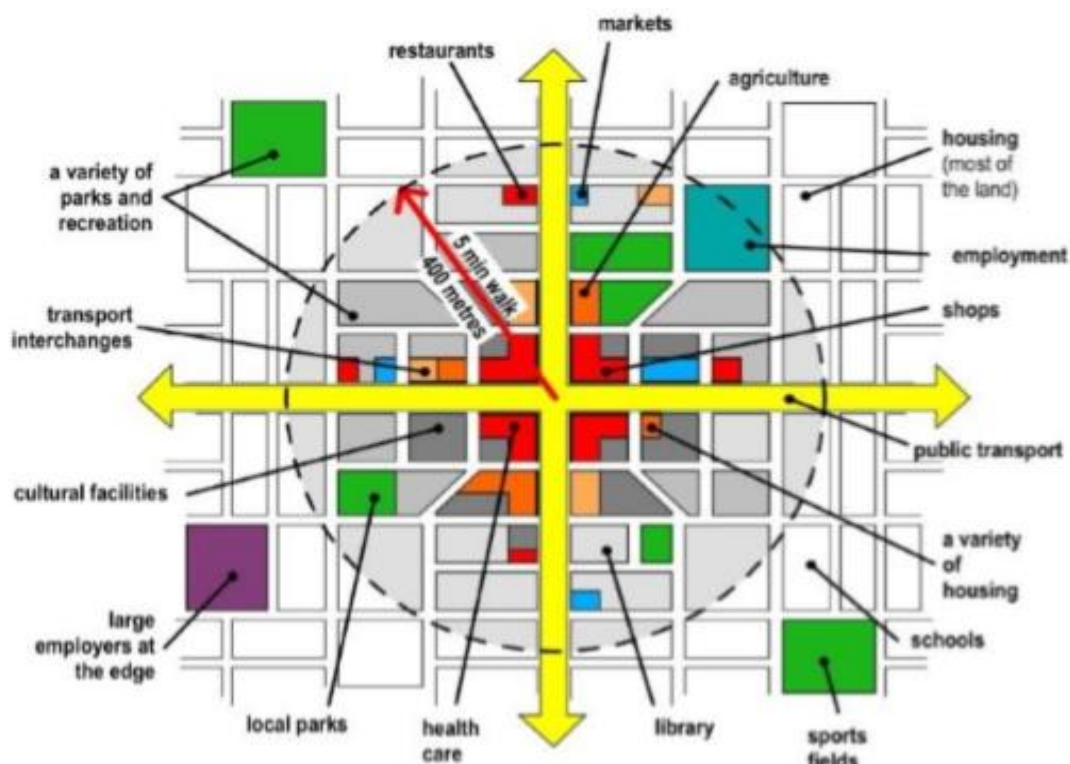


Figure 2-12: Model for walkability

Source: eThekweni Inner-City Local Area Plan (EICLAP) (November, 2016: 69)

Table 2-26: Elements of walkability

The elements of walkability concept
▪ Link local walkable vicinities to the greater region ▪ Prioritise pedestrians and non-motorable transport while limiting the use of cars in the CBD ▪ Amenities should be located in close proximity to users ▪ Streets must be designed for pleasing and safe pedestrian usage ▪ Ensure diversity in residential types and densities ▪ Locate public transport in the right places ▪ High density must be promoted in areas such as neighbourhood centres with greater concentration amenities, while providing accessibility that supports the daily activities of the residents ▪ Encourage fine grained, mixed land uses to be developed in neighbourhood centres ▪ Social and educational amenities should be integrated into neighbourhood network ▪ Redevelop old vicinities to accommodate walkable structures ▪ Walkable structures must be extended and ensured in newly planned neighbourhoods

Source: eThekweni Inner City LAP (2016:72)

However, according to Murguía (2012:15) common obstacles to walking including open and misplaced drains, potholes, heaped garbage and street vendors make walking activities much slower, unsecured or difficult to potential walkers. Also, Gwilliam (2002:126) cites the case of

India where the majority of the major roads in most cities have no sidewalks. Where sidewalks exist, they are mostly occupied by street vendors, encroached upon by shop owners, or blocked by parked cars, motorcycles, and bicycles. In a similar fashion, Kumar and Barrett (2008:2) lament on the situation where sidewalks are mostly taken over by adjoining properties through expansion.

Murguía (2012:15) argues that in order to improve urban mobility, it is essential to eliminate obstacles such as street hawkers. As such, Anciaes *et al.* (2015:1) contend that the identification of obstructions to walking in an area plays a vital role in policy formulation as empirical evidence suggests that the “propensity” for walking is directly linked to the character of the built environs. Furthermore, personal security issues also form a major obstacle to walking. Fears about personal safety is one of the factors that greatly influence both pedestrian route choice and choice of transportation mode. Studies have revealed that some people prefer not to walk because of the fear of being attacked (Hamilton cited by Hodgson *et al.*, 2004:14). Pedestrians who perceived certain pedestrian routes to be dangerous may modify their travel behaviour by avoiding such areas or routes. Hence, personal security issues create a barrier to accessing public transport services on foot (New Zealand Transport Authority, 2007:4-5).

Table 2-27: Economic benefits of walkable cities

Local economy	Boosting prosperity: Improving on walkability has a positive impact on local retail spend, enhanced value of local services and goods, and creates more job opportunities. In support, according to Transport for London analysis, pedestrians usually spend 65 percent more than drivers. Moreover, a research in the United States estimated that for each \$1m spent on pedestrian improvements, about ten jobs were created, which is two additional when compared to vehicular projects
	Supporting local businesses: Clustering and proximity are critical to the success of commercial districts. Whereas car dependency determined the rise of suburban malls, and walkable urban network may facilitate the spread of small local shops and street markets, able to increase variety of goods and services, independent retailing, local employment and start-up opportunities
	Enhancing creative thinking and productivity:

	An increase in walking has a direct relationship with higher levels of productivity and creative thinking. A person's creative output increases by an average of 60 percent when walking indoors or outdoors
Attractiveness	Enhancing city branding and identity: Investing in walking may contribute enormously towards shaping a more attractive city through liveability. Cities, including Barcelona combined the regeneration of public space for social and environmental benefits with a branded place-making process. Since the 1980s, the city has executed a public space policy aimed at reducing factories and warehouses, and creating hundreds of new parks, squares and promenades, as well as regeneration of waterfront and reclamation of 4.5km of beachfront. A project which has led to a dramatic transformation of Barcelona's international profile, increasing its annual visitor numbers from 1.7 to 7.4 million in the last 20 years
	Promoting tourism Walkability creates public spaces that are a pleasure to pass by. Moreover, implementing small and well-planned distances between destinations enhances the pleasure of strolling through the city and enjoying local services, shops and landmarks. For instance, pedestrianization of the north side of Trafalgar Square brought a 300 percent increase in visitors
	Encouraging inward investments: Investing in walkable public spaces can serve as a catalyst for regeneration, making cities attractive to private investments and providing economic benefits to communities. In essence, most private companies and investors are interested in investing in walkable downtowns due their competitive advantage in terms of accessible and vibrant neighbourhoods as means to reinforce companies' brand aspirations
	Attracting creative class: Dense neighbourhoods and pedestrian-friendly streets can highly influence the migration patterns of skilled professionals, leading to the revival of underdeveloped urban areas. A research conducted by George Washington University School of Business revealed that the most walkable urban metro areas have significantly higher GDPs per capita and percentages of college graduates, who are above 25 years of age in the population
Urban	Increasing land and property values: Publicly funded schemes to improve walkability can add significant value to private property. In the United States, academics have used Walk Score, an index based on the presence of amenities within

Cost savings	walking distance, to demonstrate how a walkable urban public realm directly translates into an enhancement in home values of between \$700 and \$3 000 for each point on a score out of 100.
	Activating street facades: The presence, number and size of storefront businesses are fundamental indicators of neighbourhood economic health and vitality. In New York City, the painted expansion of the pedestrian space in Union Square reduced commercial vacancies by 49 percent. In Oxford Circus, a major retail hub in London, after the removal of street clutter, the turnover of a retailer occupying one of the corner spots increased by 25 percent in just one year following the intervention
	Shrinking congestion costs: Creating more walkable environments, together with investment in public transport, can reduce congestion costs and provide long-term transport solutions. An American study revealed that low-income households who depend on cars spend 50 percent of their budget on transportation
	Construction and maintenance cost savings: Walking requires little equipment, or high-tech infrastructure, and can therefore, leads to savings in maintenance costs. In addition, a reduction in the use of motorized transport can increase the lifespan of urban infrastructure and further reduce the negative collateral impacts of car traffic, including pollution and damage to building facade, and consequently reducing public expenditure for retrofits. Whereas pedestrian improvements require minimal additional funding, and often leads to a reduction in infrastructure costs per user and maintenance costs over the long term
	Reducing healthcare costs: A growing body of research explains how walkable environments may lead to a rise in the number of people engaged in active modes of transport and lifestyles, eventually reducing public health expense. Lack of exercise contributes to disease that costs Europe €80.4 billion every year. For instance, in the United Kingdom, the cost of illnesses resulting from physical dormancy has been estimated at €14.2 billion per annum, which is 8.3 percent of national health spending. Meanwhile, in the United States, around \$190 billion per year is spent on treating obesity-related diseases

Source: Claris and Scopelliti (2016:52-67)

Table 2-28: Differences between walkability in African and western countries

Walkability in African countries		Walkability in Western countries
Walking remains the major mode of transport in many sub-Saharan African cities. For instance, in Kinshasa, capital of the Democratic Republic of the Congo and home to 10 million residents, an estimated 60 to 80 percent of travellers walk, according to a 2012 report. Similarly in Dar es Salaam, the largest city in Tanzania, about 70 percent of all travel is done either on foot or bicycle. Also, in Addis Ababa, over 60 percent of trips are by foot. In essence, the share of trips by walking in sub-Saharan Africa is greater than in any other region of the world.	Number of people involved in walking	In the Western countries, few trips are made on foot. For instance, in London less than 20 percent of the people used walking as means of transport, and in New York its between 10-20 percent
In many African urban residents, walking is not a choice, but a symbol of socio-spatial inequalities as people who use walking means of transport are mostly from low-income informal communities. For instance, residents of Nairobi's slums, many of whom belong to Nairobi's lower class of informal laborers are twice as likely to walk to work rather than travel by automobile. More so, walking is imposed by exclusionary urban configuration. Majority of Africa's urban population live in informal settlements, areas deprived with access to basic transport infrastructure and services.	Factors driving people to walk	In the western countries, a car is no longer a status symbol for young adults. As such, many young consciously choosing walking, cycling and public transport, decisions that are also driven by health and sustainability objectives. Accordingly, active mobility perceived as a tool to dealing with dormancy, reducing risk of diseases and social stress of living in growing megacities continue to increase. In support, the Chicago Metropolitan Agency for Planning argue that 63 percent of millennials and 42 percent of boomers prefer living in a place where car dependency is a choice. Also, according to the National Association of Realtors, 62 percent of millennials prefer to live in a walkable community where a car is optional.
Walking conditions in African cities are perilous and insecure partly due to the prioritization of local urban design for auto-mobility. For instance, in Ethiopia, 67 percent	Pedestrian mortality risk	The number of pedestrian deaths decreased by 2.6 percent on average each year in the European Union countries, over the period 2010 to 2018 compared to a 3.1 percent annual reduction in motorized road user

of road accidents involve pedestrians in Addis Ababa capital.		deaths over the same period. In 13 European Union countries pedestrian deaths were reduced at a faster pace than motorized road user deaths. Norway and Slovenia have achieved a rapid annual reduction in the number of pedestrian deaths of 9 percent and 8 percent respectively over the period 2010-2018. However, the progress stagnated in France and Italy. In the United Kingdom, on average, pedestrian deaths increased by 1 percent each year in the United Kingdom and 0.5 percent in Hungary.
In many countries in Africa the quality of sidewalks has eroded noticeably, and in most cases do not even exist. For instance, 63 percent of streets in Addis Ababa lack any pavements or sidewalks and crossings are rare. Africans walk despite the un-walkable urban environment, not because of it.	Walking/pedestrian infrastructures	Western countries, including many European countries have got high quality pedestrian infrastructures. For instance, multiple cities and towns in Belgium are pedestrianizing or have pedestrianized specific areas by introducing or extending 30 km/h zones supported by traffic calming measures. For the past five years, the city of Brussels, has introduced plan to reduce traffic in the city by creating a pedestrian zone which will be one of the largest in Europe once completed. Also, currently the city of Copenhagen has over 96 000 m ² of car-free zones, including 33 percent streets and 67 percent city squares.

Source: Author's construction (2021) cited by Adminaité-Fodor and Jost (2020:12-15); European Commission. Directorate-General for the Environment and European Commission. Environment Directorate-General (2004:16); Okyere et. al. (2021); Shrikantaditi (2018); Sturgis (2015) and Walkonomics (2011).

2.2.5.1.5 Urban Informality

The concept of urban informality came as result of the dichotomy between the formal sector and the informal sector, discussed in the early 1970s (Tichelaar, 2016:24). Roy (2015:147)

argues that informality described as 'an idiom of urbanization', is a way by which the state governs with uncertainty, flexibility, spatial inequality and capital accumulation in urban areas, particularly in the Global South. Her definition of informality as a mode of urbanism implies the co-habitation with other modes that overlap not only in spatial terms, but also in time. Roy's theorization acknowledges that different modes of urbanization depend on the stages of integrating the 'formal and informal', the 'legal and illegal', the 'rural and urban', and the 'global and local'. These stages of integration are indication of political approaches to informality, based on either structural exclusion from official discourse or practical inclusion of everyday practice. Thus, drawing from the divide between exclusion and inclusion, she portrays informality as an expression of sovereignty, and a state of exception produced by planning processes, particularly disregarding the structures of power.

Planners and policymakers usually see informal activities at best as undesirable enterprises that should be overlooked, and at worst as unlawful activities that should be stopped (Mukhija and Loukaitou-Sideris, 2015:2). According to Erika Kraemer-Mbula (cited by the informal city reader, 2013:9), informality is mostly regarded as an obstacle to urban development, and activities resulting from informalities are usually seen as detrimental, and tend to be opposed by local authorities. However, Hernando De Soto describes informality as the illegal pursuit of legal economic ends (Portes and Schauffler, 1993:41).

Contrarily, Mukhija and Loukaitou-Sideris (2015:2) disagree with the general conception that informality is a space of marginality, irrelevance, and criminality. Mukhija and Loukaitou-Sideris see the need to comprehend the expanding informal urbanism, particularly in the United States' cities. According to Roy (2005:148), urban informality understood as a mode of urbanism has undergone major shifts from primitive tradition, and as such it may influence planning policy and practice. The use of space for activities contrary to the activities of the said location may lead to conflict, and eventually be regarded as an 'element out of place'. For instance, street trading activity may be regarded as an 'in place or out of place element' depending on the context of its location. Hence, it is vital to acknowledge the context of street trading presence in urban planning, which can be a consideration in the determination of planning policies (Widjajanti, 2016:187).

Hernando De Soto maintains that informality is a "survival strategy undertaken by the poor with ingenuity and entrepreneurial spirit" (Tichelaar, 2016:24). Castells and Portes (1989:301) underpin that informality has a broader spectrum, including society embracing alternative situations. Hence, Aly Karam cited by the informal city reader (2013:8) argues that "We use

the word 'informality'... but the true meaning of what is happening is ingenuity in our cities. That is what it should be called".

Karam argues that in the 'developed world', many of the formal things were once done informally, and that is the genesis of ingenuity. Making references to the images of Tokyo after World War II, and images of London, Paris and New York where slums were the norm, Karam contends that if the rules of the nineteenth century had prevailed on these cities, there would not have been the London, Paris, and New York of today.

The concept of informality related to land, property and urban development has followed a parallel trajectory. The term "informal settlements", was introduced in planning debate in the mid-1960 by Charles Abrahams and John Turner to designate urban areas growing outside the official regulatory framework (Villamizar-Duarte, 2015:4). In 2005, Ananya Roy proposed a radically different definition for urban informality. Informality, she stated, should be understood as a mode of urbanism: "an organizing logic, [a] system of norms that governs the process of urban transformation itself" (Roy, 2005:148). She developed her argument by unfolding two contemporary debates traditionally seen as contradictory. The first one portrays informality as anarchy, often characterizing the vast section of urban growth in the Global South; whereas the second one presents informality as an alternative path for development (Villamizar-Duarte, 2015:2). Roy's analysis of these two approaches, "one of crisis and the other of heroism" (2005:148) portrays informality as being in opposition to formality (Villamizar-Duarte, 2015:6).

On the global scale, different manifestations from different contexts of an informal urban mode are explored to determine their relevance in contemporary urban planning practice and theory. Amongst the questions asked are; if informality is an urbanization mode, then what does it look like in its locally situated manifestation? (Porter *et al.*, 2011). Porter argues that informality is associated with modes of human settlement, trade and exchange that occur outside of formal legal structures and processes. In the context of urban settlement, it is mostly considered in terms of slum development; in economic terms, it is mostly related to street vendors, labour migration and illegally employed and exploited workers.

Mukhija and Loukaitou-Sideris (2015:2) argue that informality and its settings signify an evolution of a landscape of opportunities and challenges and admonish the need for urban planners to respond to its realities in an appropriate manner. Recio *et al.* (2017:4) concur that opportunities associated with informality are mostly situated in the context of how people, particularly the poor depend on informal economic activities such as street vending to make a living.

Porter *et al.* (2011) contends that in the 21st century, major sustainable urban challenges such as rise in urban poverty and informality pose a challenge to urban planners as to how to handle such realities. Chatterjee (2004:15) opines that the challenges associated with urban informalities are not only about scarcity of information for policy-making and recommendations, but also a theoretical challenge as to how scholars comprehend and analyse how the state functions in the Global South in relation to urban informality. Even though informality is understood at the political front, it is not firmly cast into the functionality of many states as the political understanding of urban informality has not yet been captured into normative thinking in planning, governance, public administration or policy context. Onyebueke (2013:9) posits that as urban informality continues to gain ascendancy, two main fundamental challenges are physically expressed in the global/local economic transformation. They include the challenge posed to urban planning and economic development imperatives. The urban planning imperatives cover the ideological and practical aspects of spatial design and use of public spaces in 'informal cities'; whereas the development imperative speaks of the development possibilities and opportunities associated with the informal economy.

2.2.5.1.6 Congestion

Traffic congestion remains a challenge in most cities on the globe. In South Africa, both primary and secondary cities, particularly in the CBDs due to its unique spatial and economic characteristics, are confronted with traffic congestion which negatively affects mobility, especially during peak hours (Das & Keetse, 2015:865). This situation often leads to increase in travel time, fuel consumption, pollution emissions and driver stress (Litman, 2011:3). The European Conference of Ministers of Transport defines vehicular congestion as a condition whereby demand for road space outstrips supply, making it difficult for vehicles to move efficiently due to limited road space as the transport system reaches its optimum capacity (Das and Keetse, 2015:865). Moreover, congestion is said to have occurred when additional vehicles introduced into a traffic flow prolongs the travelling time of other vehicles. It refers to an excess of vehicles on a portion of a roadway at a given time leading to a flow-speed lower than the expected (Department of Transportation-United States, 2005:1).

A system or an area is said to be congested when demand surpasses the prescribed capacity (Mathew, 2014:3). In light of this, congestion is said to have occurred when there is overuse of a particular space including roads and sidewalks. Webster's Third New Dictionary defines congestion as "a condition of overcrowding or overburdening", while "to congest" means "to overcrowd, overburden or fill to excess so as to obstruct or hinder" something; in the case of this study, it includes both pedestrian and vehicular traffic flow.

Most definitions and explanations given to urban congestion are premised on vehicular congestion. Nonetheless, evolving developments support that urban congestion goes beyond the vehicular impediment on one another, it may also include the impediment caused by pedestrians on pedestrians or pedestrians on vehicular flow (Kessey *et al.*, 2013:90), as well as the impediment emanating from street hawking activities on the sidewalks, and eventually a reduction on pedestrian flow rate, and in some cases vehicular traffic movement due to pedestrian/trader spill over onto the road. In a nutshell, urban congestion is not limited to vehicular flow, but, also to pedestrian flow as well.

Research on the study of traffic congestion in Hong Kong identified limited number of road transport infrastructure, excessive numbers of vehicles, competing use of road space, management and enforcement issues, and road works as the main causes of recurring traffic congestion (Transport Advisory Committee, 2014:2). Also, a research conducted into traffic congestion into traffic congestion in Dhaka city by Chowdhury (2013:111) identified encroachment of roads and sidewalks, mainly by street traders, as agents of traffic congestion. In support, he argues that about 60 percent of the 163 km footpaths of Dhaka city is occupied by street vendors and street shop owners. This situation often causes pedestrians to walk on the roadbed instead of using the sidewalks.

Additionally, Sibhat (2014:22) supports the view that the presence of vendors in the roadway and sidewalks often lead to pedestrian spill over onto the roadway. This situation blocks motorists' sightlines at intersections and distracts motorists from driving, and eventually contributes to a delay in traffic flow. Concurring, Klu (s.a:63) contends that street traders cause inconveniences to both pedestrians and vehicles by putting their goods on display on the sidewalk, and sometimes on the street which is meant for pedestrian and vehicular use. As such, in support, Sibhat (2014:22) argues that some pedestrians and many motorists are compelled to use alternative routes which may be longer and consume more fuel than the usual route, to avoid disturbances and solicitation from street vendors. Again, Klu (s.a:32) argues that another way street trading activity causes a delay in vehicular traffic movement is a situation where the motorists are compelled to stop or drive slowly for passengers to buy.

Contrary to the belief that street hawkers cause traffic congestion, a study in the city of Mumbai argues that privately-owned cars mostly parked on the road were perceived to be the highest encroachers on public space, and as such the greatest obstacle, particularly to pedestrian traffic flow. However, such information is immaterial to the 'self-proclaimed' defenders of public space, mostly the elite groups who are bent on removing street hawkers from the streets (Anjaria, 2006:2142). In support, research conducted in Accra to determine whether street

hawking causes vehicular and human congestion in the CBD of Accra revealed that the desire for pedestrians to board taxis and other public transport at undesignated sections of the roads, as well as the presence of certain land-uses such as lorry station and markets were identified as the cause of congestion. The respondents further argued that congestion in the city is not only as a result of overcrowding of sellers, but buyers and pedestrians in pursuit of their daily activities also contribute to traffic congestion (Klu, s.a:63).



Figure 2-13: Stationery Street trading impact on pedestrian and vehicular flow in the Kumasi CBD-Ghana

Source: Author's construction (2019)



Figure 2-14: Mobile Street trading impact on vehicular traffic flow in Kumasi CBD-Ghana

Source: Author's construction (2019)

Table 2-29: Street trading and vehicular traffic flow impact scenarios

Scenarios	Impact on vehicular traffic flow
Trading on the sidewalk	Street trading facility often mounted on sidewalks leads to pedestrian spill over onto the carriageway due to limited space
	Mobile hawkers operating on the sidewalks causing overcrowding, and eventually a spill over onto the carriageway
Trading on the carriageway	Stationery traders operating from the carriageway by mounting trading facility on the carriageway impedes on vehicular traffic flow
	Mobile hawkers meandering through vehicular traffic on the carriageway impedes on vehicular traffic flow
Trading in a parking space	Street traders often put up their structures or hawk in a parking space

Source: Author's construction (2019)

2.2.5.1.7 Informal economy

Keith Hart used the term, informal to describe a series of economic practices situated outside the confines of official structures designed to regulate the economy and production of space (Hart, 1985:54). The definition of informal sector/economy remains elusive as the different schools of thought has come out with different definitions. The argument surrounding the definition of the informal sector evolved from the intricate linkages between the formal and

informal sectors. As such, informal economic sector is often presented as opposite and sometimes mutually exclusive to the formal economic sector.

Informal economy includes businesses that 'partially' or 'fully' fall outside the ambit of government regulation, including employers operating in commercial activities and occupations outside the confines of the formal sector (Israt, 2014:1-2). According to Biles (2009:216), an informal sector exists as an opposition to formal work including all forms of employment that are not considered to be formal. Hence, Villamizar-Duarte (2015:3) underpins that informality is the reverse form of formality. Graaff and Ha (2015:3) argue that the understanding of the term informal varies because its definition widely depends on which activities are considered as informal. In support, Biles (2009:216) contend that the distinction between the informal sector and the formal sector is mostly dependent on their characteristics, including the scale of firm operations, access to both financial and human capital, and availability and use of technology.

Tichelaar (2016:24) argues that informal economic sector exists in response to the harsh regulations dominating the formal sector. In support, Broadbent (2012:7) contends that the informal sector can be understood as those activities that are not part of accepted order, rules and norms, and is often associated with illegality. However, it is worth noting that contextual interpretation of legitimacy varies among developed and developing countries especially in low-income countries. According to the International Labour Organization (ILO) (2002), whereas the illegality of the informal economy in developed countries often bothers on conscious effort made to shun the regulatory framework and evade taxes, in the developing countries, it comprises of livelihood strategies of mainly the poor in pursuit of economic gains. Hence, Graaff and Ha (2015:3) argue that it is inappropriate to equate informal activities to illegal practices. Referring to street vending which is mostly regarded as an illegal activity, they argue that it is difficult to fit street vending into the common definition of informality as in some jurisdictions (including South Africa and India), they are regulated by state institutions.

Formalization, often connoted as a legitimate means of capturing previously non-compliant businesses has often been prioritise in most policy responses to street vendors (Vargas, 2016:13). Formalization often portrayed by the World Bank, the United Nations and the ILO as an instrument of empowerment to equip people within the low-income earning bracket in order to improve their well-being, and also to safeguard their activities within the ambit of the law includes regulation of licenses/permits, markets, or zones that safeguard street vendors to operate within the confines the law (Vargas, 2016:13). Skinner (2016:19) posits that formalization such as registration and taxation, can be additional cost. Making reference to

international experience, Chenal (2016:36) reveals that many informal operators already pay taxes or fees, including Value Added Tax or various kinds of license fees to city authorities to operate, and are not hesitant to pay taxes or fees in exchange for benefits such as legal and social protection, support services: skills or business training; and also to be allowed to organize and to be represented in legal enactments, policy formulations and collective bargaining processes. However, formalization has mostly been rejected by people working in the informal sector, including street vendors since the formalization of street vendors often laid emphasis on the recovery of public space with minimal attention paid to the laws and practices that control and affect their working conditions and livelihoods (Vargas, 2016:13).

With the advancements made in globalization, it was anticipated that informal economic activities would disappear. However, current trends indicate a growth in informalization because the desire to be self-employed is growing at a rate faster than salaried employment (Villamizar-Duarte, 2015:4). Correspondingly, the ILO (2002) expresses the optimistic view that the informal economy will be morphed into dynamic modern industrial economies given that appropriate economic policy measures are put in place. Illustrated by the assumptions of Arthur Lewis' theory of economic development, the primary conception was that the traditional sector comprising petty traders would be engulfed into the modern formal economy. Nevertheless, the traditional economy continues to persist even with the emergence and growth of modern economic systems and institutions. As such, the ILO to Kenya's "employment mission" confirms that the traditional sector had not only persisted, but had grown to absorb "profitable and efficient enterprises as well as marginal activities". In support, using Ghana's case as an example, Owusu *et al.* (2013:74) argue that by the 1970s and 1980s, traditional economies often fuelled by the pervasive poverty and widespread unemployment, particularly in Ghana were expanding at an intensified rate.

Whereas the concept of the informal economy is often considered to be more of a phenomenon in developing countries, developed countries are equally affected. The size of the informal sector by far outpaces the formal sector in many African countries and some Latin American and Asian countries as well. According to Habitat III (2015:4), in most regions of the developing world, more than one-half of non-agricultural employment comes from the informal economic sector.

Table 2-30: Informal sector employment in some selected regions

World's developing regions	Employment in the non-agricultural informal sector economy
South Asia	82 percent
Sub-Saharan Africa	66 percent
East and Southeast Asia	65 percent
Latin America	51 percent
Middle East and North Africa	45 percent
Six cities in China	33 percent
Eastern Europe and Central Asia	10 percent

Source: Habitat III (2015:4)

2.2.5.1.8 Urbanization

Urbanization involves a complex set of economic, demographic, social, cultural, technological, and environmental processes that result in an increase in the proportion of the population of a territory that lives in towns and cities, an increased concentration of population in the larger settlements of the territory, and an increasing density of population within urban settlements (Knox, 2009;112).

According to Freire *et al.* (2014:1), it is expected that urban populations in Africa will triple in 50 years, hence, the need for policymakers to harness urbanization for sustainable and inclusive growth. In emerging markets, urbanization is considered as a key driver of development and growth (Hedrick-Wong and Angelopulo, 2011:4). Chenal (2016:63) contends that historically, urbanization served as a facilitator to economic transition from agriculture to manufacturing and services, and promotion of labour, capital and industrial constellation. For instance, in Africa, majority of rural residents continue to flock into urban regions in search of the living standards made possible by new production. According to Hedrick-Wong and Angelopulo (2011:4), the movement of the underemployed rural people to more productive employment in urban areas is one of the surest ways of ensuring high productivity. However, this process does not automatically or always lead to such benefits, particularly in Africa (Chenal, 2016:63). To reap the full benefits of urbanization, it is incumbent upon the emerging markets, including those in Africa, to manage urbanization efficiently. This can be achieved through sufficient investment in physical and human infrastructure, effective policy coordination between central and municipal governments, appropriate and forward planning and enforcement, creating a supportive environment for private businesses to thrive and create jobs, provision of law and order, and assuring effective governance at all levels of administration need to be ensured (Hedrick-Wong and Angelopulo, 2011:4). However, getting the priorities associated with urbanization right has been a major challenge for Africa

(Awumbila, 2014:3), and has led to slum developments, lack of basic services for most urban dwellers, chronic traffic congestion and gridlocks, zoning irregularities and lack of enforcement, as well as high urban unemployment and underemployment; and in summary, poor and deteriorating quality of urban life (Hedrick-Wong and Angelopulo, 2011:4).

Horn (2011:6) supports that globally, informal traders who moved to larger cities in search of employment opportunities and good living standards are mostly migrants. Concurring with this, Graaff and Ha (2015:6) argue that the majority of vendors in the cities of the Global South often tend to be rural-urban migrants and immigrants. Also, Bhowmik (2012:186) confirms that as part of the urbanization process, international migration contributes immensely to the astronomical growth in the number of street traders. In support, Graaff and Ha (2015:5) posit that in the United States of America, the majority of vendors are immigrants, predominantly from Latin America and francophone West African countries, especially Senegal. Concurring, Skinner (2008:9) posits that just like their rural counterparts, foreign migrants are mostly left with limited alternatives, that is to work in the informal economic sector, where there is easy entry and less demand on capital. Hence, Horn (2011:6) underpins that the informal sector provides a safety net for migrant or immigrant workers who, through diverse 'push-and-pull factors', end up in major cities as the over-stretched labour market lack the capacity to absorb them.

2.2.5.1.9 Inclusive city

Inclusive city refers to equity, equality and social justice (Irurah and Boshoff, 2003:250). The right of all people to the city is not only for economic purposes, but by extension, includes social, cultural and democratic space as preserved in the World Charter and espoused by international social movement advocates at the social forum of the World Urban Forum in October 2004 (UN Habitat, 2005:2). Again, the Sustainable Development Goals, particularly goals numbers 8 and 11 promote inclusivity in urban space. Goal 8 promotes sustained, inclusive and sustainable economic growth, full and productive employment, and decent work for all. Goal 11 recommends cities and human settlements to be inclusive, safe, resilient and sustainable (Breda, 2018:16).

Nonetheless, the development models employed by most cities, particularly third world cities, are focused rather on beautification towards attracting capital. Such developmental tendencies often manifest into economic and social exclusivity. Kohn (2004:6) in support argues that the design and regulation of the built environment can either reinforce or challenge existing patterns of inclusion or exclusion. Inclusive city approach holds significant implications for street traders in the sense that street traders depend mostly on contested urban public spaces,

and their frequent displacement to the advantage of other interests as they are often perceived to be inimical to development, arguably enforces social exclusion.

Notwithstanding the development achieved towards the appreciation of street hawking in the provision of jobs to many people, street vendors and their rights to space have not been integrated fully into urban space usage and planning (Kusakabe, 2006:8). Street trading is often barred from taking place on the sidewalks, potential areas for successful trading in many countries including South Africa. In countries like South Africa, such management approach appears to be inconsistent with fundamental human rights which allowed freedom to participate in economic activity as enshrined in the bill of rights in the 1996 Constitution of South Africa. In view of this, Moodley (2016:15) argues that the right to the city must be investigated in the context of: Whose right? What right? What city? In light of this, right-based approach to urban management, a potential tool through which the disenfranchisement of street traders in urban public space can be addressed is needed, as the right to access urban public space appears to be elusive.

2.2.5.1.10 Globalization

Globalization is a powerful force of the contemporary world system, and it remains one of the most dominant forces steering the future trends of the globe. According to Beerkens (2006:13), globalization takes different forms, including economic integration, the transfer of policies, knowledge and culture. It is a revolutionary process that seeks to establish a market free from socio-political control. Moreover, Bengs (2005:1) posits that “globalization implies the establishment of a neo-liberal society to match the neoliberal economy”. Globalization is largely driven by capitalism and causes cities’ economies to either stagnate or progress, alters the methods of production and consumption and the pace of information transfer; the accelerated migration of skilled labour and capital flows that have effect on the rate of urban change.

The global processes as described above have implications for public spaces in the globe including in South African cities. According to Matjomane (2013:2), most cities in their pursuit to reach world class status, and be globally competitive enter into agreements with private businesses, a trend which often leads to the beautification of inner cities in order to attract international investors, and ultimate suppression of informality.

2.2.5.1.11 Neo-liberalism

Neo-liberalism is a theory of political economic system that postulates that the best way of advancing the well-being of humans is by liberating entrepreneurial skills and freedom within

an institutional framework grounded on strong private property rights, free markets and free trade (Harvey, 2005:2). Neo-liberalism is based on the principles vested in the private sector, and it encourages free market economy to be the engines of growth. In essence, it seeks to put state economic functions and services under the control of private individuals (Kenton, 2019).

Leitner *et al.* (2007:4) posit that neoliberal city are often cloaked in commercial characteristics to enable them to compete for investments and economic development through privatization. Hence, aesthetic urban landform cannot has become one of the routes to appeal to consumers and investors. Contrary to the neo-liberal agenda, research conducted in Durban by Do Rego (1995:70) reveals that street trading creates a 'Third World image' in a city. Therefore, it is not strange that most cities in South Africa, including Durban, tend to exclude or limit street trading, often citing congestion and other spatial challenges including obscenity in the urban public space as their reasons.

Neo-liberalism supporters argue that free market economy enhances the distribution of investments and resources, however, in practice, the approach has contributed to market failures, social segregation and astronomical growth in skewed developmental trends, as well as coding the marginalized people within urban space as criminals. In essence, the neo-liberalism encourages a shift in government policies, despite such narratives subjecting the majority of the population to the power of market forces, while preserving the social protection for the powerful group (Brenner & Theodore, 2002:352).

2.2.5.1.12 Modernism and post-modernism

Modernism originated from the thought of 'European enlightenment' that roughly began in the middle of the 18th Century. More specifically, it is a set of cultural tendencies, originally arising from wide-scale and far-reaching changes to Western society in the late 19th and early 20th centuries (Modernism, s.a:1), an era when Western European culture was becoming more urban, less rural, industrial, less dependent agriculture; and the influence of organized religion and culture in the lives of people paved the way for secularism (Barret, 1997:20).

The modernist theory was a rebellion against practical traditionalist values, and as such, most paradigmatic intention of modernism is the rejection of tradition and its reprise. Moreover, it supports and incorporates the actions of the people who, in their view, felt the "traditional" forms of art, architecture, literature, religious faith, social organization and daily life were becoming obsolete in the new economic, social, and political conditions of an evolving industrialized world (Modernism, s.a:1). In essence, using new and innovative thinking, and often a thoughtful and radical approach to move away from normal conventions are key the

features of modernism (Lewis, 2007:6). In essence, modernism had a paradigmatic approach against the obsolete, and this makes informal economic activities a challenge to modernist conceptions of the city.

Modernist planning emphasizes zoning and considers it rational, since it segregates and congregates the city into different land uses (Hlengwa, 2016:49). In support, a very prominent hero who propagated the principles of modernism, and set the tone for the modernist architect in the city was the Swiss architect Le Corbusier as reflected in some of his quotations:

I propose one single building for all nations and climates” (Ley cited by Natrasony and Alexander, 2005:11) ... “[T]he city of today is a dying thing because it is not geometrical”; we must “replace our haphazard arrangements...by a uniform layout. The result of a true geometrical layout is repetition...standard...uniformity (Moe and Wilkie cited by Natrasony and Alexander, 2005:12).

Lyon cited by Modernism (s.a:1) emphasizing on urbanism as one of the key accomplishments of modernism concurs that high influx of people from rural to industrialized urban areas as well as a tremendous shift in social life made work the focal objective of life. According to Cross (2000:35-36), modernism reached its climax during the 1950s and 1960s, with rapid economic growth in the United States and, later, Europe and Japan. Under the modernist theory, planning where everything has to be ordered, the informal sector economy particularly street vending was not considered in the ideal city due to the connotation associated with it being undesirable (Cross, 2000:31). In support of this, Serge Latouche concurs that “...informal workers are perceived as non-structured, non-official, non-organized ... a-normal ... a-legal ... non-capitalist ... nonvisible and non-readable ... the other of the grand society.” (Latouche, 1993:129).

Premised on such information, most cities tend to use restrictive approach in the management of street trading due to various reasons, including the desire for ‘modern’/ ‘Western’ types of urban order and “dreams of the ‘global city’, not (yet?) Africanized” (Bénit-Gbaffou, 2015:9). Owusu *et al.* (2013:171) underscore that unfair treatments often meted out on street hawkers were due to approximation of modernization with westernization by city authorities as they argue that the presence of large street markets were as a result of unsystematic nature of informal economy. In support, Donovan (2008:30) posits that often steeped with modernist undertones, vendors are usually perceived not as agents of innovation, but as anathema to city marketers.

Modernist approaches have often formed the ideological foundation of national legislation and policies that are hostile to informal businesses. Hence, efforts made towards regulating street trading are supported, mostly by the middle and upper classes in defence of promoting modernity, legality and public well-being (Batréau & Bonnet, 2016:3). With these patterns, the

hostile orientation becomes a policy narrative, anchored in a modernist agenda which embraces control and order. As such, eviction and relocation appear to be the most common policy and legal approach employed in dealing with informal vending as a high premium is often placed on legality, image building, efficiency and order which are allegedly disturbed by informal vendors. However, such line of thinking appeals only to those who consider urban informality as irrational, and as a potential ground to foment crime activities. Again, such exclusionary approach appears to resonate with Kelling and Coles' (1996) "fixing broken windows" theory of law and order, which proposed that "small, highly-visible forms of urban disorder quickly led to breakdowns in community standards, and rapid proliferation of blight, vandalism and crime" (Recio *et al.*, 2017:4)

Nonetheless, in the 1970s the basic economic structure of modernism began to fail, particularly in the United States of America as a result of high unemployment (Harvey, 1990:141) compelling people to seek alternative forms of employment outside the legislative framework. Cross (2000:36) argues further that even at the epitome of modernist growth in the United States, not everyone was equally privileged as racial imbalances and gender inequality prevailed in the United States. White males secured good jobs in the factories and corporate offices established at that time. Similarly, in the Third World nations, growth was due to the advantage of the elite workers and managers, leaving the majority outside the modernist agenda. In a related development, Bhomik (2005:3) concurs that the early nineties saw an unprecedented soaring in the number of street vendors, particularly in Indian cities as most of the workers who were retrenched from industries, as well as rural migrants ended up in the informal economy, mostly as street vendors.

Meanwhile, post-modernism was in reaction to modernism, particularly in the 1970s and 80s (Hossain and Karim, 2013:173). Having been discontented with the troubles associated with capitalism, industrialization, cultural differentiation, urbanization and bureaucratization in society, many theorists argued for new concepts of life in society (Best, 1991:3). Post-modernism disregards universally accepted views, whether from the broader solutions embraced by comprehensive planning or whether from the aesthetics of uniformity supported by modern architecture or any inclinations towards economic development (Goodchild, 1990:1). Post-modernism exemplifies a shift from grand central plans to decentralized urban plans that deal with peculiar urban realities. Post-modernists reject the conventional views of reality that the modernists held. They consider the ideas of enlightenment to be invalid towards finding a solution to the issues of complicated society as promoted by the modernists (Huxtable, 2018). Thus, Barrett (1997:17) argues that post-modernism might better be called anti-modernism instead, since it is regarded as a reaction to modernism. Post-modernism is a

'culture' that emphasizes that "there is a better world than the modern one" (Hossain and Karim, 2013:173).

Post-modernism is a rediscovery of the value of human participation, a quest for wholeness and meaning, a perspective on the continuity between all levels of a multi-levelled reality. Post-modernism aims at providing an alternative approach to reality in a manner that could result in a significantly new and better way of understanding the world (Merling, 2005:31). Hence, Cross (2000:30), argues that post-modernism embraces the informal sector, and it recognises individuals to reclaim control over their lives. A principle which may or have led to growth and proliferation of small businesses in the 1980s, as the middle class seeks to avoid the control of salaried workers.

In a related development, according to McGee cited by Cross (2000:41), post-modernism stresses the benefits of diversity, favours the development of localized protest as a way of ensuring democracy and supports planning practices, which are often not taken into consideration owing to too much emphasis on formalized planning practices (Goodchild, 1990:1). Hence, Harrison (1996:27) argue that post-modernism embraces uncertainty and tolerates diversity. Considering this, Skinner (2008:7) contends that post-modernism's objection to actuality of a central hierarchy makes it more appealing to those concerned with informality.

Table 2-31: Key planning theories and relevant elements of urban public space behaviour towards street trading

		Favourable	Neutral	Unfavourable
Theory	Rational planning			
	Advocacy planning			
	Participatory planning			
	Systems theory			
Relevant elements of urban public place	Inclusive city			
	Globalization			
	Neo-liberalism			
	Modernism			
	Post-modernism			
	Urban regeneration			
	Walkability			
	Urbanization			
	Congestion			
	Urban informality			

Source: Author's construction (2020)

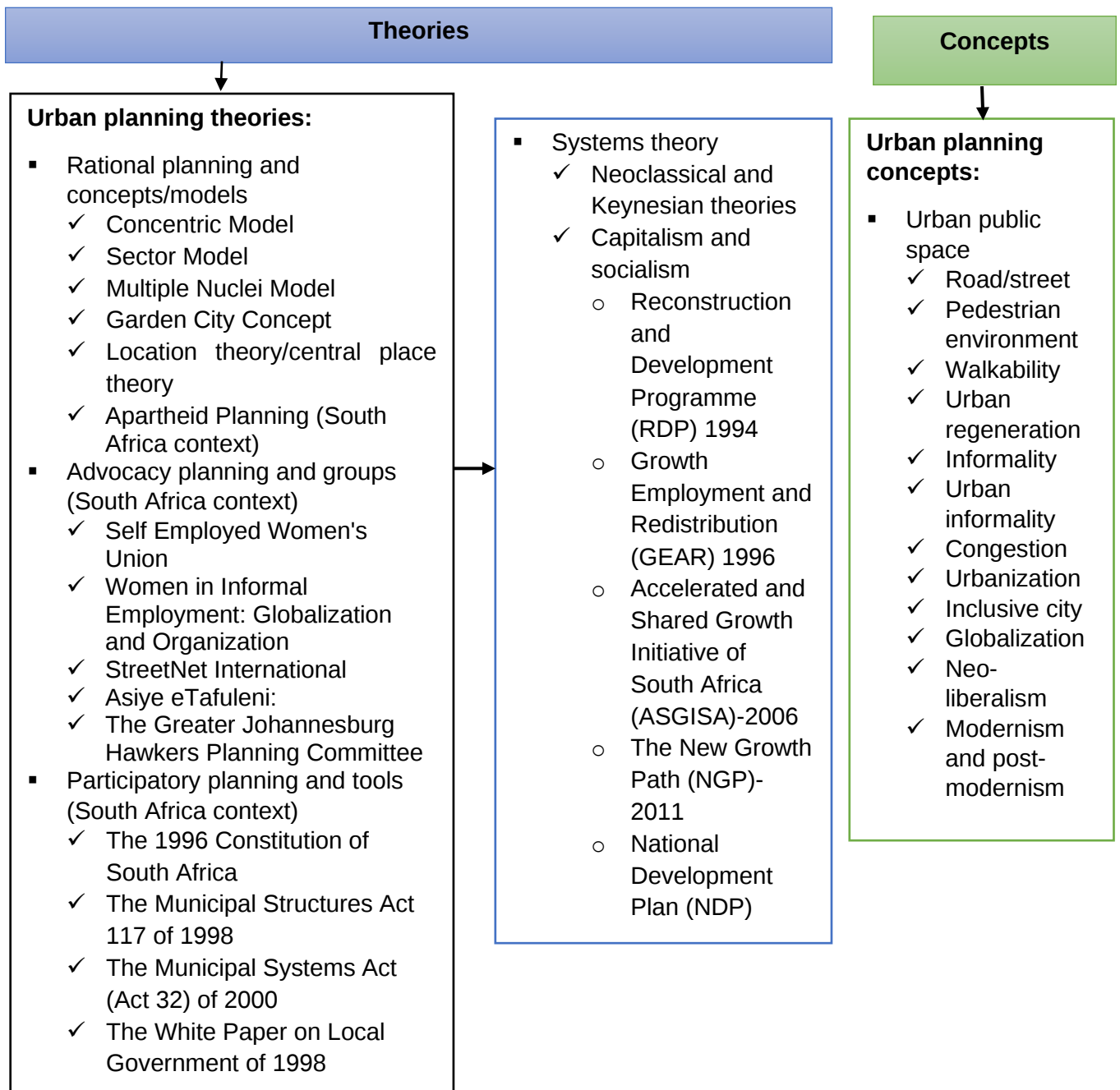


Figure 2-15: Summary of key theories and concepts

Source: Author's construction (2019)

2.3 Conclusion

The chapter identified and explained theories and urban public space concepts in relation to street trading. Moreover, the urban land use development models were discussed to express the view of the earliest planners on the CBD, which has been in contestation between street hawkers, pedestrians as well as vehicles. The perceived divide between street hawkers and

modernist planners came to bear. Contrary to the perception of modernist planners which perceived walkways as spaces reserved for pedestrian mobility, street traders perceived such areas as trading sites. In support, Deore and Lithia (s.a:8) posit that:

Sidewalks are for a pedestrian movement corridor on streets [but in Ahmedabad], the sidewalks are a formality wherein the pedestrian movement is not constrained to the sidewalks. Most of the vendors use the sidewalks as these provide security from vehicular traffic as well as attract safe space for customers and vendors alike.

In summary, the chapter revealed the theoretical shift pertaining to street trading, from an exclusionary management approach to an inclusionary management approach. Whilst exclusionary management approach is often championed by rational planning thinkers, with the aim of promoting aesthetics, inclusionary management approach is mostly defended by advocacy, participatory and systems planning theorists, who tend to uphold the social cultural norms, and in essence, represent the voice of the marginalized groups, including street traders. In the context of South Africa, the chapter revealed that rational planning was more pronounced during the apartheid era, referencing from the planning laws and policies existed at that time. But planners begun to embrace advocacy planning leading to the birth of participatory and systems planning theories, after the demise of the apartheid regime. However, till date, in the context of street trading, not much effort has been made to formally merge the theoretical shift to practice, mainly due to the challenges posed by street trading. Thus, identifying and minimizing the challenges associated with street trading, while harnessing the benefits of street trading is extremely important.

In summary, the chapter identified urban planning and economic theories, including rational planning, advocacy planning, participatory planning and systems theory, and its application to informal trading. In essence, the section dealt with aspects pertaining to street trading, ranging from the debate surrounding street trading regulatory approaches to street trading and cites using examples from some selected case studies. The next chapter, which is chapter three, deals with precedential case studies. The chapter links theory to practice, using international and local street trading practical examples.

CHAPTER 3: INTERNATIONAL AND LOCAL STREET TRADING EXPERIENCE

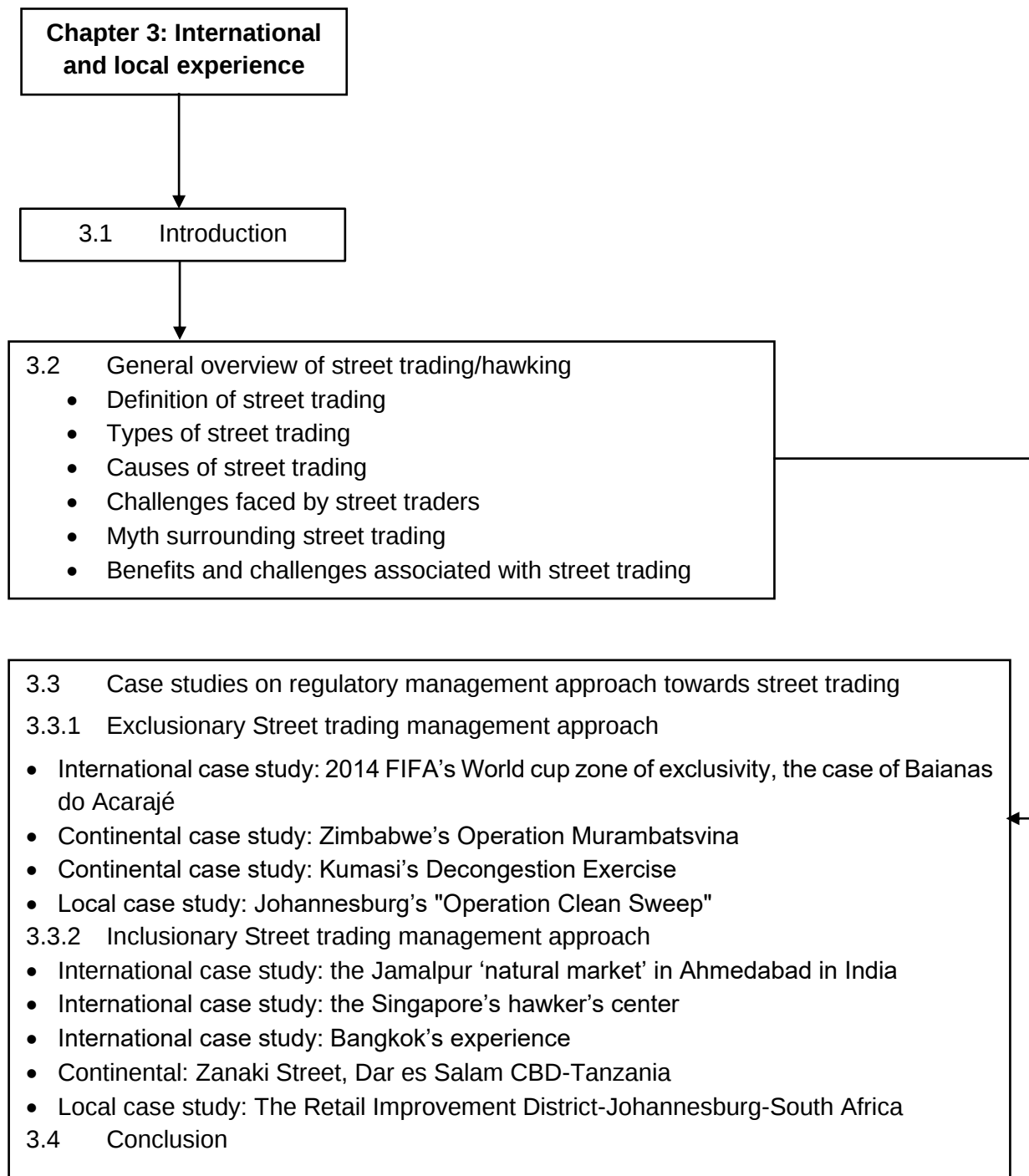


Figure 3-1: Layout and footprint of chapter 3

Source: Author's construction (2019)

3.1 Introduction

The aim of this chapter is to substantiate the theoretical component with practical cases. The section defines and explains the key terms of the research. Again, the section discusses issues relating to street trading with priority given to the debate surrounding the concept of street hawking in relation to the benefits and challenges pertaining to it. The debate is relevant to the research work in the sense that it determines the management, policy and legislative approach towards street trading. Moreover, the section discusses the two main approaches, including exclusionary (eviction) and inclusionary (integrating) approaches, usually employed by most city authorities to deal with the issues of street trading using case studies.

3.2 General overview of street trading/hawking

Street trading/hawking is a phenomenon mostly associated with African, Latin American, or Asian cities, but it exists in most large cities around the world, including in Europe and North America, though on a smaller scale (Venkatesh cited by Batréau & Bonnet, 2016:29-30). A hawker is referred to as “any person who sells or offers or displays goods of any description for sale at any place other than a designated market or at his/her residence or shop and includes an assistant employed by such person” (Kumasi Metropolitan Assembly cited by Moro, 2009:13). Also, Sinha and Roevers (2011:3) define a street vendor as a person who is into sales of goods or services in the public space without having a permanent built-up structure, but with a temporary stationary structure or a mobile stall. In Malta, a street hawker is any person who is registered to conduct any commercial activity from the street, apart from an open-air market, irrespective of how such activity is carried out (Ministry for Competitiveness and Communications, Malta cited by Klu, s.a:23).

Research conducted by Ayeh *et al.* (2011:24) in Kumasi categorizes street traders into two main groups. They include sedentary vendors and footloose vendors. The sedentary vendors are those who sell their product at fixed locations: on pavements, verandas, stalls, tables, and sometimes on the bare floor, and they are mostly congregated in large areas. Footloose or mobile vendors are those vendors who do not have a permanent location, but rather go around in search of customers while carrying their goods on the head, in their hands or in pushcarts. In the context of this research, the term street hawker/trader includes both traders and service providers, stationary as well as mobile vendors, and incorporates all other local/region specific terms such as sidewalk traders, street vendors used to describe them.

Table 3-1: Summary of key causes and solutions to street trading

Cause	Possible solution
Unemployment: People who do not find jobs or have been retrenched in/from the formal sector of the economy result in street trading	Government must create the enabling environment by ensuring low interest, inflation rate and taxes to stimulate growth within the private sector which will lead to job creation. Skill development programmes through vocational and technical skills education should be encouraged to enable people to gain employment within industries or move from the sale of goods to service provision
Urbanization: People living in rural areas migrate to cities in search of better living in the cities due to poverty. However, most migrants who are not in possession of required skills and qualifications or do not secure themselves with employment in the formal sector settle for work in the informal sector, particularly street trading	Development of rural enterprises including village markets, public, social services and economic hubs in villages (retail parks and malls) and manufacturing as well as an agricultural project like Agro-processing should be facilitated to reduce rural-urban migration
Desire to own a business: The desire for most people to own a business and to be independent employers in terms of flexible working hours and to be able to attend to other issues besides work draw people into the informal business sector since there is less government control and capital requirements	Business laws must be relaxed to enable people with less capital to enter the formal economy. Also, the financial institutions must be motivated to grant soft loan schemes to small scale enterprises to enable them to migrate from informal to the formal economy with time

Source: Author's construction (2019)

Table 3-2: Challenges facing street trading

Challenges	Explanation
Difficulty to access credit	Informal traders find it difficult to secure credit from the financial institutions due to their inability to put up collateral for security
Lack of skills	Most informal traders do not have the requisite skill to put together a business plan or other proposals to assist them to grow their businesses
Safety	Criminal activity in the form of drug peddling, sale of counterfeit goods and pickpocketing in their trading area can be a challenge

Police harassment	Harassment from local authorities often resulting in the confiscation of the trader's goods and loss of income
Storage space	Finding on-site trading facilities and storage facilities can be very difficult sometimes
Competition	Street traders experience competition from formal businesses and fellow traders within their domain of trade
Limited political support	Although the government acknowledges the economic value of the informal trading business, the political will to support the sector in terms of integrating the sector into its planning agenda is lacking
Large range of laws and By-laws	Street traders are confronted with a range of different regulations and By-laws which make it difficult to know them all and to comply with them

Source: Manual for Street Vendors (2014:8-18)

Table 3-3: Myth and facts surrounding informal trading

Myth	Fact
Street vendors do not fulfil their tax obligations	Street vendors honour their financial obligations to the government through the payment of Value Added Tax when they buy their trading stock, and they pay fees and levies in exchange for a trading permit and sites
Street vendors contribute to crime and filth in cities	Most street vendors organize cleaning services to keep their working environment clean. Moreover, street traders assist in crime prevention as organised street traders sometimes report activities suspected to be criminal. Typical example is when a bombing in New York City's Times Square was brought to a halt when a street vendor reported suspicious activities to the authorities
Street vendors buy and sell illegal products	Goods sold by the majority of street traders are obtained from legal sources, mostly from formalised business owners

Source: Benítez *et al.* (s.a:22)

Bromley's global review of street vending details a useful summary of the major arguments, that are usually used to substantiate or discount the proliferation of street vending. However, the significance of the variations in argument is informed by the specific characteristics of street trading, trading goods and the area, city or country under analysis. Hence, each argument deserves careful empirical study within the context of its applicability (Naik, 2015:35).

Table 3-4: Summary of the benefits associated with informal trading

- Street vending serves as source of employment to many people
- Concentration of street vendors attracts potential purchasers into an area which ultimately leads to an increase in sales in other businesses in the area
- Street vendors contribute to the general level of economic activity through the sale of goods and service provision
- Street traders contribute to government tax revenue
- Street trading provides a safety-net for the marginalised group
- Street vending provides a platform for entrepreneurial development
- Street traders assist in distribution of goods and services to remote areas and other areas where there are no large merchandised shops
- Street vendors bring life to dull streets

Source: Bromley (cited by Naik, 2015:35)

Table 3-5: Summary of the challenges associated with informal trading

- Concentration of street vendors in areas with a high successful business rate contributes to pedestrian and vehicular congestion
- Street vendors sometimes impede the flow of emergency service vehicles as they may create access problems for emergency vehicles and service points such as water hydrants
- Street vendors may block the right of way of some places and buildings which may increase the level of tragedy in the case of an eventuality such as a fire outbreak or gas explosion
- Street traders compete with registered formalised businesses for limited customers
- Street vendors may cause school dropout as children of school going age often participate in street trading activities
- Concentration of street vendors in a limited space provides grounds for petty crimes such as pick-pocketing and snatch thefts to thrive
- Street vendors may cause noise pollution in the process of shouting to announce their products, and littering in an area

Source: Bromley (cited by Naik, 2015:35)

3.3 Case studies on management approach to street trading and lessons

Management approach towards street trading may come in two main forms, inclusionary and exclusionary management. In most cases, the type of approach is determined by the strength of the benefits associated with street trading or challenges posed by street trading. This section discusses street trading management approach with substantive cases.

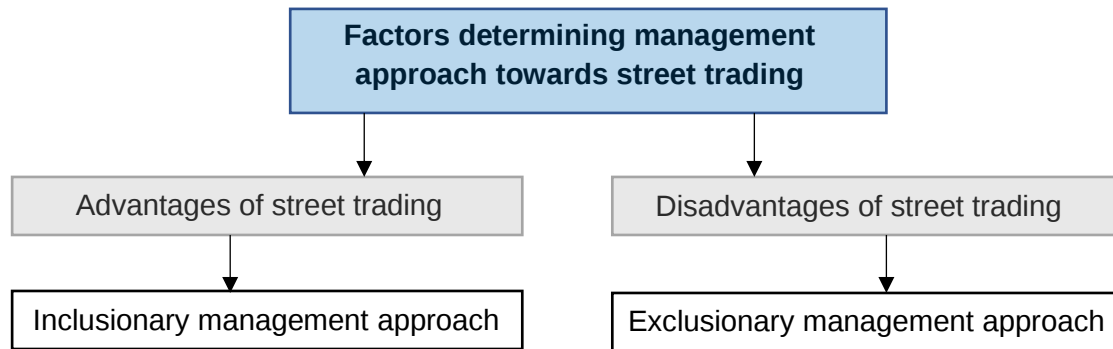


Figure 3-2 Street trading management mechanisms

Source: Author's construction (2019)

3.3.1 The case of exclusionary regulatory approach to street trading

Most countries often resort to an exclusionary approach in dealing with street trading. Hence, street vendors are mostly removed from public space, and in less severe cases, some or all vendors are relocated to a different place outside the corridors of the CBD, mostly to a secluded location with low pedestrian count or inadequate trading facilities (Roever & Skinner, 2016:4). To attain orderly conduct, state officials often aided and abetted by the law, resort to harassment and violent eviction (Recio *et al.*, 2017:4). Substantive number of cases relating to eviction of street traders in cities occurs largely in the Global South. The situation is often intensified in the advent of major events or a function. Citing major events such as the Federation International de Football World Cup and the Delhi Commonwealth Games where hawkers were driven out of the street prior to the tournament as examples, Skinner (2008:5) observes that major events play a critical role in street hawking eviction exercise. Similarly, in Ghana street hawkers plying their trades, particularly in the host cities, including Accra and Kumasi were removed ahead of the Confederation of African Nations games 2008 (Moro, 2009:28).

In South Africa, during the World Cup 2010, as part of the agreement between FIFA and the host cities, wide exclusion zones around both the stadia and the 'fan parks' were created. Such exclusionary practices prevented street traders from using their usual trading sites to the advantage of the official sponsors of the world cup (Ivester, 2015:3-4). Similarly, in order to show readiness for the president of the United States, Barack Obama, on his assumption to the office of the presidency and his maiden visit to Africa, all illegal trading stalls in Accra were demolished. In a like manner, the first visit of Pope Benedict XIV to the Ivory Coast led to the demolition of unauthorized stalls, particularly along the principal streets of Yaoundé to enhance the image of the city (Lewis, 2009).

Table 3-6: Exclusionary regulatory management approach to street trading

Approach	Explanation
Relocation without consultation	Street traders are often removed from their trading space to other areas without prior notice. In some cases, such new areas are off-street locations with or without development. The effect of this exclusive management practice is that traders lose their clients and eventually their income
Long procedure to obtain a permit	Long process is mostly involved in securing a trading permit. The majority of street traders have less time and education which makes it difficult to cope with the process
High registration and rental fee	New developments to include street traders often lead to exclusion due to exorbitant fees charged and as such most traders are not able to meet such financial obligations
The use of hostile and ambiguous laws and policies	Street trading policies and laws are too many, bulky and interlaced with legal jargon which require time and a certain level of academic intelligence to read and assimilate in the end, most street traders violate the laws as they fail to understand the content
Forceful confiscation of merchandise	Authorities have confiscated the trading goods countless number of times without stating the reason for the seizure and issuing a receipt to the subject trader
The use of media and the public to demonise the activity of street trading activities.	Often times, the media and the public tend to espouse only on the negativities associated with street traders; and in the end, the street trading business is given a bad reputation and image
The use of force eviction and criminalization	Street traders are mostly at times removed forcibly from the public domain without being provided with an alternative site

Source: Selwyn (2018:26)

Internationally, the case of the 2014 FIFA World cup zone of exclusivity exemplified in the case of Baianas do Acarajé which happened at the time the 2014 world cup tournament was selected for the study. Brazil, being the host nation, saw the need to promote the image of the

city to the world cup attendees to the detriment of street traders. On the African continent, the case of Zimbabwe's Operation Murambatsvina is discussed in detail under exclusionary regulatory practices. Despite mentioning a handful of other case studies on the globe, the scope and the nature of Operation Murambatsvina have undoubtedly garnered much attention from the international community as voices were raised in condemnation of the act (Olsson Selerud, 2007:2) making it worthy of discussion in this study. Again, street hawking eviction practices often termed as Decongestion Exercise in Ghana, focussing on Kumasi is also selected as a case study. On the local scale, the case of Johannesburg's Operation Clean Sweep is discussed.

3.3.1.1 International case study: 2014 FIFA's World cup zone of exclusivity, the case of Baianas do Acarajé-Brazil

Brazil is the largest country in South America. Its capital is Brasília, and its most populous city is São Paulo. During the preparations for the 2014 Federation International de Football (FIFA) World cup in Brazil, FIFA made it known to the host cities that it would ban the sale of acarajé, a traditional food, mostly made of beans, sauces, and shrimps in proximity to the venues where the stadia are located. The product has been sold by Afro-Brazilian women around the Fonte Nova stadium in Salvador de Bahia for 60 years, with its roots dating back to slavery, and listed by the Brazilian Government's Institute of National Historical and Artistic Heritage as a heritage.

The conditions for hosting the World Cup included the creation of 'exclusion zones' two kilometres radius around each of the World Cup venues to give FIFA, and its sponsors, the exclusive right to distribute, sell or advertise products and provide services. FIFA's major partners including Visa, Sony, Adidas, Coca-Cola, and McDonalds pay \$10 and \$25 million per year to gain access to such zones. Creation of such zones during World cup competition was a challenge to street traders as vendors who had plied their business around the stadium precinct for years were prevented from doing so leading to income loss. However, in June 2013, the Brazilian Congress assented to the 'World Cup Law' to create a two-kilometre 'exclusion zone' around each of the World Cup host stadia. In addition, FIFA used private security services to control the movement of people, and also to disallow the sale of goods not listed by FIFA.

Source: Ivester (2015:3)

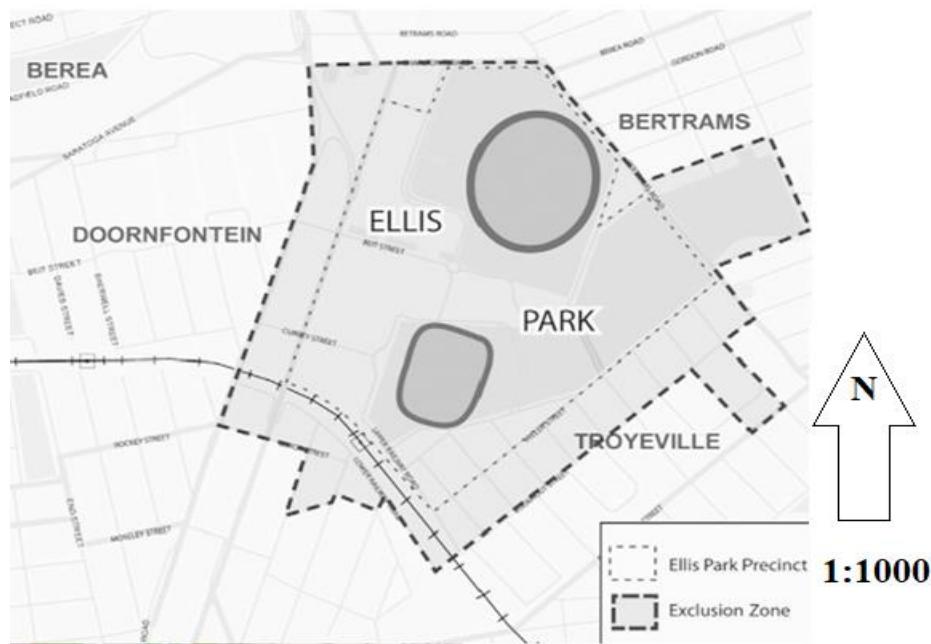


Figure 3-3: Example of FIFA's World cup zone of exclusivity, South Africa 2010

Source: Google image (2020)

3.3.1.2 Continental case study: Zimbabwe's Operation Murambatsvina

Zimbabwe is a country in the Southern Africa. Harare and Bulawayo are its largest and second largest cities respectively. The most commonly cited street trading eviction case, particularly in Africa is the insidious demolition of street vending facilities orchestrated by Robert Mugabe's Operation Murambatsvina. On May 19th, 2005 Operation Murambatsvina literally translated into the English language as Clear the Filth was launched by the government of Zimbabwe. The programme, which aimed at forcibly evicting street traders and demolishing informal structures of urban residents in Zimbabwe was marred with violence and was in contravention to the national and international criteria as homes and informal business properties as well as legal housing and business structures were demolished on a grand scale with little or no prior notice to the victims, and with less or no consideration for the rights and welfare of the evictees (Human Rights Watch Briefing, September 11, 2005:1).

Police swooped down on the streets, squares and corners of the CBD of Harare, where street vendors plied their trade, to confiscate and destroy goods on sale, arrest and assault anyone, particularly traders who tried to resist (Bratton & Masunungure, 2006:50). The exercise against informal trade did not only take place in the CBD of Harare, but was further extended to other parts of the country including suburban elite flea markets in the northern suburbs, sprawled areas, and high-density areas in the south of Harare as well as other major cities in the country (Human Rights Watch Briefing Paper, September 11, 2005:12). In Bulawayo for instance, 3 000 well-organized licensed vendors who operated from defined vending bays managed by the City Council who ensured that no proscribed activities were condoned, and that payment of rates by legal vendors were made on a monthly basis

to the City Council were not spared from the demolition exercise in spite of the plea by the City Council to Government regarding the legality of those vendors. The affected vending sites included the Unity Village in Main Street and Fort Street Market which were officially created and proclaimed as successful small enterprise developments (Sokwanele Civic Action Support Group, 2005).

A substantial number of informal market traders were arrested, and as well, a sizeable number of stalls belonging to licensed informal traders operating in the cities' markets were demolished by the government (Bratton and Masunungure, 2006:50). This led to en masse evictions of urban dwellers from their places of habitat and the closure of various informal businesses. The UN estimates that 700 000 people representing 6 percent of the entire population were made homeless and lost their source of revenue since May 19, 2005; while 2.4 million people representing 18 percent of the population were either directly or indirectly affected by Operation Murambatsvina (Human Rights Watch Briefing Paper, September 11, 2005:1).

The purpose of Operation Murambatsvina, as substantiated by the government of Zimbabwe, was "to rid the country of illegal structures, crime, filthy stalls and squalor" (Musiyiwa 2008: 65). A large number of people tagged as illegal squatters were evicted, particularly from the urban centres (Benyera & Nyere, 2015:6523). Nonetheless, according to survey data, Operation Murambatsvina did not create a permanent closure of the informal economy in Zimbabwe (Bratton & Masunungure, 2006:50).

Source: Author's construction (2019)

3.3.1.3 Continental case study: Kumasi's Decongestion Exercise-Ghana

Ghana is an independent country in West Africa; and Kumasi is its second largest city after the capital city Accra. In Kumasi and Ghana in general, the term decongestion has become synonymous with the eviction of street traders. The exercise has become very popular often instilling fear and panic among the street traders and hawkers. It has become a concept mainly employed by city authorities to solve the challenges relating to congestion in cities. Kessey and Agyemang (2013:90) in their study titled "Urbanization and Intensive use of Space in Central Business District in a Developing City, Ghana: Decongestion Programme as City Service Response; an Appraisal" define decongestion as actions employed by city authorities to curb overconcentration or proliferation of informal activities in the city. They further explain decongestion as the measures put in place to improve human or vehicular traffic flow. In light of this paper, the working definition of decongestion and exclusionary practices is the removal of hawkers/traders from the street.

However, the Kumasi Metropolitan Assembly By-law on street hawking fails to comment on designated areas where street hawking activity can take place, but rather emphasizes on sites including pavements and principal streets where street hawking activity is prohibited. Interestingly, research conducted by Ayeh *et al.* (2011:25) in Kumasi indicates that 58

percent of street hawkers were located on pavements including selected areas where it was deemed illegal to hawk. Again, Moro (2009:54) observes that hawking activities take place where hawking is prohibited as street hawkers claim such areas are where most of their customers can be found. Series of decongestion exercises took place with the major ones occurring in 2007 prior to the Coupe d'Afrique des Nations 2008; 2009, 2010 and in 2018, with excessive force applied by the task forces. The success and achievement in the aftermath of the exercise are often cited as freeing vehicular and pedestrian flow in the CBD. However, a field survey conducted by Kessey and Agyemang (2013) puts the success of decongesting exercises in doubt as traders returned to operate at the very same location after the exercise.

Source: Author's construction (2019)

3.3.1.4 Local case study: Johannesburg's "Operation Clean Sweep"

Johannesburg is the largest city and most populated city in South Africa. In October 2013, between 6 000 and 8 000 street traders were forcibly removed from a 24-block area in the CBD of the City of Johannesburg in a bid to improve the aesthetic nature of the urban space. As part of the evictions, goods belonging to the traders were confiscated, robbing people of their livelihood (WIEGO Law & Informality Project, September 2014:1). In the course of the exercise, the officials were confronted with the challenge of distinguishing between legal and illegal traders because a substantive number of licences in possession of most traders were believed to be fraudulent. Hence, all traders including both illegal and legal were removed (Pieterse, 2017:11).

The exercise attracted criticism from all quarters as Metropolitan police used brutal force, violence and physical abuse in carrying out their mandate. Later, a series of intensive dialogues ensued between the city and the lawful traders, when the city agreed to commence a re-verification exercise to validate the permits before allowing them to operate again. Nonetheless, even traders deemed to have been confirmed as legal traders were not permitted to return to the streets as the city took an entrenched stance to perpetually deny formerly "legal traders" access to the trade.

The inability of street trading organizations to arrive at a consensus and an amicable solution, coupled with the economic hardships resulting from Operation Clean Sweep compelled some street trading organization to resort to the law. However, the Johannesburg High Court failed to accord the case the urgency it deserved as the application was dismissed for the interim interdict. Street traders were proscribed from trading in the street until such time as their application challenging the legitimacy of Operation Clean Sweep was

heard. An urgent appeal was then made to the Constitutional Court. Leave to appeal was granted leading to the hearing of the case on 5 December. The Court, after a short recess, interdicted the City authorities from interfering with the traders at the locations they had occupied immediately before their removal. The Court argued that the city had not followed the procedures prescribed by the Business Act in providing for an alternative designated area for informal trading before carrying out the eviction exercise (WIEGO Law & Informality Project, September 2014:10).

Source: Author's construction (2019)

Table 3-7: Summary of exclusionary cases

Case	Reason for failing
World Cup 2014 space exclusion in Brazil	Intended to favour multinational companies and international tourist at the expense of the small-scale local businesses
Zimbabwe's Operation Murambatsvina	- No consultation and prior notices given - No provision for alternative trading spaces - Excessive use of brutal force
Kumasi Decongestion Exercise	- Short notices given - Provision for alternative trading spaces was made but was not developed, and outside the main CBD - Excessive use of brutal force
Johannesburg's "Operation Clean Sweep"	- No provision for alternative trading spaces - Excessive use of brutal force

Source: Author's construction (2019)

Exclusionary street trading management approach has often not been successful, and has mostly led to a decline in income owing to the inability of the newly allocated place to draw customers. In the end, vendors abandon the formalized market spaces for their original vending sites. Given the case studies discussed, frequent use of repressive actions aimed at eliminating street trading as in the case of Belo Horizonte in Brazil, in Zimbabwe dubbed Operation Murambatsvina, in Kumasi and Johannesburg under the banner of Decongestion Exercise and Operation Clean Sweep respectively, have failed to achieve the desired results as street traders returned to the very same spot to ply their trade.

3.3.2 The case of inclusionary regulatory approach to street trading

It is acknowledged that street trading is difficult to regulate and manage in that movement of street traders is determined by events such as the weather, customers' location, and the time of the day. Also, the fluid nature of street trading poses management challenges since most

people trade for a short period of time in response to a specific crisis or transition (personal, family, job, in training, looking for another job), where street trading becomes a safety net. Therefore, street trading may increase or decrease depending on the times of economic crisis, rising unemployment, and economic growth. Again, to rectify the challenge of street trading by creating off-street markets, for example, may not be ideal since buyers will not follow the traders as new vendors invade the spots previously occupied by the displaced vendors (Dimas, 2008:9).

Despite these challenges, there are interesting case studies, showcasing street trading management innovations and progressive implementation, ranging from integrated approaches in areas of issuance of trading permits, and infrastructural support, and addressing the expulsion of street vendors through the development of policies and laws in some countries. For instance, in Bhubaneswar, a city in Orissa, India, street vendors and pedestrian friendliness are encouraged as one-third of the sidewalk space has been specifically demarcated for their use while two-third is reserved for pedestrian use. Also, in Delhi, street vendors are integrated into a Bus Rapid Transit Pilot Corridor. Through the assistance of the Delhi Government's Unified Traffic and Transportation Infrastructure Centre, a design guideline was introduced to include 'Hawkers' Zones' in pavement design (Mahadevia and Vyas, 2012:5).

Similarly, in Bogotá, Colombia, the Supreme Court insists on the need to reconcile conflicting rights to public space, and also to find alternative means to eviction of street traders as embedded in the constitution. In view of this, an expulsion of street traders cannot be permitted unless it is ordered through an appropriate judicial process and assurance that traders will not be left to their peril after an eviction (International Labour Office, s.a:8). Additionally, in Malaysia, street vendors are recognized. In 1990, a National Policy on hawkers, drafted a comprehensive plan to curb the social and economic challenges relating to street vending. The support provided include financial support in a form of credit schemes. Again, the Department of Hawkers and Petty Traders was established in 1986 to regulate and control street vendors. The objective of the department was to ensure the development, modernizing and management of the street vendors, and to create a good environment for the local people and tourists in Kuala Lumpur (Indira, 2014:517).

Table 3-8: Inclusionary regulatory system in dealing with street trading

Approach	Explanation
Policy and legal provisions	Policies and By-laws are formulated and enacted to legitimise and recognise street trading activities
Development of trading market	Creation of off-street markets for traders to ply their trade. Trading organizations are mostly involved during the creation of such a market
On-site trading space upgrade and open-end design	This includes infrastructural upgrading and demarcation of spaces already occupied by street traders
Permit/licence provision	Trading permits/licenses are issued by the city authorities to legitimise the activity of street traders
Flexible and mixed zoning ordinance	Space preservation along busy streets, commercial districts (malls), transport nodes and high-density areas are inclusively designed to accommodate street vendors under applicable zoning rights
Privately managed permitted vending zones	Public spaces where street vendors are located are leased to private companies to manage on behalf of the government. In some situations, private companies go into development and renting of trading spaces to street traders

Source: Selwyn (2018:31)

On the international front, the case of Ahmedabad in India, Singapore Hawker's Centre and the Bangkok's experience, a real-world example of a positive street trading regulation process in a congested environment are used as selected case studies and discussed in detail. On the continental scale, Zanaki Street, Dar es Salam CBD-Tanzania is selected since in the time of all legal conditions militating against street traders in the city of Dar es Salam CBD, street trading organizations through their good relationship with the local authority made trading in Zanaki Street very peaceful and convenient. Also, locally, the case of Soweto-Johannesburg, an urban renewal project with the objective of formalising and integrating street trading at one of the busiest transportation hubs is selected for a detailed discussion.

3.3.2.1 International case study: the Jamalpur 'natural market' in Ahmedabad in India

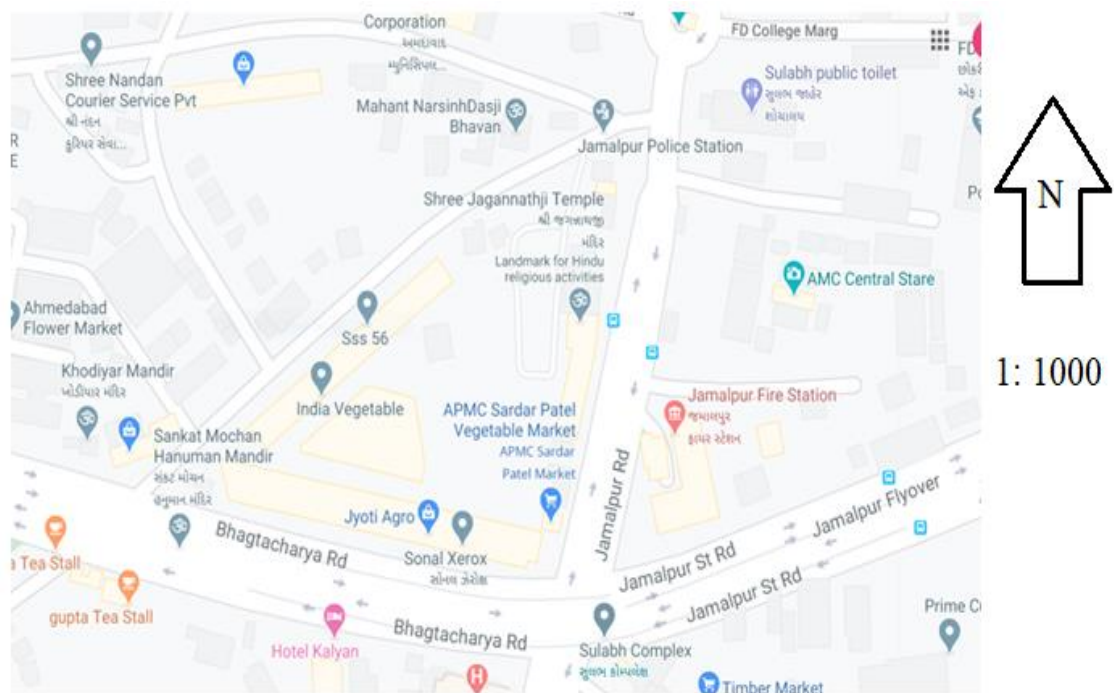


Figure 3-4: Locational context of Jamalpur Flyover Bridge

Source: Google map (2020)

Jamalpur 'natural market' is a street trading precinct developed around a wholesale fruit and vegetable market, in a central location of Ahmedabad, the largest city and former capital of the Indian state of Gujarat, Asia. The area accommodates two hospitals and a state bus transport terminal, making it a place with high pedestrian and customer flows. About 1 000 vendors are dependent on the natural market for their livelihood. In 2008 an 'over bridge'-an overpass or 'flyover' was built at Jamalpur as part of the municipal attempt to reduce traffic congestion. Moreover, the municipality wanted to remove the traders as part of the plan. In response, a Natural market Development Committee similar to a trust was constituted by Self Employed Women Association (SEWA) to negotiate with the municipality to allow vendors to be accommodated under the overhead bridge instead of removing them. Based on the negotiation and agreement SEWA reached with the municipality, SEWA proposed several improvements and came up with a planning scheme after feasibility studies were conducted to incorporate 726 vendors into the plan. A memorandum of understanding between the Trust (Market Committee) and the Municipality regarding the terms and conditions of the management of the space as well as the rights and obligations of the signatory parties were drafted leading to the development of street trading space under a bridge, a leftover space. Though the project has been predominantly successful, it lacks

managerial solutions regarding vendor and pedestrian encroachment on undesigned spaces, as well as vehicular congestion in the vicinity.

Source: Grest (2012:27-33) and Gupta (2019)

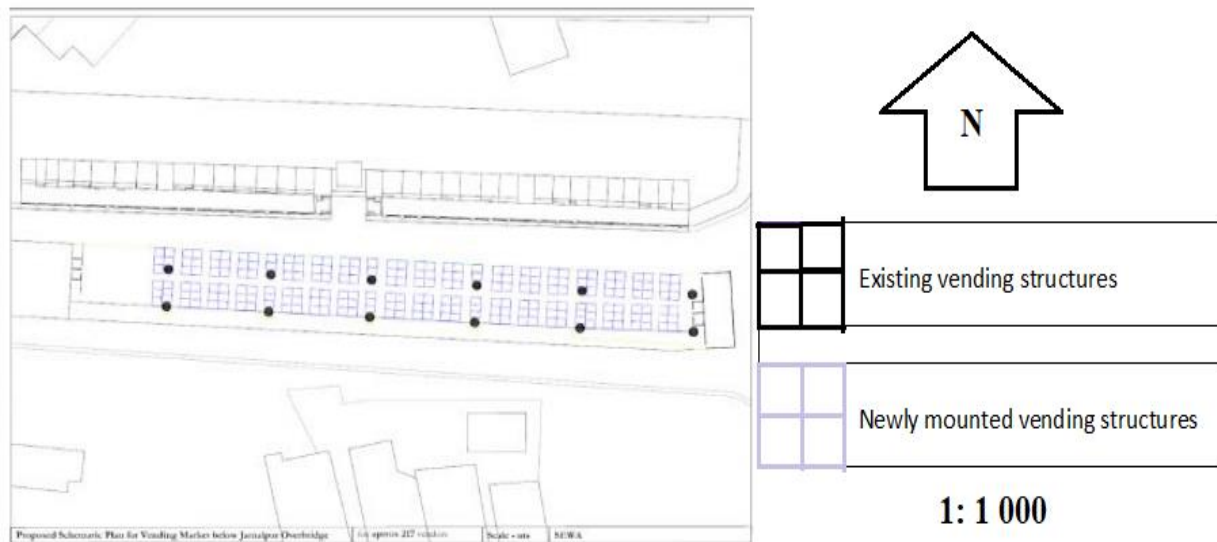


Figure 3-5: Under the bridge-linear market to accommodate street traders

Source: Grest (2012:27-33)

3.3.2.2 International case study: the Singapore's Hawkers' Centre

The Republic of Singapore, is a sovereign city-state and island country located in maritime Southeast Asia. Between the 1950s and 1960s, unemployment in Singapore was prevalent so street hawking turned out to be the livelihood support for the majority. Even so, as street trading gained ascendancy, associated with it were a host of social and public health challenges due to lack of direct clean potable water needed for the preparation of street food and to wash utensils. Coupled with these, waste was also disposed of indiscriminately onto the streets and water courses giving some parts of the city the appearance of a slum as sheds and structures mounted by hawkers characterized the urban spaces of Singapore.

Upon Singapore attaining independence in 1965, the new government devised a long-term approach to provide a solution to the problems caused by street vending. In the end, the government started embarking on a programme to build hawker centres with appropriate amenities. All street hawkers, numbering up to 18 000 were gradually relocated into these newly constructed hawker centres until the completion of the resettlement programme by February 1986. Although no newly constructed hawkers' centres have been set up by the government after the resettlement programme, construction of similar premises has been made by the private sector.

Examples of Hawkers' Centre in Singapore include the:

- Chinatown Complex Food Centre

This food joint accommodates over 260 food stalls, making it the largest hawkers' centre in Singapore.

- Lau Pa Sat

This food centre is situated in the central part of the CBD of Singapore. It is highly patronised by international tourist. At night, a narrow road in proximity to this food centre is often closed to pave way for additional food sellers.

- Changi Village Hawker Centre

Although this hawkers' centre is not easily accessible as it is situated on the outskirts, eastern corridor of Singapore, proximity to the Changi Airport, it is highly patronised, particularly by the local residents.

- Chomp Chomp Food Centre

Though the centre is situated in the Serangoon Gardens residential neighbourhood, and operates mostly in the evenings, patronage is very high.

- Maxwell Food Centre

Maxwell is one of the most popular hawkers' centres Popular amongst Singaporeans and international tourists. It became famous for receiving the British celebrity chef, Gordon Ramsay as their guest.

Source: Urban Solutions (2014:43-45) and Seah (2018)



Figure 3-6: Maxwell Hawkers' Centre

Source: Seah (2018)

3.3.2.3 International case study: Bangkok's experience -Thailand

Bangkok is the capital and the most populated city in Thailand, Asia. The Bangkok Metropolitan Administration permitted and designated areas for street vending activities within the city using the following street management a practice:

- Pavements broader than two metres are considered acceptable for street trading.
- More so, street traders can carry on their trade at no fee but must maintain cleanliness in their trading space as provided by the Bangkok Metropolitan Administration.
- Also, trading demarcation is simple as a spray is used to map the lines for a specific spot with a good numbering system. Nonetheless, in some instances, specific trading stalls are erected for traders in some trading areas.
- Allocation of trading stalls always starts with a survey of street vendors allowing first time traders to continue with their occupation.
- Vending permits issued by the Bangkok Metropolitan Administration could serve as collateral to allow traders easy access to bank loans at a reasonable interest rate from the People's Bank. Additionally, the vending permit can also serve as social security for street traders as it has been linked to a broader national policy, the 2002 Universal Coverage Scheme, which allows all workers recognized by the law including those in the informal economy access to health care coverage.

Source: Sernsukskul and Suksakulchai (2011)



Figure 3-7: Street vendor selling food to customers on the sidewalk, nearby Silom Road- Bangkok

Source: <https://www.dreamstime.com/editorial-photography-bangkok-thailand-february-street-food-vender-sel-selling-to-their-customers-footpath-nearby-silom-road-image97154887>

3.3.2.4 Continental: Zanaki Street, Dar es Salaam CBD-Tanzania

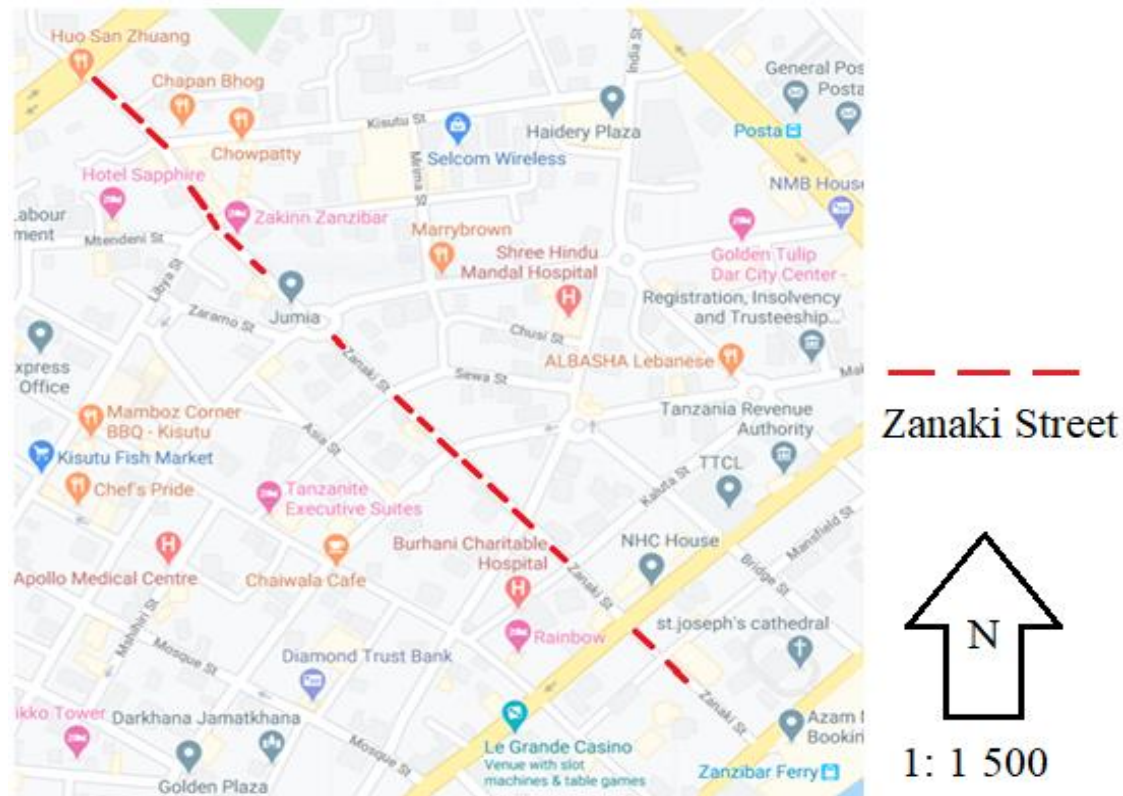


Figure 3-8: Locational context of the Zanaki Street (in red broken line)

Source: Google map (2020)

The Zanaki Street is one of the busiest streets in the CBD of Dar es Salaam, the largest and former capital city of Tanzania. Traders (mostly fruit and vegetable sellers) in 1997 formed an association called WAMBONA. The Ilala Municipal Council 12 is responsible for formulating the regulations and by laws on informal trading which require trading sites to be clean, specify that traders must obtain a license, pay their fee and use steel structures, while the Kisutu Ward Executive Office supervises the implementation of the guidelines at the ward level. However, on behalf of the Municipal Council, WABOMA was given the responsibility of ensuring that all traders observed regulations, conflict resolution, maintained cleanliness in the street, maintained safety and security and also ensured that traders covered their goods with plastic or canvas, or packed them in boxes and baskets on site after working hours. In addition to the services mentioned, WAMBOMA serves as a representative to traders during negotiations over the use of Zanaki Street. Again, the organization provides social welfare to its members in the case of illness or death. Moreover, the association provides support services to traders in the form of administrative work. Such

administrative work may include renewing the trading licenses of the group members with the local authority. All these activities performed by WADOMA have enriched the relationships between the city council, property owners and traders, which perhaps enabled the traders to work peacefully.

Source: Bénit-Gbaffou (2015:39)

3.3.2.5 Local case study: The Retail Improvement District - Johannesburg- South Africa

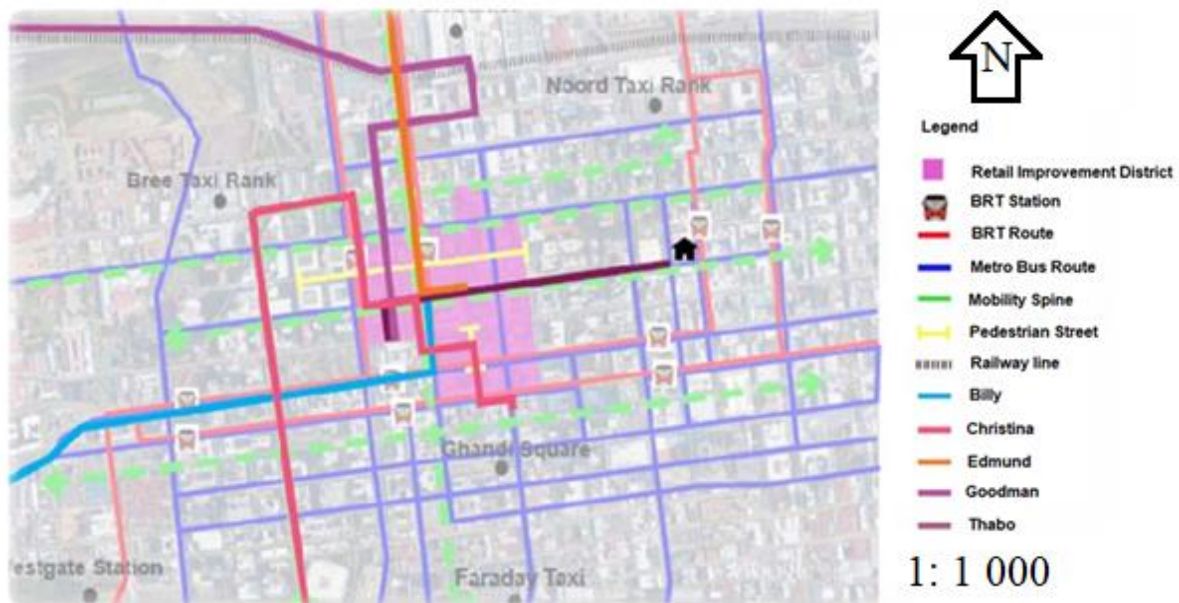


Figure 3-9: Retail Improvement District Map

Source: Source: Suleman *et al.* (cited by Bénit-Gbaffou *et al.*, 2012:10)

The Retail Improvement District was established in 2005 to accommodate street traders. The district borders on Jeppe Street to the north, Commissioner Street to the south, Von Brandis Street to the east and Harrison to the west. The traders trade from a range of sites, two linear markets (Kerk and Joubert) on pedestrianized streets (Kerk and Joubert), and other forms of trading sites (demarcated sites on Joubert street, foldable metal stalls on Rissik and Pritchard along Edgar's shop, carved out trading niches into Shoprite's blind wall on President), which allows for a great diversity in terms of the size of trading sites, form and location as well as trading products as indicated in the images below. The precinct is managed by Urban Genesis Management who are paid by the Retail Improvement District property owners' board from their City Improvement District levy.

Source: Bénit-Gbaffou (2015:67)



Figure 3-10: Example of the City of Johannesburg Integrated Street trading experience

Source: Source: Bénit-Gbaffou (2015:67)

Table 3-9: Summary of inclusionary cases

Case	Success and key lessons
The 'natural market' in Ahmedabad - India	- Bottom-up approach since the idea of the use of left-over space under the bridge was the brainchild of the trading organization, SEWA and as such the design of the projects was done by SEWA - Optimum use of incidental or leftover space
The Singapore's hawkers centre- Singapore	- Projects designed to meet the specifications of the goods to be sold, mostly sale of cooked meal - Private sector involvement in the provision of hawking facilities - Serves both local and international appeal - Trading mostly take place in a building

	▪ Flexible trading hours including night ▪ Space sharing approach ▪ The use of multiple locations
Bangkok's experience -Thailand	▪ Large numbers of traders can be accommodated because trading is allowed on pavements broader than two metres ▪ Trading licences can serve as collateral and social security ▪ Traders have been integrated into the government pension system
Zanaki Street, Dar es Salaam CBD - Tanzania	▪ Good relationship between the trader's organization and local government ▪ Shared responsibilities between municipal authorities and trading organization
The Retail Improvement District as a street trading area Johannesburg - South Africa	▪ The use of multiple street trading facilities ▪ Temporary and foldable structures, as well as the use of paint to demarcate trading sites does not mar the aesthetic nature of the city after trading hours ▪ Trading on the pavement is an indication of harmonious co-habitation between street traders and pedestrians on the pavement ▪ Street trading can take place in a formalised environment ▪ Private Management of trading spaces suggests that street trading space management is not a sole mandate of the public sector

Source: Author's construction (2019)

Table 3-10: Key policies, laws and management practices governing street trading in selected precedential case studies

	Country/city	Policy	Laws/By-law	Management approach
International	India	National policy on urban street vendors, 2009	The Protection of livelihood and regulation of street vending, Act 2014	Mainly inclusionary approach as in the case of Ahmedabad
	Singapore	Hawkers' policy in Singapore	Hawker code 1966	Mainly inclusionary approach as in the case of Singapore's Hawkers' Centre
	Bangkok - Thailand	No information is given	Bangkok Area Waiver Act July 18 B.E. 2548 (2005)	Depends on the Governor of the day
	Brazil	No information is given	No information is given	Both inclusive and exclusive depending on the season
Continental	Harare - Zimbabwe	No information is given	No information is given	Mainly exclusionary as in the case of Operation Murambatsvina.
	Kumasi - Ghana	No information is given	Kumasi Metropolitan Assembly (Control of Hawkers) By-laws, 1995	Mainly exclusionary practices as in the case of frequent decongestion exercises
	Tanzania	No information is given	No information is given	Both inclusive and exclusive depending on the season
Local	Johannesburg - South Africa	No information is given	City of Johannesburg Metropolitan Municipality Informal Trading By-laws	Inclusive with minimum exclusive approach depending on the trading space used
	Cape Town - South Africa	City of Cape Town Informal Trading Policy, 2013 (Policy Number 12664)	City of Cape Town Informal Trading Amended By-law, 2013	Both inclusive and exclusive approach depending on the trading space used

Source: Author's construction (2019)

Table 3-11: Summary of key theories and practical demonstration

Key theory	Management practice	Practical case
Rational planning	Exclusionary	International: - World Cup 2014 space exclusion in Brazil Continental: - Zimbabwe's Operation Murambatsvina - Kumasi Decongestion Exercise-Ghana Local: - Johannesburg's "Operation Clean Sweep" - Public Realm Management Project-Durban
- Advocacy planning - Participatory planning - Systems theory	Inclusionary	International: - The 'natural market' in Ahmedabad -India - The Singapore's hawkers centre-Singapore - Bangkok's experience -Thailand Continental: - Zanaki Street, Dar es Salaam CBD - Tanzania Local: - The Retail Improvement District as a street trading area- Johannesburg - The Warwick Junction Pilot Project- Durban

Source: Author's construction (2021)

3.4 Conclusion

The chapter discussed the benefits and the challenges, as well as the myths and facts surrounding street trading. Attempts at harnessing the benefits or rectifying the challenges associated with street trading may warrant for the use of either the inclusionary or exclusionary approach. Unlike the exclusionary approach to managing street trading which has not been successful, the inclusionary approach to dealing with street trading, as in the case of Ahmedabad India, Singapore Hawker's Centre, Bangkok's Experience, Zanaki Street, Dar es Salaam CBD -Tanzania and Soweto, Johannesburg, South Africa have been successful to a large extent, although in some cases, it turned out to be exclusionary as few traders managed to meet the requirement process such as registration and licence acquisition.

Meanwhile, the section revealed that comparatively, exclusionary measures towards street trading have been less successful as street traders often return to the prohibited precincts, due to high income generation potential of such areas. In view of this, it must be noted that using exclusionary measures through relocation directly or indirectly affect traders in socio-economic sense in terms of loss of customers, poor sales, loss of capital, low savings.

Moreover, the chapter demonstrated that besides the CBD, street trading can be successful on the outskirts and residential areas as revealed in some hawkers' centres (Changi Village Hawker Centre and Changi Airport, respectively) in Singapore. Against this backdrop, the need to establish relationship between space typologies, trading locations, trading goods and income; and incorporating the results into inclusionary management programmes is imperative, as these characteristics, by nature possess economic dimensions. Also, using the case of the Jamalpur 'natural market' in Ahmedabad-India, the study demonstrated the need to consider the view of street traders in identifying informal trading sites. This contradicts the known norms that conventionally prevail, but in support of a bottom-up approach.

The chapter demonstrated the relationship between theory and practice using precedential case studies. Inclusionary management approach and cases are more in line with advocacy and participatory and systems planning theories, whereas exclusionary management approach and its case studies are more in line with the rational planning theory. In summary, the chapter demonstrated that exclusionary planning approach often linked with the rational planning theory has been unsuccessful in managing street trading. The next chapter, which is chapter three discusses the policy and legislative frameworks, directly or indirectly affecting street trading in the study area. More importantly, the chapter discusses the policy and legislative frameworks that facilitate or curtail the development of street trading in an urban space.

CHAPTER 4: APPLICABLE POLICY AND LEGISLATIVE FRAMEWORK

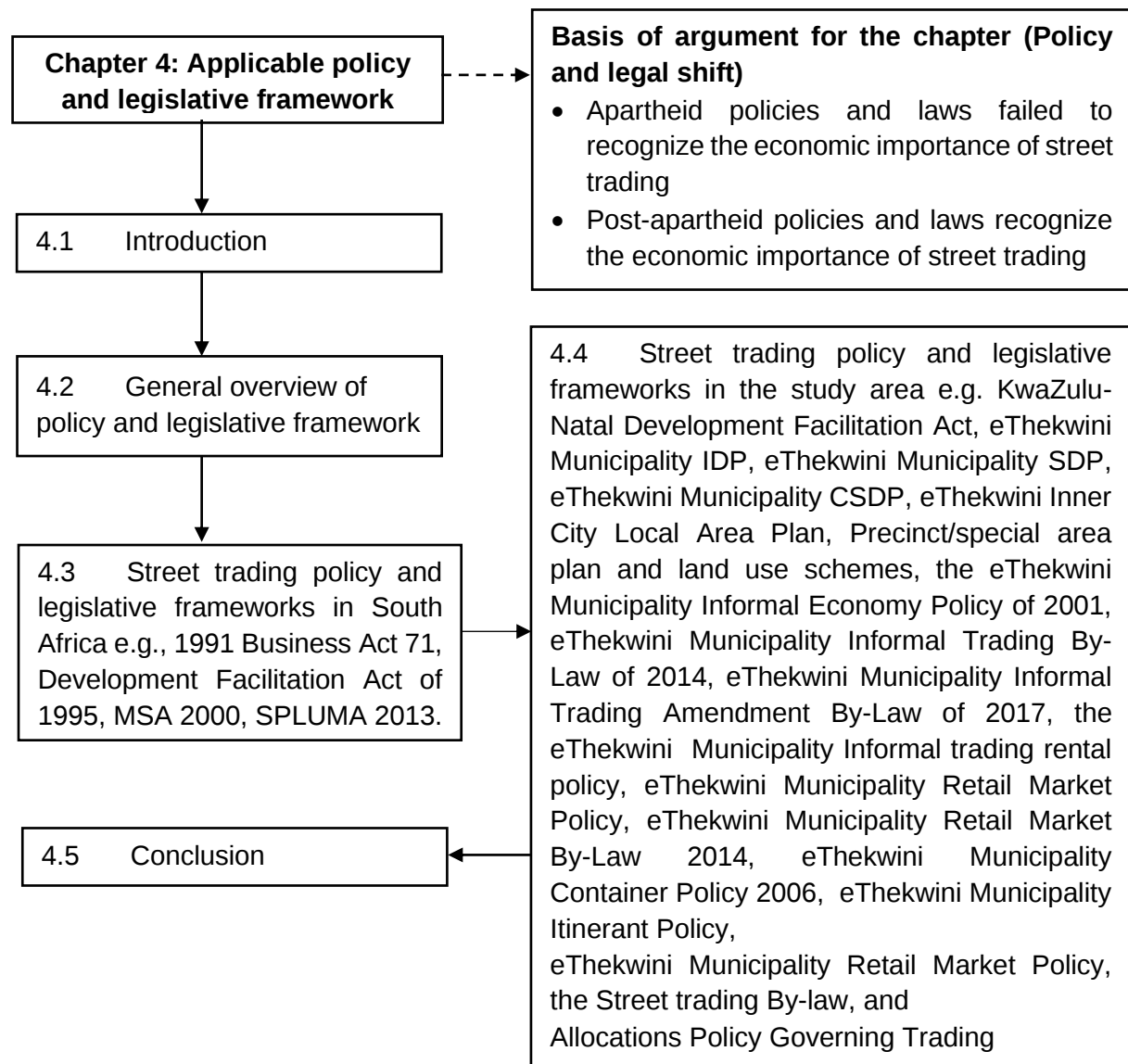


Figure 4-1: Layout and footprint of chapter 4

Author's construction (2019)

4.1 Introduction

The aim of this chapter is to discuss the policies and legislations that directly or indirectly affected/affect street trading during and after the apartheid era in the study area. Also, the chapter compares and contrasts the core street trading policies and laws of the study area, Durban, to that of other metropolitan areas in South Africa such as Cape Town and Johannesburg.

4.2 General overview of policy and legislative framework

News coverage, as well as several works of literature on street hawking, concur with the availability of global policy and practices on street trading (Kusakabe, 2006:18). Recio *et al.* (2017:3) categorize the emerging policy patterns into three epistemologies, including hostile orientation, tolerant atmosphere and accommodating environment. However, this research categorizes management schemes used in regulating street trading activities under two main themes: exclusionary and inclusionary practices, often determined by the strength of the advantages or disadvantages of street trading.

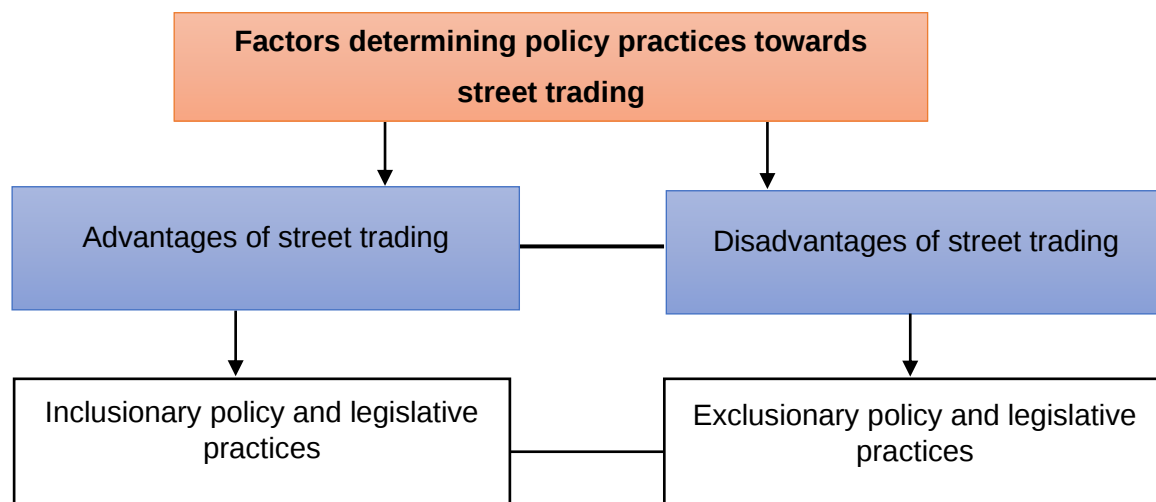


Figure 4-2: Street trading policy and legislative practices

Source: Author's construction (2019)

According to Horn (2018:1), many cities found it challenging in their attempt to define appropriate policies towards the development and regulation of street trading. This situation often led to vacillating policy and regulatory regimes, characterized by high costs of enforcement, coupled with high global incidence of non-implementation of policies and regulations. Other reasons for non-implementation were due to electoral strategy and/or lack of political will. In support, Illy (1986) postulates that the lack of policy implementation may be due to ambiguous policy goals, decision making without consulting the affected parties, low degree of compliance and lack of administrative capacity of implementing agencies. In such instances, there was rarely a link between the policy formulation and implementation processes, often deviating from the normal protocol that states that once a policy had been made by a government, the policy would be implemented, and the desired results of the policy should not be far from the expected outcome.

On the legal front, Horn (2018:1) argues that in many countries with rights-based democratic constitutions like South Africa, trading was constitutionally safeguarded irrespective of where

it occurred. Nonetheless, it was common for legislation and By-laws to contradict the constitutional provisions, especially where most of the legislations are current compared to the constitution, unless authorities were forced through successful litigation or class actions to respect constitutional provisions in their enforcement practices. Symbolic of the contradictions between legal and constitutional rights on the one hand, and the implementation of policies and regulations of street trade on the other was a culture of harassment and extortion which provided grounds for street vendors and informal traders to turn to litigation as a solution (Meneses-Reyes and Caballero-Juárez 2014:377). Kusakabe (2006:3) concludes that in an event where street traders were permitted to operate legally or illegally, they did so in a hostile environment with limited amenities and ongoing panic about persecution.

Despite the positive contributions relating to street hawking, particularly serving as a source of employment, street hawkers were mostly overlooked during policy formulation and they were rarely valued as economic assets to cities in poverty reduction strategies (Roever & Skinner, 2016:3; Timalina, 2011:25). Policymakers often saw street traders as culprits in many problems, including pedestrian and traffic obstruction, hence, cancerous to the environment. Therefore, hawkers' interest was not catered for in the laws and regulations (Kusakabe, 2006:12). As such, policies and legislations often adopted by most city authorities have been unfavourable to street vendors (Mahadevia & Vyas, 2012:7-8), and often considered their activities as illegal (Timalina, 2011:25). Concurring, the Global Association of Street Vending Organization's coordinator, who is versed in the field of city policies and street trading within an African setting supports that "there are no policy best practices with street trading". In areas where best practices emerged, sustaining such best practices became a challenge since hostile changes were mostly made in the event of a big event (Skinner, 2008:12).

In Africa, local authorities continue to pose a challenge to the development of informal trading activities, including street trading, as most local government authorities tend to employ out-of-date restrictive policies, By-laws and regulations formerly intended to stifle the growth of indigenous enterprises. The restrictions made vending practically illegal, and often blamed vendors for littering in the city and traffic obstruction (Mitullah, 2003:10). For instance, in Ghana, street hawking (both mobile and static) is a violation of Ghanaian zoning, tax and road traffic laws (Broadbent, 2012:7). In metropolitan areas like Accra, By-laws to empower city authorities to arrest anyone who engages in street hawking, as well as those who patronize street hawkers are often enacted. Some By-laws prohibit selling goods to a driver or a passenger in a vehicle stuck in traffic or in motion. Moreover, a person shall not buy from a street hawker unless the street has been designated for such purposes (Owusu *et al.*, 2013:176). Such legal and policy practices were the kind of approaches used in managing

cities during the time of colonization. Most colonial policies hardly provided for trading space for informal activities within CBDs, and as such, most street trading activities that occurred within the CBD were not legitimate due to the failure of most urban policies to acknowledge the benefits of street trading in the economy (Mitullah, 2003:10).

Mahadevia and Vyas (2012:8) concur with the lack of legal status and recognition for street vendors who frequently experienced harassment and evictions by local authorities or competing shopkeepers. Moreover, vendors have become victims of extortion by the municipality and the police (Racaud, 2016:11). The Institute argues that most vendors misconstrue monetary extortion as a means of vesting legal rights in them in relation to their site of operation, even though they are perceived to be operating outside the confines of the law. In consequence, by virtue of the erroneous rights street vendors perceived to have, they often operated through street trading organizations to secure their site of operation. According to Chandra and Jain (2015:16), the transient rights 'earned' by street vendors further encouraged their struggle to demand for property rights through various street trading organizations. In support, Weng (2013:13), argues that in a legal sense, street traders were not legal owners of the spot from which they operated. However, in most cases, street vendors claimed for themselves the de facto property right due to the longevity of their stay in a particular spot. Therefore, street traders usually refused to budge, unless they were properly resettled or compensated when they were ordered to vacate the premises where they plied their trade.

Under a new legal regime, street vendor occupation may gain legitimacy as well as recognition in the economic system (Chandra & Jain, 2015:16). Contrarily to the conception that street vending is illegal, Steel *et al.* (2014:4) argue that in a true sense, street hawking is not illegal per the By-laws of most countries such as South Africa. However, it is a matter of location, rather than the activities of street traders which makes it illegal. In support of this, the Kathmandu Metropolitan City authority argues that vending on the street is not an illegal pursuit in itself, but the illegality emanates from the encroachment of public places and pavements, which often attracts crowd on the pavement and street, and ultimately constricts vehicular and pedestrian flow (Timalsina, 2011:30). In light of Timalsina's argument, it appears the municipal policy and laws that imposed restrictions on street vending did not directly prohibit street vending as a profession, but restricted the vendors from using undesignated spaces for trading purposes.

It appears the legality and illegality of street trading, mainly hinge on the spaces where they plied their trade, and not their trading activities. In some circumstances, street traders may be in possession of a legitimate license to operate, however, they may still be deemed illegal due

to their occupation on undesignated spaces. In view of this, traders are trapped between these contradictions of the law. Hence, there is the need to lay emphasis and debate on the spaces where traders could ply their activities within the city rather than on the legality of their activities. Policy and legislative measures are key for inclusive activities to prevail, and to be governed in order to halt fragmented and untraced approaches.

Table 4-1: Key functions of informal economic policy

▪ Clarifies the municipality's vision for the informal economy ▪ Provides a sound basis for resource allocation decisions ▪ Provides the basis for the development of specific interventions ▪ Provides the basis for the drafting, enactment and administration of legislation including By-laws ▪ Analyses the current situation of where the policy is to govern ▪ Identify the vision of the policy that acknowledges the link between the formal and informal economy ▪ Identifies the challenges faced by workers in the informal economy and also, pedestrian estimate for business flow analysis ▪ Creates institutional locations to voice demands and transparency

Source: South African Local Government Association (2012:15)

Table 4-2: Policy approach to spatial rebalancing

Approach	Spatial rebalancing
Goals and objectives	▪ Reduce the economic disparity between regions as well as unemployment in deprived areas
Policy focus	▪ Poorest regions and localities
Policy instruments	▪ Standard financial incentives ▪ Up-to-date 'hard' infrastructure ▪ Streamlined business regulations
Governance	▪ Centralised and predictable ▪ Special purpose agencies to expedite implementation
Economic	▪ Static benefits of business relocation to lower cost regions ▪ Possible reduction in congestion in core regions
Social and political	▪ Social solidarity and political stability
Mechanisms	▪ Investment and jobs are controlled from areas with greater economic opportunities to areas with less economic advantage

Source: Todes and Turok (2015:19)

Table 4-3: Key functions of Municipal By-laws

- They confirm informal traders right to trade
- They provide for the creation of areas where informal trading can happen, as well as for the closing down of these areas
- They grant trading permits or licenses
- They regulate the conduct of informal traders
- They set out health and safety measures and requirements
- They set out penalties in case the By-laws are violated

Source: Manual for street vendors (2014:13)

Table 4-4: SALGA recommendations for enhancing informal trading in South Africa

By-Law and Policy Formulation	Municipal By-laws and policies governing informal trade should: ▪ be based on the understanding of the nature, structure and composition of the informal trading sector within and across municipal boundaries ▪ create an enabling environment for informal trade than to regulate
Legal requirements	Municipal By-laws governing informal trade and all actions of local government officials should: ▪ synchronize with the Constitution of South Africa ▪ respect informal traders' right to trade ▪ ensure that informal traders are treated equally, particularly foreign nationals and discourage unfair discrimination by officials ▪ ensure that the conduct of local government officials who are responsible for the implementation of the By-laws comply with the standards of administrative law ▪ provide clear guidelines on the extent, where municipal By-laws grant local government officials' discretionary powers could be exercised ▪ provide dispute-resolution mechanisms that enable informal traders to appeal and challenge any official decisions that negatively affect them.
Law enforcement and compliance	Municipal By-laws governing informal trade should: ▪ distinguish between more and less serious contraventions of the By-law and should provide for a variety of measures to encourage informal traders to comply with the by-law ▪ ensure that the use of impoundment as a measure to ensure compliance with the by-law is only used sparingly and under exceptional conditions ▪ include mechanisms to hold local government officials responsible for the implementation of the By-laws accountable for their unlawful actions

Tenure	Relocation or eviction of informal traders from their trading spaces should be in conformity with the legal provisions governing informal trade, particularly section 6A (2) of the Businesses Act.
Provision of services	Municipalities should: ▪ ensure that informal trade areas have access to the necessary level of basic services, including water, sanitation, refuse removal and cleaning services ▪ develop more concrete targets for the provision, upgrading and maintenance of basic services
Infrastructure	Municipalities should: ▪ provide the necessary infrastructure for informal trade.
Training and skills development	Municipalities should: ▪ ensure that the rights of informal traders are promoted by providing adequate training to local government officials ▪ develop and make available comprehensive skills development programmes for informal traders

Source: South African Local Government Association (2012:15)

4.3 Applicable policy and legislative framework on street trading in the national context

Informal economy in South Africa evolved as a result of the economic restrictions on black people during the apartheid government (Van Der Heijden, s.a:3). Hence, in the context of South Africa, the words informal, black and illegal were often used to portray economic activities that were deemed to be unwanted and often associated with the black population. In South Africa, informal trading is defined as “the trading of goods and services in the informal sector by persons/enterprises who are not registered or incorporated in terms of the corporate laws of South Africa” (Broadway, 2017). Contrary to the official definition, in a practical sense, informal trading is a generic phrase given to any small business that falls outside the parametres of the formal economy.

The practice of informal trading was not legitimate in the confines of the apartheid laws and was barred from taking place in almost all urban spaces. According to Budlender (2003:7), under the apartheid regime, the traffic department of municipalities charged with the responsibility to manage street trading viewed the activity as an obstruction to traffic, and not as a business. Hence, unfavourable laws and policies were developed to restrict the growth of all forms of activities pertaining to informal trading. Local government By-laws such as the “Move On law”, which compelled traders to change their position of trade every half hour or be sanctioned with harassment, made it difficult for the smooth operation of informal traders

(Budlender, 2003:3). Also, the National Physical Development Plan that was published in 1975 (Jonker, 2014:35) discouraged the concentration of people and economic activities in a relatively small metropolitan area (Van Wyk, 2012:37). This did not favour street trading as the success of street trading mainly depended on a high concentration of human activities in a given area. Ostensibly, the plethora of laws and policies indicated in table 2-4 which supported influx control that was mainly targeted at the black population remained the topmost priority of the apartheid government. In summary, Rogerson (1998) contends that street trading continuously suffered repression and strict control under the apartheid government. In support, Skinner (2008:14) states that “In South Africa, apartheid state’s complex web of national and local laws effectively banned street trading”.

However, South Africa saw a major shift in the political and legislative scene leading to a massive influx of labour into urban centres, more than the formal economy could take. The shift culminated into an astronomical growth rate of rural-urban migration, growth of informal settlements on urban peripheries, informality and other pressures of rapid urbanization (Pieterse, 2017:11) in the 1980s. As such, the apartheid government could not constrain black people from urban space and trade, since most traders were into the sale of transportable goods and also traded from spaces that could not be easily noticed (Gamielien and Van Niekerk, 2017:1).

The situation orchestrated changes in approaches and attitude towards the informal economy. Lund and Skinner (2004:434) document that the apartheid government restructured its negative approach towards the informal economy by supporting the sector as an alternative way of welfare provision. The government begun to acknowledge and recognize street trading in South Africa urban policies and laws, as an important livelihood source, mostly for the urban poor and historically disadvantaged individuals and communities. However, Gauteng City-Region Observatory Report, 2018:42) argues that the shift from apartheid street trading management approach did not change the negative perception surrounding street trading, as street trading was still associated with crime and filth. As such, limited number of licenses were issued to curb the growth of street trading. Moreover, the new street trading management approach restricted street trading to demarcated trading areas to curtail their growth. To buttress this, Morange (2012: 7), argues that “The municipality endeavors to contain street trading within formalized, spatially bounded areas, planned and managed by the City planners”.

Prioritization of public order and aesthetics led cities to pursue for controlled public spaces, while neglecting the realities on the ground. Hence, Jacobs (1961:37) contends that

authorities often presume that “City people seeks the sight of emptiness, obvious order and quiet”.

4.3.1 1991 Business Act 71 (amended in 1993 to Act 186)

By the early 1990s, administrative changes towards the informal sector economy, including street trading were observed. Liberal approaches towards informal trading became more prominent in South Africa leading to the enactment of the 1991 Business Act to administer the sector. The Act recognized street trading as a business and acknowledged its vital role in the economy. The right to trade in public without harassment was ensured. Prior to the new law, street traders required a licence to operate (Budlender, 2003:5). However, with the 1991 Business Act 71 coming into force, besides hawkers who were into the sale of food and perishable products, a licence was not a pre-requisite. In effect, the prime object of the Act was to regulate where, and the manner and under which conditions street traders could operate.

However, experience from Durban Street trading indicates that trading without a permit is illegal. The eThekweni Municipality Business Support Market Unit (BSMU) Head, Philip Sithole, BSMU head (2011) argues that trading without permit is not allowed. “People who see anyone trading illegally should report them to nearest law enforcement officer or BSMU.

Hence, Tsoeu (2003:45) states that:

The main difference between the licence system and the permit system as applied to specific areas is one of legality. In the licence system, everybody who trades without a licence is committing an illegal act - the licence regulates the very right to trade. In the permit system, people are free to trade legally in most areas, but in certain proclaimed areas they may not trade without a permit to trade in that area - the permit regulates trading space.

Though the new Act empowered the municipalities to determine where street trading may or may not occur, and also to decide on the punishment for violations, they were not to bar street trading from happening, nor necessarily criminalize the practice. In essence, the Act limited the powers of the local authorities to formulate policies that could obstruct informal trading activities. However, the Act charged the municipalities to adopt progressive By-laws to ensure successful management of street trading within their jurisdiction.

Table 4-5: Key sections regulating the relationship between street traders and pedestrian and vehicular traffic flow

- (1) (a) A local authority may, with the approval of the Administrator, make By-laws regarding:
- iii. the prohibition of the carrying on of such business, (dd) at a place where:
- (B) it causes an obstruction to vehicular traffic.
- (C) it substantially obstructs pedestrians in their use of a sidewalk as defined in section 1 of the Road Traffic Act, 1989.

Source: 1991 Business Act 71 (amended in 1993 to Act 186)

4.3.2 The White Paper of the Department of Trade and Industry 1995

The 1995 National White Paper on SMMEs was the first document to recognize and encode “survivalist and micro-enterprises in the umbrella definition of small businesses” (Budlender, 2003:6). The Paper acknowledges the vital role of small business enterprises in the economic and social development, after the sector had not received the needed support in an almost established exclusive white dominated capitalist-controlled economy. More so, the Paper acknowledges the challenges hampering the growth of small-scale enterprises as well as the harm caused to the sector during the apartheid regime. Against this backdrop, the Paper proposes a National Strategy to develop and promote small scale businesses, including street trading in South Africa.

4.3.3 South Africa Constitution of 1996

“Every citizen has the right to enter, to remain in and to reside anywhere in, the Republic” (Constitution of the Republic of South Africa, 1996, section 21, subsection 3). Also, section 21, subsection 1 states that everyone has the right to freedom of movement. Hence, unlike the past where the movement of the black majority were restricted, the Constitution guaranteed freedom of movement to everyone. Additionally, section 52, subsection 1C of the South African Constitution mandates local governments to encourage economic development. Also, section 22 of the Constitution stipulates that every citizen had the right to choose their trade, occupation or profession freely. However, the practice of a trade, occupation or profession should be regulated by the law. To explain further, the section eschews unlawful practices, but promotes the existence of lawful businesses, including street trading as a chosen trade. The section clearly requires a careful balance between the need for regulation, and preventing infringement on a person’s freedom to choose their economic activity.

Section 25 (Bill of Rights) ensures the protection against possible dispossession of goods. The section argues against “arbitrated deprivation of property”, which indirectly protected

individuals like street vendors during an eviction. Moreover, section 33 adds that those whose rights under section 25 were infringed upon had the right to a fair legal hearing. Pragmatically, in the case of violation of the rights of street traders by confiscating their goods, vendors could request a letter stating the reasons for such act.

Chapter 7 section 152 (1) of the South African Constitution outlines the following functions as part of local government:

- To render sustainable services (b).
- To encourage socio-economic development (c).
- To encourage a safe and healthy environment (d).

The above-mentioned sub-sections (b, c and d) advocate for the provision of sustainable working environments, which are interrelated in the socio-economic sense for the development of all South African citizens. Sub-section (c) of section 152 can be broadly linked to the operation and support of street vendors at a local level in relation to administering and regulating the economic activities for developmental support. Section 153 of the Constitution further encourages a more development-oriented approach by urging municipalities to provide and respond to local community basic needs and socio-economic development (South African Local Government Association, 2012:19).

4.3.4 The White Paper on Local Government 1998

The Paper acknowledges the fact that local government was not directly in the business of creating jobs. However, it had the responsibility of providing conducive and social economic development locally to stimulate job growth by making provision for quality cost-effective services and ensuring that their local area was pleasing for living and working by revising the existing policies and procedures to promote local economic development.

Through the conventional responsibilities regarding regulations and delivery of services, local governments had enormous control on the socio-economic welfare of their communities in that they employed a great number of people, purchased goods and services, and arranged payment of salaries. These activities enabled the local government to circulate money in the system. Also, they determined and collected water, electricity and roads tariffs and controlled land use development. Moreover, the local government dictated the pace of politics by setting the agendas for local politics which impacted on the lives of local residents, prospective migrants and investors. These functions impacted on the street trading business as it was the responsibility of a subject municipality to prioritize street trading as an economic activity within

their jurisdiction by acknowledging their economic significance as street traders could fail in municipalities where they were not accorded the necessary recognition.

4.3.5 Development Facilitation Act of 1995

Foremost of all the post-apartheid planning legislation was the Development Facilitation Act which was promulgated towards the end of 1995. Amongst other things, the Act provides general principles appropriate for planning in all spheres of government (Berrisford, 1997:57). The general principles enshrined in the Act that were applicable to all land development including formulation and enactment of policies and laws, and administrative practices that discouraged illegal occupation of land and also, the policies, administrative practices and laws which promoted efficient and integrated land development in respect of social, economic, institutional and all physical aspects of land development. Contrary to the past where urban planning in South Africa followed a rigid land use system, the Act encourages the adoption of policies laws, and administrative practices that promote mixed development where residential and employment land uses were integrated or in proximity to each other.

Also, the Act seeks to remedy the unfair spatial forms of settlement perpetuated in the history of South Africa. In view of this, the Act aims at introducing an approach to facilitate and expedite the execution of the reconstruction and development programmes and all forms of related projects; to make provision for the establishment of a Development and Planning Commission for the purpose of advising the government on land development legislature and policies at national and provincial levels, and also to make provision for the establishment of development tribunals vested with the power of making decisions and conflict resolution in connection with land development.

Situating the Act in the context of this research, street trading activities did not take place in virtual space, rather in a physical environment. Thus, the Act was important to the development of street trading. In the era where street trading was often seen as inimical and conflicted with the attainment of a modernized city, the Act was effective in reconciling 'abnormal' physical development pertaining to street trading with the 'normal' developmental standards.

4.3.6 Municipal System Act 32 of 2000

The Municipal System Act came into force due to the failure of the local government system to cater for the basic needs of the majority of South Africans during the apartheid government. More so, the Constitution gives local government the responsibility to provide services and to be development oriented. Hence, the Act defines the core principles and approach to the development of local government and empowered municipalities to be inclined towards

improving the social and economic conditions of their residents, as well as making basic services accessible to the people, specifically the poor and the less privileged. In view of the stated reasons above, the objectives of Act include:

- Setting out the key principles and mechanism in ensuring that municipalities move in the direction of improving the social and economic conditions of its citizens to ensure that every citizen gets affordable services.
- Outlining the legal and policy framework of the municipality taking into consideration the role of the local community within the municipal area, and also working hand in hand with the political and administrative structures of the municipality.
- Providing the framework for exercising and performing municipal powers and functions respectively.
- Encouraging community participation; also, to establish cohesiveness in the core processes of planning, performance management, resource mobilization and organizational change that supports the concept of development locally.
- Formulating policies to determine service tariffs and credit control and setting out a framework for services provision, service delivery agreements and municipal service districts taking into consideration the needs of the poor.
- Administering debt collection and credit control within its jurisdiction.
- Making provision for legal matters pertaining to local government, and all other matters in connection to that.

Situated in this research, street traders provide livelihood support to the underprivileged synchronising with the basic objective of the Act, which was mainly to empower the poor economically. More so, the objective of the local government in relation to legal provisions affects the operations of street traders in the sense that legislations enacted by a local government may determine the success or failure of street trading.

4.3.7 Spatial Planning Land Use Management Act (SPLUMA) (Act 16 of 2013)

This Act is relevant in the current democratic dispensation of South Africa since many South Africans are still living and working in areas determined and influenced by the past spatial and land use laws and practices grounded in racial inequality, segregation and unsustainable settlement pattern. Also, the Act is relevant in that it recognizes the failure to integrate informal and traditional land use development processes into formal systems of spatial planning and land use management under the apartheid regime. The Act argues that sustainable development of land requires the integration of social, economic and environmental aspects in both forward planning and continuing land use management to ensure that land development

serves the present and future generation. More so, the Act argues for a uniform, recognizable, and a detailed spatial planning system and land management to be adopted in the entire country before economic unity, equal opportunity and equal access to government services could be maintained. In light of the reasons given, the Act canvases for the spatial planning system and land use management that promote and protect socio-economic inclusion. In essence, the mandate of the state to respect, protect, promote and fulfil the social, economic and environmental rights of everyone and also meet the basic needs of the previously deprived communities is acknowledged by the Act. Amongst the objectives of the SPLUMA relevant to the study are:

- Providing for an even, efficient and detailed spatial planning and land use management system.
- Encouraging social inclusivity in the spatial planning and land use management system.
- Outlining the developmental principles, norms and standards.
- Making provision for sustainable and efficient use of land.
- Rectifying the historical discrepancies by ensuring fairness in the spatial planning and land use management system.

4.3.8 National Spatial Development Framework of 2018

The National Spatial Development Framework derives its legal powers from government policy and legislature. From a policy perspective, Chapter 8 of the NDP demands a “national spatial development framework”. From a legislative perspective, Section 5(3) (a) of SPLUMA emphasises the need for a national spatial development framework.

The purpose and focus of the National Spatial Development Framework (NSDF) as enshrined in the SPLUMA include Section 12(1), which speaks about Spatial Development Framework (SDF) at the provincial and municipal government level in that the NSDF must:

- Explain and demonstrate the vision of the spatial development outlined by the national government.
- Be guided by the long-term vision statement and plan of spatial development.
- Represent integration and balance all the applicable policies and plans of the national sector.
- Direct planning and development across all sectors of the national levels of government.

- Contribute coherently to the planning approach towards the spatial development in the three tiers of government.
- Provide clarity on information, and also make information accessible to the public and private sector and set guidance for the purpose of investment.
- Incorporate the areas which were deprived in the past, areas under traditional authority, rural areas, informal settlements, slums and landholdings of state-owned enterprises and government organisations into spatial, economic, social and environmental objectives of the national government.
- Address historical spatial imbalances in development.
- Identify the long-term risks associated with a particular spatial pattern of growth and development and suggest the mitigating policies and strategies to deal with them.
- Provide direction for strategic development and infrastructure investment, promote proficient, sustainable and planned investments by all sectors, and lay down priority areas for investment in land development.
- Encourage a coherent and foreseeable land development atmosphere to build trust and stimulate investment.

With the aim of placing South Africa in a desired post-apartheid future, and mainly to correct the historical social, political, economic and spatial injustices which were directly inimical to street traders as well, the NSDF is guided by four main steps to ensure the theory of change, as indicated in the table 4-6.

Table 4-6: NSDF theory of change

Step	Description
1	The current National Development Pattern, including the Constitution, the NDP and the existing legal and policy framework, more importantly the SPLUMA and the Integrated Urban Development Framework have compiled conclusive and influential Post-Apartheid Spatial Development practices. Also, the documents have identified the changes required to shift from the old practices to the new practices. Again, the documents proposed a sound vision for the Post-Apartheid National Spatial Development
2	The new logic and vision are adopted by examining the current and future 'national spatial development landscape', and designed with a set of concepts for Nation Spatial Development to create a positive Post-Apartheid National Spatial Development Pattern comprising of a National Spatial Development Frame, and a series of NSDF Sub-Frames
3	The NSDF and its sub-frames give specific interventions and priority actions needed to facilitate desirable changes in the current national spatial development landform

4	The desired Post-Apartheid Spatial Development Pattern, NSDF and its sub-frames, as well as all other related interventions and priority actions are factored in the preparation of a decisive implementation guide to actualise a desired national spatial agenda
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Source: Draft National Spatial Development Framework (2018:29)

Table 4-7: Summary of national legal and policy documents regulating informal trading

Policies and legislations and their Impact on street trading	
1991 Business Act 71 (amended in 1993 to Act 186):	It defines the scope of the authority local governments have to regulate informal trade. Provides for the licensing of businesses, including informal businesses
White Paper of the Department of Trade and Industry 1995:	It proposes a National Strategy for the Development and Promotion of Small Business
Constitution of the Republic of South Africa, 1996:	It stipulates the rights of citizens including the right to trade. Also, it specifies the powers of mandates of government institutions
1998 White Paper on Local Government:	It stimulates job growth by making provision for quality cost-effective services. Also, it revises the existing policies and procedures to enhance local economic development
The Municipal System Act-2000:	It defines the main principles and approach to the development of local government
Spatial Land Use Management Act (Act 16 of 2013):	Ensures sustainable and desirable land development by integrating social, economic and environmental aspects in a land use management system
National Spatial Development Framework of 2018:	Seeks to rectify the past spatial injustices in the spatial development pattern
National Development Plan:	Ensures job creation in the informal sector
National Informal Business Upliftment Strategy (NIBUS) (March 2014):	First national policy on the informal sector post-apartheid is currently being implemented through the NIBUS road map
Business Licensing Bill (March 2013):	All businesses no matter how small are required to have a licence
The Promotion of Administrative Justice Act:	Ensures that trading and matters related to managing trading should be administered fairly and effectively
The Health Act 63 of 1977: Regulation 918:	Ensures the safety of public health by issuing 'Certificate of Acceptability' to food traders
Atmospheric Pollution Prevention Act 45 of 1965:	Gives guidance on pollution prevention

National Environmental Management Act 107 of 1998: It develops a guideline needed for integrating good environmental management into all development activities in that it establishes the principles to regulate the exercise of functions that may have any impact on the environment. Included in the law is the duty of care and remediation of environmental damage
Environmental Conservation Act 73 of 1989: Noise Control Regulations No.75 It sets limits on the amount of noise and nuisance activities in public spaces
National Road Traffic Act 93 of 1996: Determines which areas on public roads, a trader may/may not trade
Municipal Finance Management Act, Act No 56 of 2003 Guides Municipalities in terms of collecting and spending public funds
Meat Safety Act 40, 2000: Provides measures to promote meat safety and the safety of animal products
Counterfeit Goods Act 37, 1997: It specifies the approach to deal with trading in counterfeit goods

Source: Author's construction (2019)

4.4 Applicable policies and legislative framework on street trading in the eThekweni Municipality

Street trading management practices in Durban are mostly touted as one of the best on the globe. Nonetheless, this feat was not achieved overnight as a series of developmental procedures preceded it. The significant role of the central government regarding the passage of the Business Act of 1991 made it possible for traders to secure licences to carry on businesses. Also, the Business Act of 1993 made it possible for street traders to trade without a license or any form of harassment as well as the 1996 Constitution which dismantled the apartheid machinery, followed by development at a local level.

Street trading has always been part of the urban informal sector of the city of Durban. African traders used to travel to the city on a five-day pass to trade their goods (Nesvag, 2002:284). However, often driven by two main reasons – the "sanitation syndrome" and "economics of space control", laws curtailing the use of space by street traders were enacted. The Native Affairs By-laws introduced in 1916 by the Durban Town Council elaborated precisely on the procedures for the registration of Natives, mainly people of African descent, who required job contracts and passes in order to gain access to the CBD (Naidoo, 1993:23).

Moreover, the Durban City Street Trading By-law of 1962 (section J6) defined street trading as an illegal activity which made street traders culpable of an offence, and thereby spatially criminalising street trading activities from taking place in the CBD, on the peripheral zones,

along main transport routes and outside demarcated zones (Do Rego, 1995:24). In addition, the Natal Ordinance 11/1973 introduced further curtailment on the freedom of street traders as it prevented street trading from occurring within 100 metres of formal business. Hawkers were prohibited from mounting fixed stands as they were not permitted to occupy a spot for more than fifteen minutes. Hawkers were compelled to move at least 25 metres away after every fifteen minutes (Nesvag, 2002:287).

In the 1980s, similar to any city in South Africa, the struggle for space in the city and the right to trade gained momentum when the apartheid machinery started to crumble, yielding to the relaxation of influx control (Grest, 2002:8). Coupled with the falling of the apartheid government and increasing mass protests by street traders, regulating street trading, particularly at the Warwick Junction, became expensive at the time. Hence, a new approach to deal with the informal sector economy became necessary. This led to the launch of two studies: the 'Market Survey' in 1983 and the 'Hawker Report' in 1984, into street trading in Durban. The research into the street market system, its extent, location and policy options for its management marked the defining moment of formulating a formal street trading policy in Durban, and other South African cities (Nesvag, 2000:7).

The reports argued for a revaluation of the illegal status of street trading. The research made recommendations and introduced favourable policies to augment street trading activities. Popular amongst the recommendations, found in the Hawker's Report of 1984, was the introduction of 'immune zones' designed in areas where traders currently traded, mainly in the CBD (Do Rego, 1995:24). The Hawker's Report also proposed a more lenient approach to regulating street trading. It recommended a simpler licensing procedure. Again, the report recognized a certain degree of street trading management control to the success of street trading. Meanwhile, the Market Report of 1983 recognized market areas and transportation hubs as vital trading nodes due to the ability of such areas to attract high number of pedestrians. In 1985, a sub-committee was launched to find pragmatic means of formulating and executing friendlier policies and laws towards street trading (Nesvag, 2000:6).

The recommendations yielded results on the urban space of Durban as the number of street traders soared. The increasing number of street traders caused a form of chaos to prevail in the streets of Durban between 1991 and 1993, and led to the promulgation of a new By-law known as By-law M.N. 97/95. Section J.6 of the new By-law emphasised on ensuring appropriate sanitation at places of work and protection of public health. More so, the law emphasized the display, removal and impoundment of goods. Again, general offences and penalties were also specified in the new By-law (Nesvag, 2002:291).

However, the By-law was fiercely contested mostly by street traders and other pro-street trading organizations on the basis that consultation was not made when drafting the new By-law. Again, the traders disputed the laws criminalizing street traders. In addition, they challenged the By-laws by arguing that assigning full cleaning responsibilities to street traders contributed to a shift of public responsibility. In spite of these objections, the city officials went ahead to enforce 'clean up operations' to remove street traders who were deemed to be unlawful (Tsoeu, 2003:12).

From a departmental perspective, previously, the responsibility of managing street trading in South Africa rested on the Traffic Department. However, with time, this responsibility shifted to other departments depending on the city. In Durban, the Department of Informal Trade and Small Business Opportunities (DITSBO) now (ITSBO) established in 1991 is charged with the administration of all activities in connection with street trading. The ITSBO has an Informal Trade division which manages existing markets and establishes satellite markets. Again, the division has area managers, and site supervisors who perform area-based work as well as providing training and support to small business operators. Meanwhile, the Small Business Opportunities division is responsible for policy and strategic development (The eThekweni Municipal Informal Economy Policy, 2001).

Through the work of DITSBO, new street trading By-laws were enacted in September 1995, and came into operation in January 1996. Moreover, from 1999 to 2000, the Durban city authority was involved in the consultative process leading to the drafting of the Informal Economy Policy to guide the city in the management of the crisis in the sector, and to define the city's approach. The policy acknowledged street trading as one of the most vital sectors of Durban's political economy. By providing jobs and ultimately income opportunities for thousands as well as making provision for goods and services mostly to a marginalized group at affordable rates, street trading has significantly impacted positively on the lives of the Durban poor, giving them a new meaning to life, space and culture in Durban (Tsoeu, 2003:13-15).

4.4.1 KwaZulu-Natal Planning and Development Act of 2008

The KZN Planning and Development Act of 2008 was promulgated into law to ensure evenly planned development systems, and to ensure that all citizens in the KZN province were fairly treated. Moreover, the Act is relevant in ensuring a fair and equitable standard of planning and development to everyone, whiles accommodating diversity in the entire province. Again, the Act argues for the need to incorporate all the developments which had evolved outside of the formal planning and development system. Additionally, the Act recognizes the need to promote the planning and development system to rectify the historical injustices in the system.

The objectives of the Act include:

- Making provision in connection with the adoption, replacement and amendment of schemes.
- Providing for alteration, suspension and deletion of restrictions in relation to land.
- Establishing the general principles in respect of the closure of permanent roads or public spaces in the municipality.
- Making provisions that are needed to enforce the Act and schemes.
- Making provision in relation to an establishment of the KZN Planning and Development Appeal.
- Defining the norms and standards of planning and development for the province.

Since both past and current developmental trajectories were/are abhorrent to street trading, any development associated with street trading remains a challenge. Hence, the Act is relevant to street trading in that it may endorse or object to any restrictive provisions in relation to developing an area into a trading site. Moreover, street trading organizations can appeal to the development tribunals established by the Act in the event of an objection in relation to developing an area into a trading site.

4.4.2 eThekweni Municipality Integrated Development Planning

Inspired by the need to rectify the imbalanced spatial policies and features bestowed by the apartheid regime, a new and integrated approach to planning was critical in ensuring reconstruction (Conference Report, 2014:2). The South African integrated planning approach was introduced after 1994 to enable the previously side-lined municipalities to be directly involved in service delivery planning, restructuring and developing the old and new institutions respectively, and also to acknowledge and prioritize strategic development interventions with both short and long-term effects (Todes cited in Agyemang, 2017:31). The final product of this process is an Integrated Development Plan (IDP), a legal document that contains and directs development within local governments in South Africa. Municipalities are mandated to produce 5-year strategic plans that are evaluated on an annual basis in consultation with communities and stakeholders. These plans seek to ensure cohesiveness between social, economic and ecological pillars of sustainability, and to uplift the institutional capacity needed in the execution process by synchronizing actions across sectors and spheres of government. The intended purpose of the IDP is to assist municipalities to achieve their mandatory developmental goals, and to regulate the activities of any institution or agency operating within the municipal area (eThekweni IDP Review, 2009/2010). The eThekweni IDP (2003-2007) identifies the City's strategic objectives as:

- Creating an operational atmosphere for all business to grow.
- Facilitating strategies to empower people at a local level.
- Organizing skills development and training workshops for SMMEs.
- Creating public and private sector partnerships.
- Ensuring that sustainable economic growth is in line with strategic direction.

The IDP Vision for eThekweni:

By 2020, eThekweni Municipality will enjoy the reputation of being Africa's most caring and liveable city, where all citizens live in harmony. This Vision will be achieved by growing its economy and meeting people's needs so that all citizens enjoy a high quality of life with equal opportunities, in a city that they are truly proud of (eThekweni Public Transport Plan:2.3).

The IDP 2012/13 announced a number of important strategic priorities towards addressing the development challenges within the eThekweni region. These priorities facilitated the creation of structures to provide the basis for actions and prioritization to be realized. More so they act as a point of departure to create a sustainable municipality (CSDP Annual Review 2014/2015:10).

Table 4-8: eThekweni Municipality strategic priorities

Strategic Priority	Goal
Sustainable livelihoods	Every citizen earns a decent living and supports a sustainable lifestyle
Socially Cohesive City	Actions of citizens must aim towards achieving a collective welfare, and demonstrate mutual respect, tolerance and compassion for those in need
Financially Sustainable City	To ensure optimization of financial resources in order to ensure long-term financial feasibility and sustainability towards improving service delivery
Safer City	To ensure security and safety for all citizens in private and public spaces
Accessible City	To make sure facilities and services needed for a sustainable lifestyle are accessible and affordable to all citizens
Sustainable environmental city	Suitable environmental conditions that ensure the protection and promotion of the health of the citizens, and biodiversity

Source: CSDP Annual Review (2014/2015:10)

To realise the identified eThekweni strategic priorities, the city has to make strategic choices to ensure judicious use of its limited resources to foster the path of its urban development priorities for the city and its citizens. Table 4-9 is a summary of selected key choices.

Table 4-9: Selected key choices of the eThekweni Municipality

Key Choice	General objectives
Choice One: Improving our port and logistics infrastructure	Improving logistics infrastructure to maximise the opportunities presented by the existence of the Port and partnering with other enterprises to boost economic opportunities. The port and its enclave facilitate job-creating opportunities, hence, improvement in logistical infrastructure will stimulate economic opportunities, and ultimately create jobs within and beyond the municipality
Choice Two: Promoting Densification and Strategic Management for New Growth Areas	To ensure that more people live in proximity to their place of work and other relevant amenities
Choice Three: Bridging the digital divide	The Municipality has extended its telecommunication infrastructure to improving data and voice communication, thereby reducing the cost of telecommunications. An adventure which is vital for socio-economic empowerment
Choice Four: Good public transport system	Ensuring ease of movement for commuters to and from work, shopping, leisure and school
Choice Five: Ecological and tourism related	To develop an advanced, highly operative and concrete marketing plan to increase the number of tourists
Choice Six: Ecological integrity	Building sustainability by promoting and managing economic development; providing infrastructures and services; managing the finances of the city; involving citizens in decision-making and protecting the ecosystems from threat

Source: eThekweni Municipality IDP Annual Review, Review 4 of 4 (2010/2011:7)

The Municipal Scorecard entails performance management system indicators, including the Entities Scorecards, the Service Delivery and Budget Implementation Plan, and the Individual Performance Plans for Section 57 Management, and all other Senior Managers. Essentially, the Municipal Scorecard assesses the performance of the organization in terms of Service Delivery Budget Implementation Plan, and individual management performance.

Table 4-10: IDP Performance Management Matrix

Key Performance Area	8 Point Plan	Strategic Focus Area
Municipal Institutional Development and Transformation	Good Governance	Healthy and productive employees
	Empowering citizens	Develop the Municipality as a learning Municipality
		develop Human Capital
Basic Service Delivery	Sustaining our Natural and Built Environment	Develop, manage and regulate the built and natural environment
		Climate Change
	Quality Living Environment	Meet service needs and address backlogs.
		Address community service backlogs
	Safe, healthy and secure environment	Promoting the safety of citizens
		Promoting the health of citizens
		promoting the security of citizens
		promoting the safety of municipal assets
		pollution Minimization
Local Economic Development (LED)	Economic Development and Job Creation	Support and Grow New and Existing Businesses
		Provide Secondary Support to Business Enterprises
	Promoting Cultural diversity	Create economic opportunities for arts, culture and heritage
		Promote Sport and recreation within the Municipality
Municipal Financial Viability and Management	Financial viability and sustainability	Budget strategically and sustainably
		Value for money expenditure
		Grow and diversify our revenue
		Sound financial management and reporting
Good Governance and Public Participation	Good Governance	Ensure Accessibility and promote governance

		Create an efficient, effective and accountable administration
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Source: eThekweni Municipality IDP Annual Review, Review 4 of 4 (2010/2011:11)

As part of the IDP, major stakeholders from the municipalities are supposed to arrive at a consensus on how to develop the economy and generate income opportunities for the citizenry. LED is an approach to economic development that enables and encourages local people to work together for the attainment of sustainable economic growth and development in order to ensure economic benefits and improved quality of life for all citizens in a local municipal area (Corporate Governance and Traditional Affairs, s.a). While the National government makes provision for policy and funding, as well as research and other assistance for local economic development, local governments design LED strategies and incorporate them into the IDP process. LED strategies must operate in tandem with the general vision stipulated in the IDP, and should consider analysing the end result to unravel the challenges while prioritizing developmental projects. Moreover, the designed strategies must ensure integration of residential and work areas, build corridors between areas for development, and support the economy with good public transport (Education Training Unit, s.a).

According to Education Training Unit (s.a), the guiding principles of LED identified by the Department of Provincial and Local Government should include:

- LED must prioritize Job creation and poverty alleviation since unemployment and poverty are the main challenges confronting South Africa.
- LED must focus mainly on people, particularly marginalized communities and geographical regions, black economic empowerment enterprises that were historically placed in a disadvantageous position and SMMEs to allow them to participate fully in the economy.
- LED must encourage local ownership, community participation, local leadership and shared decision making.
- LED must involve local, national, and international partnerships between communities, businesses and government to solve problems, create joint business avenues and build local areas.
- LED must encourage the use of local resources and skills and also maximize opportunities for development.

The eThekweni Municipality developed intervention programmes with the objective of directing spatial economic development related issues, particularly in the CBD where economic opportunities already existed. The focus of the eThekweni LED is to create similar economic

opportunities in areas of lesser economic opportunities to avoid overdependence on the main CBD through corridor and nodal development (eThekwini Municipality Official Website, 2019a).

Table 4-11: eThekwini Spatial and LED intervention programme areas of delivery

Areas	Explanation
Strategic Township Development	This includes allocating funds to develop infrastructures in areas which were previously disadvantaged. In the case of Durban, funds were allocated for Inanda-Ntuzuma-KwaMashu, Umlazi, KwaMashu Township Centre, Bridge City Project, Mpumalanga and Clermont
Town Centre Renewal	Upgrading of infrastructures in areas of important economic opportunity to prevent the decline of such areas, and to ensure investor friendliness
Upgrade of Tourism and Corridors	The project aims at creating diversity and increasing the areas of tourist attraction in the EMA to stimulate the local economies. Areas which have benefited from such upgrading projects include: the Umhlanga Beachfront Walkway, Winklespruit, planning of Warner Beach, Umgababa as recreational nodes, planning for Umkomass Dive-Site, Westbrook Beach, Baggies Beach on the South Coast, developing the Intathakusa Resort, planning for Inanda and Hazelmere Dams and initiatives around the Inanda Heritage Route
LED Strategies	Establishing a partnership between the eThekwini Local government and the Provincial government to co-fund the designing of strategies for areas confronted with developmental challenges and opportunities within the EMA. The Umlazi and greater Tongaat area have benefited from such development strategies in terms of job creation as well as the opportunities associated with the Dube Trade Port respectively. The strategies are envisaged to be extended to other areas including Clermont, Hammarsdale-Mpumalanga, Cato-Ridge, Verulam and Illovo

Source: eThekwini Municipality Official Website (2019a)

4.4.3 eThekwini Municipality Spatial Development Framework

In addition to the IDP tool is the Spatial Development Framework (SDF), which is the central point to integrate strategic municipal spatial strategies with respect to economics, physical infrastructural development, environment and society into space. The eThekwini SDF uses the concept of corridors and nodes to ensure urban development. The concept of corridors and

nodes include amongst other things, the identification of key areas for investment, the preferred direction of growth; areas with opportunities for infrastructural development and development management approaches (eThekwini IDP, 2009/2010 Review).

Table 4-12: Key features of the eThekwini Municipality Spatial Development Framework

The compact city models:	
▪	An Urban Core, which is the urban centre, which mostly has the servicing capacity and ultimately the opportunity for densification to support thresholds for a range of services, industry and public transport
▪	An Urban Edge concept used as a tool to curb urban sprawl, promote compaction, public transport and sustainability, protect environmental assets and prevent inefficient expenditure on infrastructure. This concept in pragmatic terms indicates the borders within which it is sustainable to provide additional services. Hence, emphasis on accessibility and convenience in more densely populated urban areas within Durban Central and Umhlanga as major investment nodes

Source: eThekwini Municipality IDP (2009/2010 Review:17-18)

The eThekwini Municipality follows Eight Point Plan to ensure effective implementation of the strategic decisions encapsulated in the IDP and SDF.

Table 4-13: eThekwini eight-point plan

Point	Plan	Goal
One	Sustaining the natural and built environment	To control and manage the use of the built and natural environment towards ensuring sustainable and integrated growth and development of the city
Two	Economic development and job creation	To develop the economic wealth that will promote the welfare of the citizens
Three	Quality living environment	To promote access to justifiable, suitable and sustainable levels of household facilities and municipal services and expedite access to housing
Four	Safe, healthy and secured environment	To promote and create a safe, healthy and secure environment
Five	Empowering citizens	To empower the citizens by enhancing their skills through partnerships. Also, to make information easily accessible to the citizens. More so, to make use of an advanced approach to governance and service delivery to promote active engagement of citizens in the socio-economic and political activities of the city

Six	Celebrating diversity in culture	Providing an enabling environment under which sport, recreation, arts and culture, and heritage opportunities can be realised for personal growth, community solidarity and economic advantage
Seven	Good governance	To ensure a strong public organisation that encourages and supports a consultative and participatory local governance
Eight	Financial viability and sustainability	To ensure optimization financial resources to achieve long-term financial viability and sustainability

Source: eThekweni Municipality IDP (2009/2010:10)

4.4.4 eThekweni Municipality Central Spatial Development Plan (CSDP)

The CSDP of the eThekweni Municipality argues that the eThekweni SDF remains the key spatial strategy as far as development is concerned. To ensure physical development, spatial strategies and a spatially organised city, the SDF needs to be translated into a more specific geographical region. This is achieved by preparing Spatial Development Plans, a primary land management tool serving as a vehicle in which social, economic and environmental development and management policy become a spatial reality. Hence, the purpose of the CSDP include:

- To translate the policies captured in the eThekweni Municipality SDF into more comprehensive and geographically specific land use directives.
- To integrate, update and review the current approach to spatial planning and development management in the central region.
- To provide a defined approach towards preparation of a more comprehensive local area plan, precinct plans and land use schemes.
- To make provision for a firmer spatial and land use policy framework to be used by municipal and other infrastructure service providers in planning and service delivery.
- To direct and guide the private sector and community investors on the level, location, types and forms of investment needed to be made, that may require Municipality support in terms of a phased plan in a given time frame.

4.4.5 eThekweni Inner City Local Area Plan

The metropolitan areas are among the spaces dominating South Africa as well as Durban's economy, hence, it is incumbent on such area to provide the best job opportunities. However, slow pace of economic growth coupled with a lack of job provision have led to increase in unemployment, mainly in the urban centres. In view of this, the national government has made

regeneration of inner cities a policy priority in order to ensure the provision of potential access to employment. Hence, the main purpose of the eThekweni Inner-City Local Area Plan (EICLAP) is to create a vision and framework to guide the rejuvenation of the eThekweni inner city. Moreover, the EICLAP serves as a tool for coordinating and integrating the activities and expenditure of the municipality, and also to inform the private sector on the direction of future development trends of the EMA. The priority areas include:

The Objectives of the Local Area Plan are to:

- Design development proposals that conform to the national, provincial and local government strategic priorities.
- Promote the role of Durban as the gateway to Africa as well as enhancing the regional and national role of the CBD.
- Design a collective vision for the CBD and to integrate and harmonize each precinct with the vision.
- Provide a framework to attract investors as well as to enrich the Durban's CBD economy.
- Outline the framework for decision making at the regional and national level as well as allocating funds and formulating policies.

Table 4-14: eThekweni Inner City Local Area Plan goals

Goal	Description
Densification	To increase the population in the CBD from approximately 70 000 in 2016 to 370 000 by 2040, with a final population of 450 000 people
Jobs	The total number of jobs is expected to increase from approximately 100 000 in 2016 to 219 000 by 2040, and finally reaching 250 000 jobs in a range of sectors
Tourism	To place Durban on the world map as a city that supports sporting and leisure in order to attract a large number of visitors with greater spending focused in the CBD, and consequently improving on the growth of the local economy and job creation
Trade	Improve network connectivity, size of pavements; and also, the active market spaces that can accommodate 80 percent additional registered informal traders. Also, to ensure that all registered informal traders will have easy access to adequate facilities such as clean washing, waste management and storage for goods
Walkable	Residents can access public amenities within a range of a five-minute (400 m) walking distance
Connected	Linking the inner city to the entire city by making provisions for new pedestrian and cycling networks and reconfiguring the old pedestrian friendly streets,

	improving and making variations in the public transport choices and enhancing the public realm. Also, the Integrated Rapid Public Transport Network is projected to reach the inner city by 2040 and also an extension of the people mover system to serve the inner-city distribution network to limit the dominance of taxis and cars within the inner-city
Accommodation	A functioning residential property market to ensure a wide range of accommodation for all people irrespective of socio-economic background
Sustainability	Ensuring efficient use of energy in the CBD by 2040

Source: EICLAP (2016:20)

Table 4-15: Spatial principles of Integrated Inner-City Local Area Plan and Regeneration

Spatial principles and description
Ensuring a connected city through: ▪ Reconfigure existing streets ▪ New primary and secondary linkages ▪ New local streets ▪ New pedestrian priority network
Ensuring a walkable city by: ▪ Focusing on pedestrians and cycling and streets designed for pleasant safe, pedestrian experience ▪ Providing public transport in the right places ▪ Promoting dense local neighbourhood centres in the areas of highest amenity and accessibility that support the daily needs of residents ▪ Promoting a variety of residential densities and types ▪ Encouraging fine-grained, mixed land use to be developed in all neighbourhood centres ▪ Regenerating existing neighbourhoods and plan new neighbourhoods as walkable
An integrated and inclusive city through: ▪ A set of walkable connected neighbourhoods where the variation of land use depends on location within this framework ▪ Land use intensity with diversity in land use mix and higher densities (retail, commercial and residential) must take the centre stage of a walkable neighbourhood focusing mostly on connected locations ▪ High land use intensity developed in proximity to open space areas where the public amenity is high and contributes to property value. For instance, developing a residential and tourist site close to waterfront, parks or sporting precincts ▪ Other land uses that need to be accessed by the general population should occur along the connecting roads. For instance, social services ▪ Less dense residential development and ancillary uses are developed in spaces between the connectors

Realizing the potential of:

- Reconfigured streets, new streets and pedestrian priority areas
- New development blocks and regeneration
- Upgraded public realm

Source: EICLAP (2016:14)

4.4.6 Precinct/special area plan and land use schemes

The Municipal Systems Act, Act No 32 of 2000, enjoins municipalities to prepare SDFs in addition to the IDP. By extension, the eThekweni municipality has developed a package of plans, including Local Area Plans, Functional Area Plans and Land Use Schemes to enhance land use management and decisions. However, it is worthy to note that currently, the eThekweni By-law has in effect repealed the Functional Area Plans from the list of plans, even though such plans may still be prepared to direct the municipality in decision making. Typical of such precinct plans include the Warwick Precinct Plan which has a target of increasing inner city jobs by 250 percent, and also upgrading infrastructures in the informal economic sector to accommodate an additional 80 percent of legal street and market traders (eThekweni draft integrated inner-city local area plan and draft Warwick precinct plan, 2016).

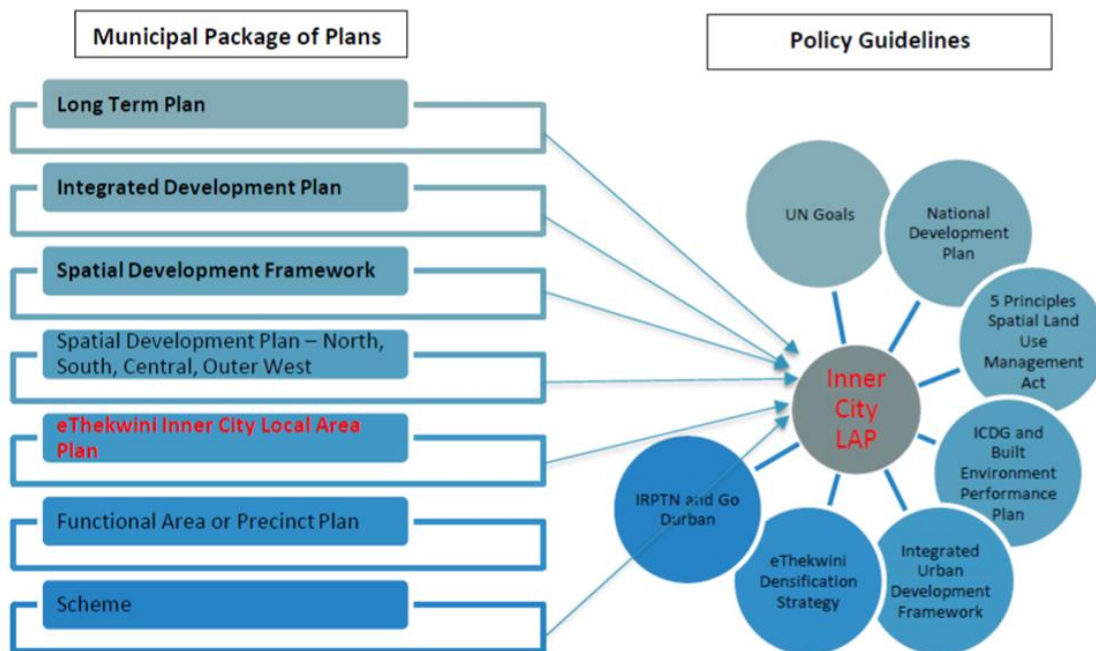


Figure 4-3: Package of Plan concepts

Source: CSDP Annual Review (2014/2015:1)

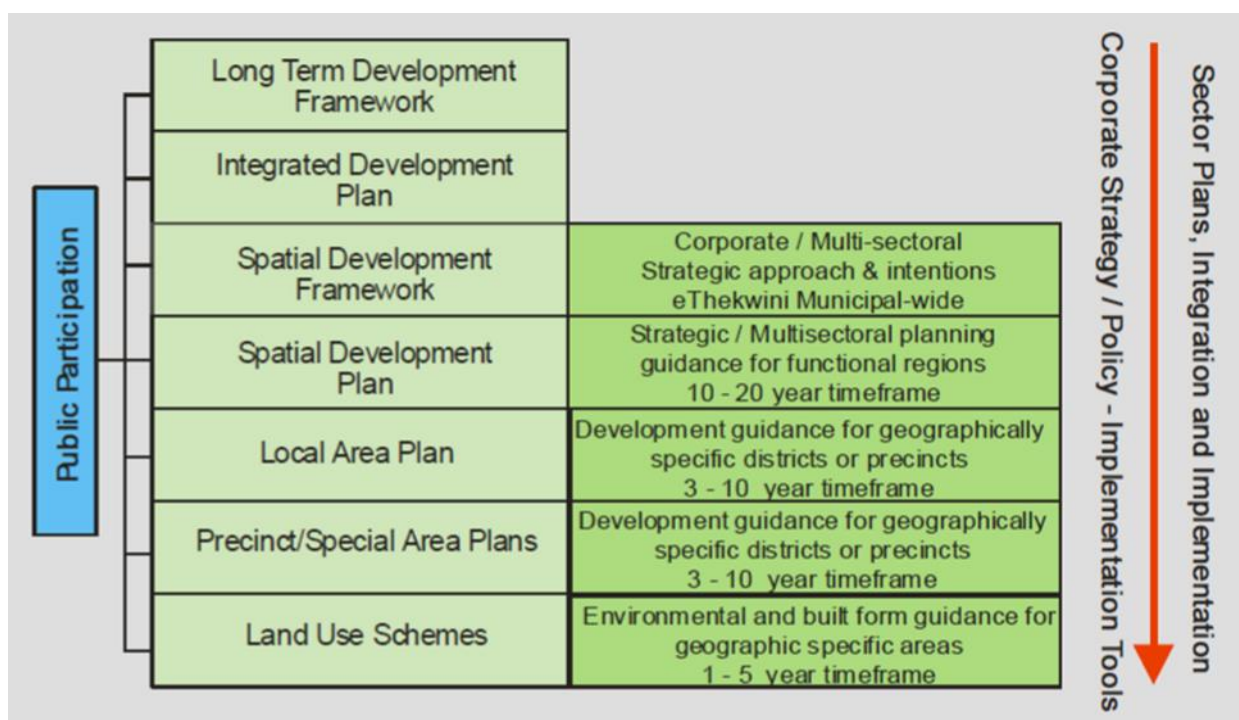


Figure 4-4: eThekweni Policy alignment

Source: EICLAP (2016:9)

Table 4-16: Emerging Package of Plans for eThekweni Municipality

Plan Type	Scope	Purpose
Long Term Development Framework	Economic Social and Environmental Objectives	It defines development strategies for the city
Integrated Development Planning	Operational Implementation	It gives direction on strategy implementation, and other aspects essential to the development of the Municipality
Spatial Development Framework	Spatial Development	Strategic Spatial Development defines the future intentions of the City based on the Long-Term Development Framework and IDP
Spatial Development Plan	Spatial Development	Makes the concept of spatial development, mainly land use and environmental and infrastructure implications into spatial reality. It issues directions to broad-based land use to guide LAP and land use management systems. Also, it guides the municipality on bulk infrastructure and transportation planning
Local Area Plan	Detailed Physical Plan	It directs the city and the municipality by providing them with comprehensive physical planning

		mainly in connection with land use, transport, environment, and infrastructure to a level that informs the preparation of a Land Use Scheme. Also, it defines the urban design strategies and implementation proposals to be adopted on public and privately-owned land
Precinct Plan/ Special Area Plan	Comprehensive Physical Plan for special areas	It directs the city and the municipality by providing them with comprehensive physical planning mainly for areas with special environmental, economic and heritage features. Again, it defines the urban design strategies and implementation proposals for the municipality
Land Use Scheme	Zoning and Development Control Regulations	It serves as a comprehensive land use management tool for the municipality. Also, it assigns developmental rights with respect to land

Source: CSDP Annual Review (2014/2015:1)

4.4.7 The eThekweni Municipality Informal Economy Policy of 2001

Similar to all other South African cities, informal trading in Durban was curtailed under the apartheid regime. Nonetheless, with the introduction of new progressive policies in the 1980s, changes were made to embrace informal trading activities (Xulu, 2015:2). Inspired by several pilot projects and broader consultation, especially with people working in the informal sector, a policy on Durban's informal economy was formulated in 2001. Accordingly, Durban became the first city in South Africa with the most progressive policy on street trading (Kitchin & Ovens, 2008:12). The eThekweni Informal Economy Policy of 2001 recognizes the challenging role of local government in terms of pursuing economic development and pro-poor policies. Hence, the policy was formulated taking the following realities into consideration:

- A long-term policy goal is key with regards to migrating the informal economy to a formal economy. Also, with the rapid formalization of the formal economy, the informal economy offered a variety of opportunities to the jobless, and newcomers entering the economic market.
- The formal and informal economies are interdependent. Hence, the success of the two sectors is dependent on each other.
- In most cases, support for informal economy, mostly medium scale enterprises in South Africa, has been implemented through national SMME policy. However, often, the support fails to reach the target people, mostly the poor, operating in the SMME

segment. In essence, at the city and regional level, private training and support hardly reached deprived operators who needed assistance the most.

- Tension could arise in the instance where the local government had to reconcile the formalities and legal procedures associated with the informal economy due to its fluid nature.
- Job creation should be balanced in both the formal and informal sector of the economy by the Local government.

Table 4-17: Benefits of Durban Street trading policy

- | |
|--|
| <ul style="list-style-type: none"> ▪ Provided basic service support through skills training, legal advice, health education and hygiene and capacity building for street vendor organizations. ▪ Compelled the municipality to adopt a more pro-active and inclusive policy towards street traders. ▪ Simplified registration of permits and access to information ▪ Encouraged diversification of economic participation and security of tenure for trading sites. ▪ Suggested the sectorial approach to street trading with emphasis on comprehensive analysis and participation of both informal and formal economies. |
|--|

Source: Selwyn (2018:58)

Though the eThekweni Municipality is commended for the strides made in enacting street trading By-laws, nonetheless, Xulu (2015:2) argues that the commitment to legitimise street trading was not enough in the sense that the By-laws allowed trading to take place only in selected designated areas within the inner city. Moreover, all municipal By-laws, including the eThekweni Municipality Informal Trading By-law, entailed a “contriving clause” which criminalised street trading and empowered the city authority to remove and impound goods sold by traders, as well as impose fines or imprison any trader who contravened the law. Nevertheless, contrary to assertion made by Xulu, since the most heated debates on street vending concern ‘conflict-zones’ (Naik, 2015:35), and also the illegality of street trading hinged on site of operation, Durban still deserved a commendation for the effort made in providing spaces for street traders to ply their trading activity since it closed the chapter on the issue of conflict zones and illegality surrounding street trading. As every law contains provisions as to what is permissible and is not permissible, this does not necessarily discredit the achievement made by Durban in street trading management.

4.4.7.1 Comparing eThekweni Municipality, City of Cape Town, and Johannesburg policy approach

The first point of departure in the policy for the informal economy is the mandatory role assigned to local government in promoting job creation opportunities. To accomplish this role, the local government encourages and promotes a diverse mix of markets and trading opportunities as part of the strategies to create diverse opportunities and also to bridge the gap between informal and the formal sector of the economy. As a result, all the policies of all three metropolitan areas, eThekweni Municipality, City of Cape Town and City of Johannesburg, aim at planning and designing to accommodate informal trading in designated streets, public open spaces and markets in a positive well-managed environment. Hence, all the informal trading policies in the three-metropolitan regions of South Africa argue for full integration of informal trading into the planning, design and management of the city to enhance city space, promote economic development and in turn expand job opportunities. Principled on sustainable urban management are four common implementation levers or operational frameworks adopted by all the three metropolises in managing informal trading within their jurisdiction as illustrated in table 4-18.

Table 4-18: Key operational framework of street trading in the City of Durban, Cape Town and Johannesburg

Implementation levers	Process
Planning	New markets and trading spaces should be planned in an appropriate manner, taking into consideration the economic needs of traders, the need for more vibrant land use, and the need for organised town, spatial and transport planning, as well as health and safety
Allocation	The primary objective of the allocation policy is to support growth and provide economic opportunities for new entrants. As such allocating a site to new entrants for trading purposes has become one of the means of creating jobs and ensuring inclusion of formerly ostracised people.
Registration	The registration seeks to ensure that people working in public places are registered as small businesses. Registration and sustainable rental payments give permission to traders to operate, and also, to access services and support. As such, records compiled on traders may include the location of their trade and rent paying status
Rental	Local governments consider informal trading as small-scale businesses, and as such value is placed on them in a form of rent. The rental value is determined by the place of location, size of the site, and the level of services associated with it

Source: Adopted from all the three metropolitan informal trading policy frameworks

4.4.8 eThekweni Municipality Informal Trading By-law of 2014

The eThekweni Municipality Informal Trading By-law of 2014 came into fruition due to the recommendations made by the Durban informal economy policy of 2001, on aspect of registration, site allocation and operational cost (Budlender, 2003:6). The objectives of the By-law include:

- To negotiate for the right to participate in informal trading.
- To make provision for informal trading areas and informal trading venues on municipal property.
- To grant commercial licences on municipal property.
- To restrict and prohibit informal trade in certain sectors.
- To regulate the behaviour of informal traders.
- To provide a regulatory approach to informal trade during special events.
- To put mechanisms in place to ensure health and safety.
- To determine what constitutes offences and penalties.

4.4.8.1 Comparing eThekweni, City of Cape Town and City of Johannesburg Street trading By-laws

Inferring from all the laws, priority is accorded to vehicular space over trading space as trading is discouraged, particularly on the sidewalk and intersections, where street trading activities thrive very well. Hence, it is not surprising that the legal recognition given to street traders continues to be challenged in all the metropolitan areas of South Africa. According to the Gauteng City-Region Observatory Report (2018:142), by 1990s, the City of Johannesburg remained the only municipality with an informal trading policy in South Africa. The policy was influenced by the Business Act which urged all municipalities to develop By-laws to manage street trading. Nonetheless, Horber (2018:24) posits that in the city of Johannesburg, the right of street traders regarding the use of urban space was highly challenged in November 2013, under the banner of the Operation Clean Sweep exercise. Both licensed and unlicensed street traders were forcibly removed from the Johannesburg city centre as detailed earlier on in this section. Similarly, in Cape Town, 'the modernist vision of a 'world-class city' and its hostility to informality often assume the centre stage. The situation has often led to a drawback on informal trading activities. In the context of street trading in Durban, in 2009, if not for court intervention, the city authority proposed a shopping mall to be developed at the Warwick Junction, a development that would have put the economic support of the street traders operating in the area under serious threat (Skinner, 2009:2).

Table 4-19: Key sections of the eThekweni Municipality informal trading By-law regulating street trading, pedestrians and vehicular relationships

Restricted conduct: location of trading 21

(1) An informal trader must not:

(a) place his or her goods on a public road or public place, with the exception of his or her motor vehicle or trailer from which informal trading is conducted: provided that such

- motor vehicle or trailer does not obstruct pedestrian or vehicular traffic movement and complies with the provisions of the National Road Traffic Act, 1996 (Act No. 93 of 1996).
- (b) allow his or her goods or area of activity to cover an area of a public road or a public place which is:
- i. greater than 6 square metres in the area.
 - ii. greater than 3 metres in length, unless otherwise approved by the Municipality.
- (c) trade on a sidewalk or verge where the:
- i. width of the sidewalk or verge is less than 3 metres.
- (e) obscure any road traffic sign displayed in terms of the National Road Traffic Act, 1996 (Act No. 93 of 1996), or any marking, notice or sign displayed or made in terms of a by-law.
- (f) obstruct vehicular traffic.
- (g) obstruct access to a pedestrian crossing, pedestrian arcade or mall.
- (h) obstruct access to a vehicle.
- (l) limit access to parking or loading bays or other facilities for vehicular traffic.
- (2) An informal trader must, in respect of any sidewalk, leave an unobstructed space for pedestrian traffic of not less than:
- a) 2 metres wide when measured from any contiguous building to his or her goods or area of activity.
 - b) 0.5 metres wide when measured from the kerb line to his or her goods or area of activity.

Source: The eThekweni Municipality Informal Trading By-law of 2014

Table 4-20: Key sections of the City of Cape Town Informal Trading By-law regulating street trading, pedestrian and vehicular relationships

11. General prohibitions on informal trading:

Informal trading may not be conducted on a verge or sidewalk (as defined in section 1 of the National Road Traffic Act, No. 93 of 1996) next to:

11.3. at a place where it:

11.3.3. substantially obstructs pedestrians in their use of a sidewalk.

11.3.4. obstructs vehicular traffic.

11.3.5. and in a manner by which it creates a traffic hazard.

11.3.8. obstructs access to a pedestrian crossing.

11.3.9. obstructs access to a vehicle.

11.3.10. obscures any road traffic sign.

11.3.11. limits access to parking or loading bays or other facilities for vehicular traffic.

11.3.12. obstructs access to a pedestrian arcade or mall.

Source: The City of Cape Town Informal Trading By-law -2009

Table 4-21: Key sections of the City Johannesburg Metropolitan Municipality Informal Trading By-laws regulating street trading, pedestrian and vehicular relationships

9. Prohibited conducts:

(1) No person shall carry informal trading business in the following areas:

(e) at a place where it is likely to obstruct vehicular traffic.

(i) Within 5 [five] metres of any Intersection.

Source: City of Johannesburg Metropolitan Municipality Informal Trading By-laws

Under the post-apartheid regime, informal trading has been recognised within the confines of the local government policies as one of the alternative sources of providing employment for majority of South Africans. Also, urban space, mainly the sidewalks have been identified as spaces for successful street trading operations as due to high rate of pedestrian flow. However, it appears the current informal trading By-laws of eThekweni, City of Cape town and City of Johannesburg continue to project the interest of other public space users, mainly pedestrians and motorists to the detriment of street trading regarding the use of urban space.

Table 4-22: Local government By-laws and their behaviour towards urban space users

	Priority/ interest		
	Informal trading	Pedestrian	Motorist
Street trading By-laws			
1991 Business Act 7 (amended in 1993 to Act 186)			
eThekweni Municipality Informal Trading By-law of 2014			
The City of Cape Town Informal Trading By-law -2009			
City of Johannesburg Metropolitan Municipality Informal Trading By-laws			

High priority	Moderate priority	Low priority
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Source: Author's construction (2021)

4.4.8.2 Case of Interest: Makwickana's legal case

Besides formulating and enacting policies and By-laws to manage street trading activities in the EMA, another achievement worthy for discussion is the impoundment provision in the Informal Trading By-law which had been brought to no effect. According to the Legal Resource Centre (s.a:17), prior to Makwickana's legal case, the city authority could prosecute, impound or confiscate goods when a trader contravenes the Informal Trading By-law, 2014. However, the impoundment provision in the Informal Trading By-law of 2014 is no longer in effect due to the decision made on the Makwickana case. However, the law is still subject to a review until any new amendments are passed.

4.4.8.2.1 The case of Makwickana on the law of impoundment

In 2014, the Legal Resources Centre represented John Mpini Makwickana in his dispute with the eThekweni Municipality and one of its police officers. It is important to know that Mr Makwickana brought the dispute in his own capacity but also as a representative of informal traders generally. The goods of Mr Makwickana, a street trader, were impounded by a police officer; and later destroyed despite Mr Makwickana being in possession of a valid permit that allowed him to ply his trade at the corner of Bertha Mkhize and Fish Market Streets. Mr Makwickana left his stand in the care of his assistant, who briefly vacated the trading zone. On the return of the assistant to the trading site, he met a police officer who issued him with

a fine for trading contrary to the By-laws and impounded all the goods of Mr Makwickana despite the assistants having assistants' permits.

Mr Makwickana later challenged the eThekweni By-law that allowed impoundment, provisions in the By-law, that allow the municipality to escape liability for impoundment (called an indemnity) and the actions of the police officer. In 2015, the Honourable Justice D. Pillay of the High Court of the KwaZulu-Natal Local Division, Durban, passed his verdict in favour of Mr Makwickana. The final verdict of the court argued that the By-law and the actions of the police officer violated Mr Makwickana's constitutional rights. In the end, the municipality was ordered to pay Mr Makwickana the value of his goods. Moreover, the provisions of the city's By-law (sections 35 and 39) on impoundment and the indemnity were repealed.

Source: Legal Resource Centre (s.a:16)

4.4.9 eThekweni Municipality Informal Trading Amendment By-law-2017

The objective for the promulgation of this By-law was to amend the eThekweni Municipality: Informal Trading By-Law, 2014 in order to prohibit informal trading activities from taking place in prohibited or restricted areas; and to allow trading in designated area. Moreover, to make provision for certain restrictions on informal trading. Lastly, to make provision for matters relating to impoundment and regulation of abandoned goods and other related issues.

In terms of removal and impoundment of goods, section 35A has been inserted in the eThekweni Municipality: Informal Trading By-Law, 2014, and section 35 has been replaced. Unlike the previous section, section 35 (1), the new section, section 35A (1) stipulates that only abandoned goods may be removed and delivered to a place of impoundment.

4.4.10 eThekweni Municipality Informal Trading Rental Policy

The responsibility of the eThekweni Municipality Informal Trading Rental Policy was to ensure consistency in the rental policy for informal traders within the EMA. Thus, the policy deals with the structure of rentals, the setting of the levels of rents, the methods of rent collection and issues surrounding the non-payment of rents. The policy argues that the existing rental system currently in use by the municipality was fragmented and, in many cases, led to inconsistencies in the management and regulation of informal trading. This situation has often created superfluous management difficulties and displeasure among traders and other stakeholders. Hence, the urgent need to provide a lasting solution through the implementation of a consistent rental policy and system across the EMA. Essentially, the Rental Policy takes note of the following requirements:

- The policy should be rational, simple for traders to understand and must have the full backing of all major stakeholders.
- Municipal staff must be able to implement the policy easily.
- The policy should be seen as fair and in support of community approaches to developing the informal economy.
- Even though it is easy to understand and execute the policy, it should adequately reflect all the aspects of informal markets.
- The policy should be in support of new informal entrepreneurs and newcomers to the profession.
- The policy should reflect the communities in the informal economy.
- The policy should encourage record-keeping of all the facilities and services provided by the municipality to the informal economy.
- Rental policies should be completely incorporated and also be in tandem with other related informal rules, such as registration and website assignment policies and procedures.

4.4.11 eThekweni Municipality Itinerant Policy

Acknowledging the significance of the sector and the historical factors that led to mass street trading, several research gaps including the need for a policy to improve the management and control of itinerant traders were identified necessitating the need for a policy. Hence, this policy is vital in dealing with the issue of itinerant traders in the sense that:

- It defines an integrated and universal approach for all departments within the City of Durban.
- It makes clarification on the Council's policy to all relevant stakeholders.
- It provides the foundation for the By-law for regulating itinerant trading in the city.
- It provides direction with regards to making a decision on allocation of resources.
- It designs the procedure for monitoring and evaluation, with definite critical objectives.
- It establishes the appropriate institutional structures to improve the control and management of itinerant trade, within the context of the Itinerant Trading Policy.
- It equips individual operators with the needed tools in dealing with the unfair treatment meted on them by city officials.

The objectives of this policy document include:

- Recommending management tools needed to control and improve conditions in the informal trading sector. Hence, the Business Support Unit (BSU) mandated to manage the informal trading sector seeks to build a wider policy coherence within the municipality, through a coordinated programme, effective interdepartmental relations, and sound policy management, including strategic alignment of mandates of different municipal departments and units.
- Making recommendations in relation to the procedures and processes aimed at improving the management of itinerant traders, as well as By-laws to regulate trade.
- Moreover, the policy seeks to improve the support and opportunities for itinerant traders in order to facilitate the progress of their businesses.

To accomplish the stated objectives of the policy document, recommendations on key principles that guide the city's approach in the management and control of itinerant traders as indicated in table 4-23 were designed.

Table 4-23: Key principles and objectives regulating itinerant trade

Principle	Objective
Economic	Management of itinerant trading will be facilitated by: ▪ Linking itinerant trading zones to commercial zones in order to create controllable hubs of business activity that mutually benefit formal and informal businesses ▪ Making provision for a variety of facilities, capacity building and business support services to cater for the different levels of traders, from a weekly trader and small survivalist trader to larger traders ▪ Making sure that municipal buildings and properties are optimally used for the social and economic development of their jurisdiction ▪ Aiming for easily reachable and noticeable locations to promote tourist related trading that will be beneficial to informal traders
Social	Promoting equitable city by: ▪ Even distribution of public facilities in the city, particularly in historically deprived communities ▪ Identifying itinerant trade as one of the avenues that should attract government investment, and also as an opportunity to integrate communities that have suffered exclusion in the past ▪ Providing basic services and facilities to all areas where public health and/or public safety are at risk
Spatial	Regulating trading such that the value of public places as amenities and places of dignity could be maintained and generate a positive public image of the city by:

	▪ Promoting trading in areas that have the largest number of people, which is in areas with large flows of pedestrian traffic ▪ Demarcating itinerant trading space according to the Spatial Planning Framework specifics of the city ▪ Providing minimal infrastructural support for itinerant trading depending on the type of activity to enhance the trading activities
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Source: eThekweni Municipality Itinerant Policy

4.4.12 eThekweni Municipality Retail Market Policy

The informal economy policy adopted by the eThekweni Municipality as part of the general strategy to create opportunities and links between the informal and formal sectors of the economy enjoins the municipality to encourage and promote a diverse mix of markets and trading opportunities. The eThekweni Market Retail Policy argues that following the adoption of the Informal Economy Policy it was envisaged that Council reviewed its existing markets to enable the markets to operate towards realizing the municipal economic objectives. Moreover, external factors threatened the existence of markets within the EMA.

These necessitated markets being reviewed to ensure future sustainability in terms of a common vision. Furthermore, the markets across the EMA in the past were managed by separate legislation and By-laws, hence, the need for a uniform policy to ensure fruitful management. Moreover, two key changes in the role of local government occurred after the 1994 elections. Historically, local government in South Africa were not responsible for economic and social development. Moreover, local governance was less democratic, and as such less measures were put to ensure community participation and consultation. However, the constitutional role of the local government changed overtime, and new responsibilities were assigned to the local government. Firstly, the local government had an obligation to promote and support the formal and informal economy. Secondly, the local government now had to engage in consultative processes. Hence, the importance of a market policy is situated within the following context:

- It clearly defines the local government's approach and principles.
- It provides the fundamental approach to common action for different government units.
- It makes provision for a fundamental approach to secure agreements involving external stakeholders in terms of the role of local government and other groups.
- It makes provision for a fundamental approach to monitoring and evaluating the performance to determine whether the set goals are achieved.

4.4.13 eThekwini Retail Market By-law of 2014

The primary objectives the eThekwini Retail Market By-law of 2014 include:

- Ensuring efficient administration of the markets owned and controlled.
- Regulating the conduct of the people operating in the market.
- Ensuring that the goods that are put up for sale in the market are of good standard and quality.

Moreover, the By-law empowered the municipality to control and regulate the volume and movement of traffic entering the market and within the precincts of the market by:

- Demarcating parking lots and allocation of trading sites.
- Determining and levying tariff charges for the use of parking bays.
- Imposing fines and impounding vehicles for non-compliance with the traffic.
- Providing traffic signage and rules within the market precincts.

4.4.14 eThekwini Municipality Container Policy of 2006

The container policy of 2006 was motivated by the eThekwini Informal Economy Policy, which enjoins the municipality to promote and develop the informal economy by providing and developing sites and markets, as well as making provision for facilities and services to traders. Moreover, the legislative framework for the policy was situated within the parameters of the Business Act 71 of 1991, the eThekwini City Street Trading By-law and the Scheduled Trades and Occupations By-law. Also, the policy was linked to other By-laws of the council applicable to container trading. The container policy was developed with the aim of promoting and developing container traders by making provision for mechanisms to manage them. The Council's BSU was charged with the responsibility to control and maintain trading structures, as well as to ensure a proper management of container trading. The objectives of the Container Policy are detailed as:

- To ensure effective management of permits and rentals.
- To encourage continuous leasing of land to people who ply their trade in containers.
- To ensure regulation of the container trading sector.
- To encourage informal traders to abide by the rules and regulations.

Although, it has been established that the success of street trading/hawking mostly depends on the high volume of pedestrians on pedestrian walkways, or transportation nodes, interestingly, By-laws used in regulating street trading namely, the Business Act of 1993 and the informal trading By-laws of all three metropolitan areas, including Durban, Cape Town and

Johannesburg prohibit and restrict street trading from occurring in those areas. The content of the laws is shrouded in prohibitions, mainly skewed in favour of pedestrians, vehicular flow and aesthetic values. Although street trading is recognized as one of the bedrocks of an informal economy, its legality, often stemming from spaces to ply trade, still remains a challenge in all the three metropolitan areas of South Africa.

4.4.15 Street trading By-law

The purpose of the law is to achieve four key objectives, including prohibitions, restrictions, cleanliness of place of business and protection of public health, trading in parks and gardens, objections used for display of goods, and general offences and penalties.

Table 4-24: Key sections of the eThekwin Municipality Street trading By-law regulating street trading, pedestrians and vehicular relationships

Prohibitions No person shall carry on the business of a street trader: (e) At a place where it substantially obstructs pedestrians in the use of a sidewalk or take up a position or deposit his property on a sidewalk so as to do so. (f) At a place where it causes an obstruction to vehicular traffic.
Restrictions No person carrying on the business of a street trader shall: (b) Carry on such business in such a manner as to: (iii) Create a traffic hazard. (e) Interfere with the ability of persons using a sidewalk to view the goods displayed behind a shop display window or obscure such goods from view. (f) Obstruct access to a pedestrian arcade or mall. (i) Obstruct access to pedestrian crossings, parking or loading bays or other facilities for vehicular or pedestrian traffic. (k) Obscure any road traffic sign displayed in terms of the Road Traffic Act, 1989, and regulations made thereunder or any markings, notice or sign displayed or made in terms of these By-laws.

Source: Source: eThekwin Municipality Street trading By-law

In addition, the law clarifies on the requirement for the application of trading permit. The purpose of the permit is to regulate and promote legal trading, and to discourage illegal trading activities. Also, the law seeks to formalise informal trading, and to incorporate them into the urban design planning process of the Durban CBD.

Table 4-25: Key sections on trading permit application

12.(1) A person may apply for an informal trading permit, to conduct informal trading on municipal property, if that person:

- (c) is a South African citizen or, failing which, has a valid work permit which includes, but is not limited to, a refugee permit.
- (d) does not employ more than 10 persons.
- (e) does not have an interest in more than 1 entity or partnership which conducts informal trading.
- (f) is currently unemployed, and on becoming gainfully employed surrender such permit.

Source: eThekweni Municipality Street trading by-law

4.4.16 Allocations Policy Governing Trading

The objective of the policy is providing growth support and opportunities for new entrants based on economic, sustainable, and social principles. The policy may serve as a tool for creating jobs, as well as including people who were previously excluded from economic activity. The following measures are taken into consideration when implementing the policy.

- Legalization of traders operating in demarcated and restricted trading sites managed by the Council will be time bound. After the expiration of the said date, anyone found trading illegally will be removed.
- Only people at the entry level of business will be allocated with a trading site.
- Council will encourage migration of traders into formal markets by affording traders the opportunities to develop themselves and their businesses within a set timeframe.
- Application in relation to transfer of trading sites to family (next of kin) in the event that the owner is ill, dead, disabled or in a critical condition must be forwarded to the Council for consideration.
- The historical background of the subject area should be ascertained whether or not they should be dealt differently or in the way as the prescribed set out criteria in terms of allocation.
- Priority is given to women, young people (18-35 years) and people with physical disability, as well as to South African Citizens

Also, the Policy sets out the requirements for allocating trading sites. They include:

- Potential applicant must show commitment to pay rent for a stall
- Single site per trader per household
- Potential applicant must not own any other business

- Potential applicant must not be formally employed
- Potential applicant must conform to legislation and By-laws
- Product to be sold should be in line with the character of the area. Although, Council will seek to promote certain business in areas that exhibit certain characteristics in line with the potential business

Moreover, the Policy has developed point system for allocating trading sites and issuing trading permit as indicated in the table 4-26.

Table 4-26: Criterion for allocating trading sites in the eThekweni Municipal area

Criteria	Point
Anyone disenfranchised before 1984	1
Anyone disenfranchised before 1994	2
Accredited co-operatives since more than one person will benefit from the site	3
Value added product and skill	1
Value added products manufactured at the site, or by a co-operative of which an applicant is a member	1
Local applying for a local site	1
Any applicant who is a Uni-city resident applying for uni-city site	1

Source: eThekweni Municipality informal trading By-law (2014)

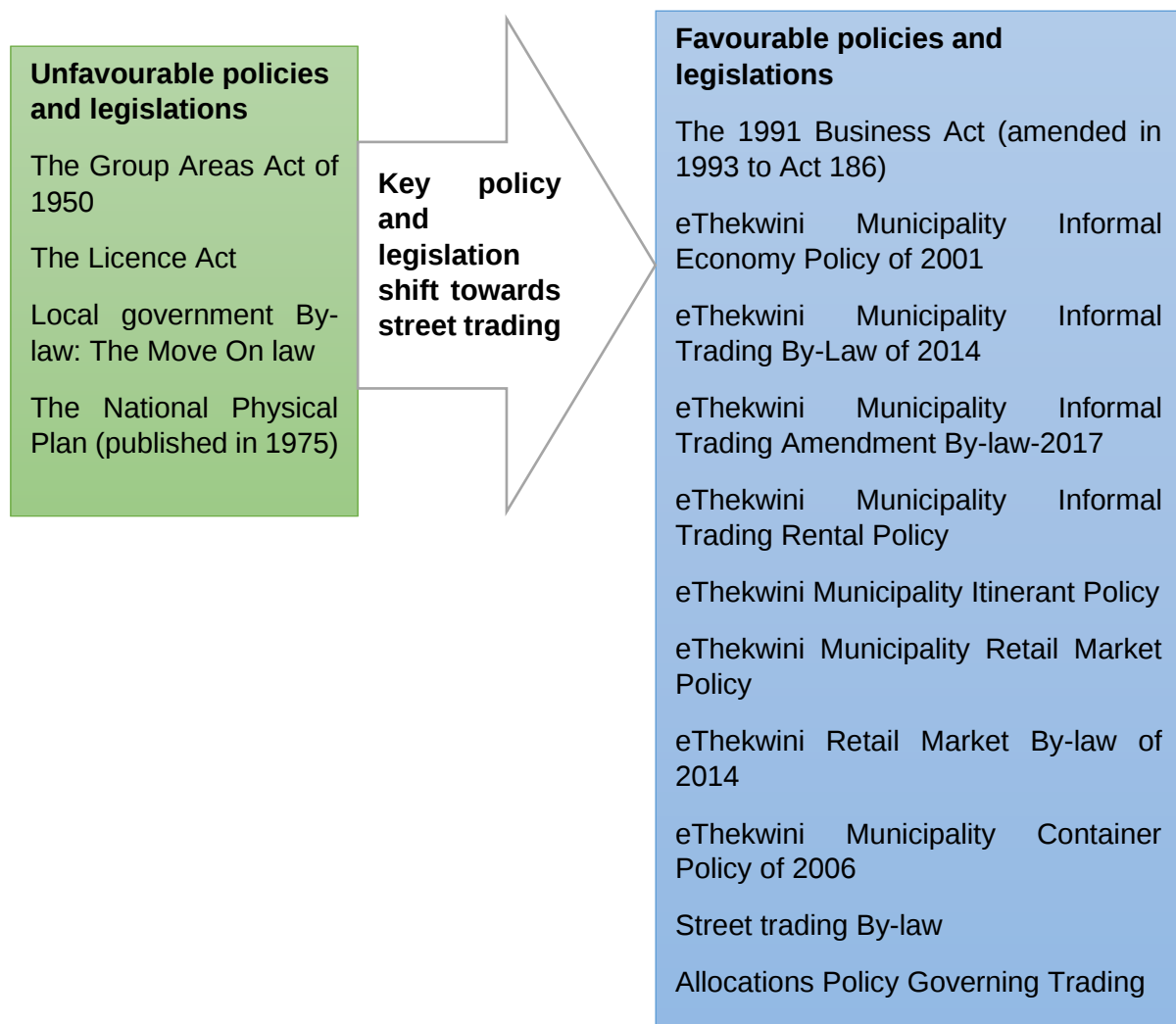


Figure 4-5: Policy and legislative departure of street trading

Source: Author's construction (2020)

Table 4-27: Legislations governing planning and management of space in the eThekweni Municipality

Urban planning approach	Main spatial impact
KwaZulu-Natal Planning and Development Act 2008	To correct the spatial injustices inherited from the apartheid government and to promote socio-political and economic inclusiveness for all citizens in the urban landscape of South Africa
eThekweni Integrated Development Plan	
eThekweni Spatial Development Framework	
eThekweni Central Spatial Development Plan	
eThekweni Inner-City Local Area Plan	
eThekweni Precinct special area plan and land use schemes	

Source: Author's construction (2019)

Table 4-28: Summary of legal and policy documents regulating informal trading in the eThekweni Municipality

Policies and legislations and their Impact on street trading
eThekweni Municipality Informal Economy Policy, December 2001: This policy served as a guide that local authorities were to use in interpreting and applying By-laws and in economic development regarding the informal economy
eThekweni Municipality: Informal Trading By-Law, 2014: This By-law spelt out the specific details of the rules for informal trade in Durban
eThekweni Municipality: Informal Trading Amendment By-Law, 2017: This By-law amended some provisions in the eThekweni Municipality Informal Trading By-law of 2014
Informal trading rental policy/document: The policy dealt with rental structures, determining rental values, the methods of rental collection and issues surrounding the non-payment of rents
eThekweni Retail Market Policy: This policy was to contribute to achieving the municipal constitutional mandate on local economic development. Also, to ensure continued existence of markets under the management of the city authority
eThekweni Retail Market By-Law of 2014: This By-law was promulgated to regulate and control markets under the ownership and control of the municipality
eThekweni Municipality Container Policy of 2006: The container policy sought to promote and develop container trading by making provision for mechanisms and tools to manage it
eThekweni Municipality Itinerant Policy: This policy identified the research gaps that could improve the management of itinerant traders
Street trading By-law: The law deals with prohibitions, restrictions, cleanliness of place of business and protection of public health, trading in parks and gardens, objections used for display of goods, and general offences and penalties
Allocations Policy Governing Trading: The policy aims at providing growth support and opportunities for new entrants based on economic, sustainable, and social principles

Source: Author's construction (2019)

4.5 Conclusion

The chapter discussed the policies and legislative structures governing street trading on the national and local scale within the context of South Africa. It came to light that, unlike the apartheid regime where trading was curtailed through the use of hostile laws and policies, the current policies and legal frameworks acknowledge the importance of street trading as

livelihood support, and demonstrate the need to integrate, and safeguard the informal economic sector and small-scale medium enterprises in the spatial landform to ensure job provision. On this note, it makes sense to depart from the policies inherited from the colonial regimes which curtailed on the practice of street trading to policies and laws that reflect much on the current situation of the South Africa cities.

The study revealed that as much as street trading remains a challenge to urban governance, by comparison the challenge posed to city authorities of providing jobs, particularly in developing countries to support the livelihood rights of the overwhelming number of urban poor who mostly make a scant living from the street, remains a monstrous challenge. In support, Ofori (2007:11) argued that the requisite economic conditions needed to generate private and public sector employment at appropriate scale are lacking. Hence, Kusakabe (2006:32) recommends a street trading policy to safeguard the rights of street traders to space to sell. She underscores that such a policy should be approached from an urban planning perspective, since the definition of space and planning is very important for street vendors, who ply their trade on sidewalks supposedly meant for pedestrian use.

Nevertheless, it appears the challenge for policymaker is how to incorporate street trading as an integral component of urban life into space management systems in order to harness the benefits that come with it. In support of this, Gough *et al.* (2004:29) note that public policy is about managing the relationship between the low standard communities and plush communities. As such, street vending policies should not be about allowing the poor to trade in a small corner of the market, rather how these trading sites are incorporated into the urban morphology and policy development. Hence, the overall policy framework needs to consider the needs of urban poor rather than shielding the interest of investors through space beautification, which in most cases are disadvantageous to the poor. More so, regulatory measures that touch equally on important issues like taxation, sanitation, hygiene and the environment must be considered. In view of this, a street trading policy should reflect on government actions to regulate the phenomenon. However, more often than not, most policy and legal tools used in dealing with the issue of street trading is divorced from the true state of the situation on the ground as they treat street trading as a foreign subject.

Moreover, the laws and policies regulating the relationship between street trading, pedestrians and vehicular traffic flow prioritise pedestrians and vehicular use of public space over street trading. In essence, the legislative and legal frameworks regulating street trading have failed to appreciate multifunctional use of public space. However, this study has demonstrated that over time, public space types, including the sidewalks continue to evolve functionally to

accommodate other users, including street traders. Hence, spatial planning laws and policies must also evolve to meet the current spatial dynamics and narratives, particularly multiple users or multifunctional mode of public space. The importance of this chapter is that it detailed various planning policies and laws in relation with informal trading. In fact, the chapter linked the legislative and policies to street trading management practices. Also, the chapter presented historical discussions on street trading in the context of policy and legislative framework of South Africa. The next chapter which is chapter five discusses the case study area, mostly in relation with street trading. In essence, the chapter discusses the planning theories, management practices, policies and legislations and they are translated into place in the context of the study area.

CHAPTER 5: DESCRIPTION OF STUDY AREA

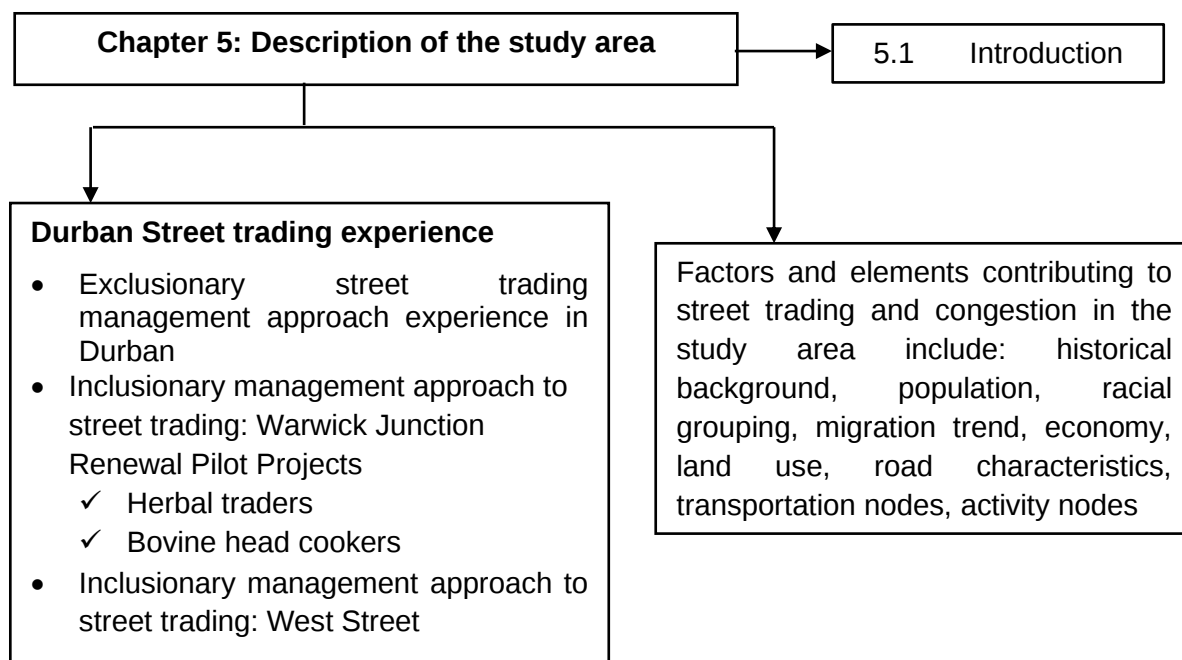


Figure 5-1: Layout and footprint of chapter 5

Source: Author's construction (2019)

5.1 Introduction

The chapter discusses the urban features which directly or indirectly contribute favourably to street trading in the DCBD, and also gives examples of urban landscape projects. Majority of these spatial features appear to have been orchestrated by the theoretical, policy and legal shift seeking to integrate street trading in the Durban CBD.

5.2 Historical background

Prior to the arrival of the Nguni people and European settlers, the Khoi/San people had occupied the area currently known as Durban. In 1497, on Christmas Day, Vasco da Gama, a Portuguese Explorer sailed along the bay of Durban and named it Rio De Natal (Christian River). Rio De Natal famous for being one of the few protected anchorages on the southern coast of Africa became a popular stop-off point for explorers and traders (eThekweni Municipality Official Website, 2019b).

In 1823, the first European settlers arrived on a vessel by the name of The Salisbury, under the command of Lieutenant James King with the intention to trade along the coast of South Africa. After a survey, Lieutenant James King discovered the importance of the bays in Durban.

He then returned to England to solicit support to enable him to establish an English settlement, which was unsuccessful (Magwaza, s.a:11). Upon his return from England to Port Natal, Lieutenant James King successfully established a friendly relationship with King Shaka Zulu, the then Zulu King. Owing to this relationship, King Shaka allocated land around the bay to Lieutenant James King. Subsequently, in 1835, a meeting attended by the full complement of the settlers at that time led to a declaration of the place as a town, and was named in honour of the Governor of the Cape, Sir Benjamin D'Urban. In the early stages, the place witnessed little development, mainly houses of simple mud and wattle devoid of streets (ibid).

Similar to any city in South Africa, Durban has witnessed racial, economic and cultural segregation resulting from the apartheid spatial engineering and legislation. The Group Areas Act of 1950, the maiden legislative instrument segregated the city of Durban on racial lines (Report on the Durban CBD, s.a:3). The poorest, mostly people of black ancestry, were sited on the outskirts of the city (eThekweni Municipality Local Area Plan (EMLAP), 2016:30) leading to Durban's CBD being dominated by two racial groups, whites and Indians. White ownership and occupation concentrated chiefly on the south of Pine Street (Do Rego, 1995:33), and residential areas such as Albert Park specifically designed mainly for the white population working at the harbour, railways and the post office (Report on the Durban CBD, s.a:3), while the Indian population dominated the Grey Street (now Yusuf Dadoo Street) precinct (EMLAP, 2016:30).

However, in the later years, the demand for housing stock in the Durban CBD grew dramatically because the area offered attractive pricing ranges and proximities to work. In addition, the repeal of the Group Areas Act encouraged people to move into the Durban CBD (Report on the Durban CBD, s.a:4). Currently, the Durban CBD is occupied predominantly by black people although some areas such as Grey Street are still predominantly Indian. Also, the Durban CBD has become a host to many foreign nationals who are mostly confined to specific precincts. For example, Abyssinian Lodge opposite the West Street cemetery provides accommodation mostly for Ethiopians. Most migrants from Pakistan reside in the Grey Street area, while the Point Road area is mostly dominated by Nigerians (ibid). In essence, the inner city of Durban is now famous for its diversity, cultural intricacies and economic activities. Besides, the inner city serving as a melting pot of a cultural and economic hub, the area is strategically located, and serves as a Port linkage to enable it play a role of transportation exchange and networks.

5.3 Population

Between 2015 and 2021, the population of eThekweni has increased by 113 000 people, representing 3.69 percent. The current population of the eThekweni Municipality stands at 3 176 000 as illustrated in figure 5-2. Using the 2019 population statistics, the eThekweni population formed 27.68 percent of the Province of KwaZulu-Natal (Macro Trends, 2021), and 58 560 000 5.37 percent of South Africa (Statista, 2021a).

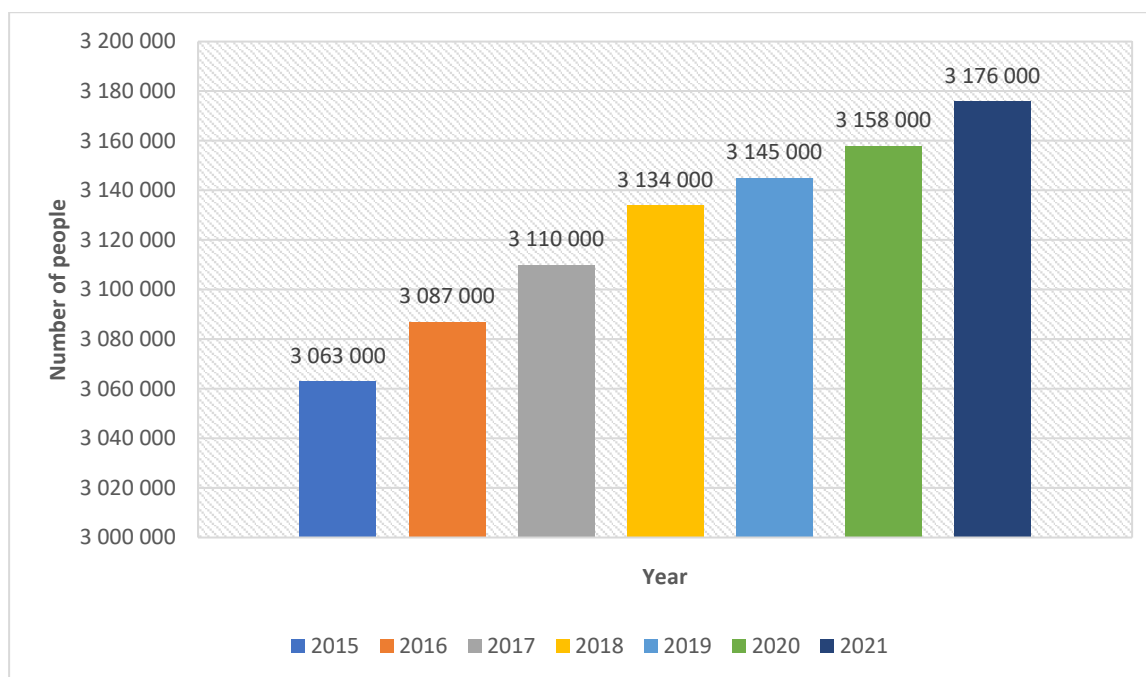


Figure 5-2: eThekweni historical population data

Source: Macro Trends (2021)

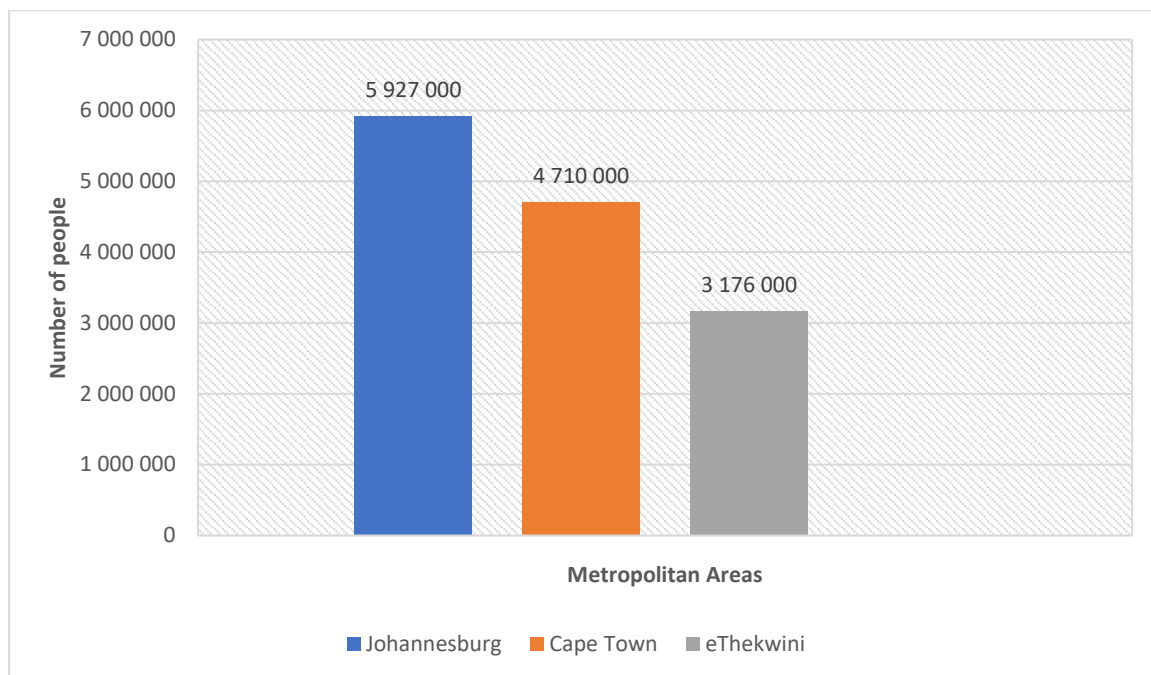


Figure 5-3: eThekweni population in the context of other metropolitan areas-2021

Source: Macro Trends (2021)

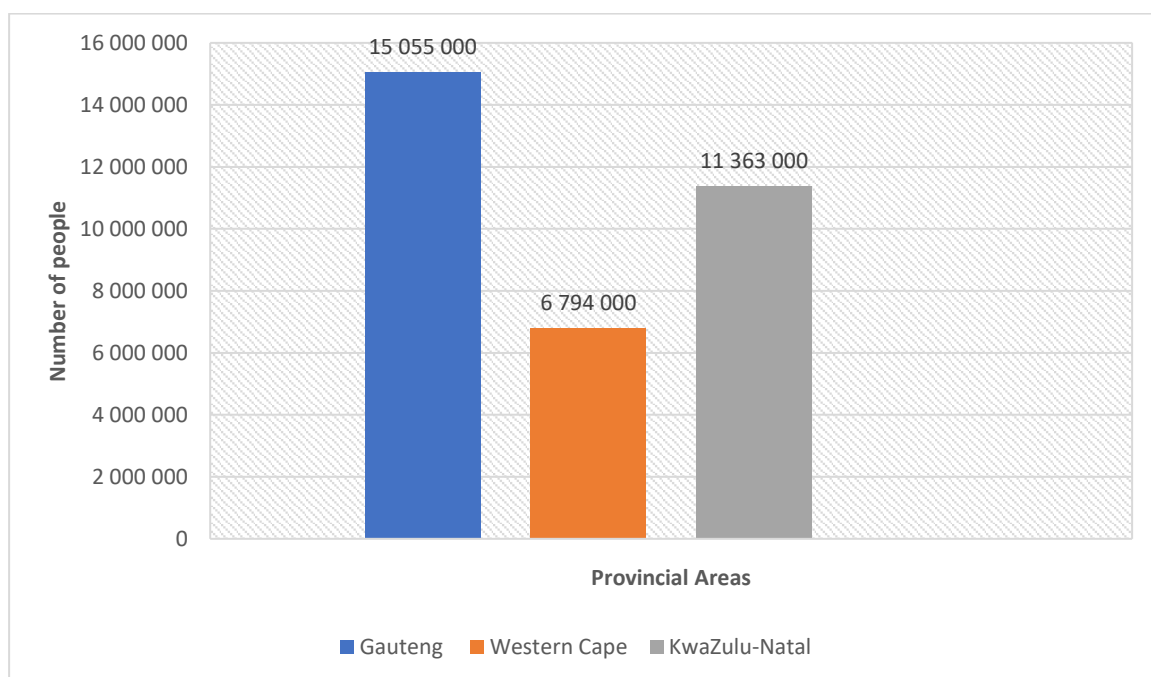


Figure 5-4: Total population of South Africa in 2019 by province

Source: Statista (2021)

According to the Statistics South Africa Forecast (cited by eThekweni Municipality Draft, 2017/2018 IDP:33) within the EMA, 63 percent of the people fell below the age of 35 years. Also, 29 percent and 33 percent of the population were within the age bracket of 0-14 and 14-34 respectively. Moreover, 28 percent of the population was between the ages of 35 and 59 years, with only 9 percent of the population above the age of 60 years. Given this data, it is not surprising that Durban has the highest number of informal traders, since a larger percentage of people within the economically active age bracket who do not find jobs often turn to the informal sector, particularly street trading as an alternative means to make a living.

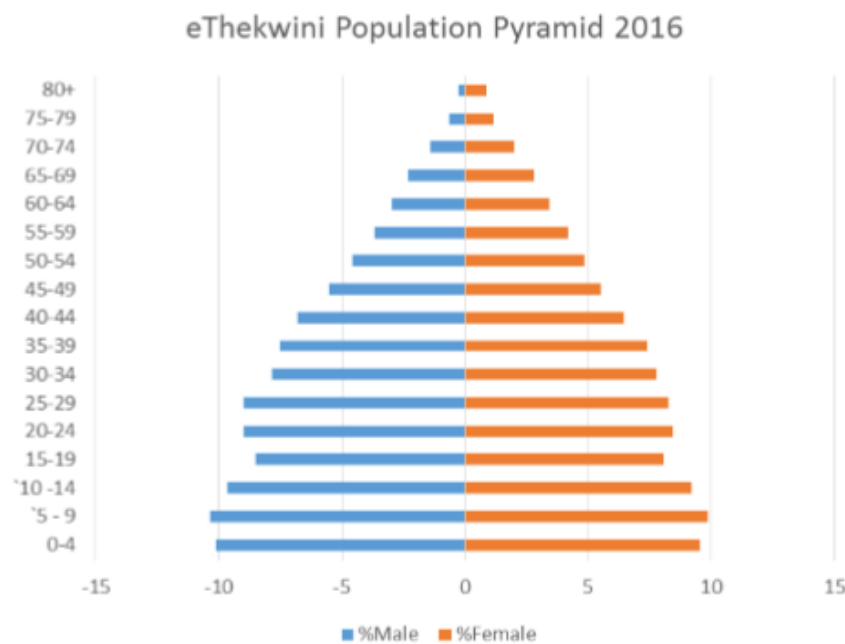


Figure 5-5: 2016 eThekweni Population Pyramid

Source: Statistics South Africa cited in eThekweni Municipality Draft IDP (2017/2018:33)

5.4 Racial grouping

The population of the Central Region, where the Durban CBD is located, is composed of different racial groups, African, Indian, and white representing 87 percent, 7 percent and 4 percent of the population respectively as indicated in table 5-1. Hence, the higher percentage of the black population corresponds to the high number of street traders in the Durban CBD as the street trading business is mostly associated with black South Africans. Research has demonstrated that street trading gained ascendancy after the fall of the apartheid regime due to an influx of black South Africans into formerly restricted zones, including the CBD which were mostly inhabited by white South Africans.

Table 5-1: Population by Racial Grouping

Racial group	Percentage
African	87
Indians	7
Whites	4
Coloured	2
Others	0
Total	100

Source: CSDP Annual Review (2014/2015:22)

5.5 Migration trends

Amongst all other factors which have contributed to the high number of people in the eThekweni Region is population migration. The largest group of migrants comes from other areas within the province of KZN. It is estimated that 39 500 people from outside South Africa remains the second largest migrant group, followed by migrants from the Eastern Cape Province (38 500) and Gauteng (24 300) (eThekweni Municipality Draft, 2017/2018 IDP: 33). According to the CSDP Annual Review (2014/2015:33), of all the people living within the eThekweni Region, only 1.1 million are from South Africa. The remaining 1 888 37 million people are from outside South Africa. Migration and informal trading in the eThekweni Region are interlinked in that street trading activities the Durban CBD soared, due to a high influx of majority of black South Africans into the CBD, resulting from the collapse of the apartheid regime, and eventually relaxation of laws curtailing on free movement. Moreover, majority of foreign nationals who migrate in search of greener pastures in Durban often resort to the informal sector economy, particularly street trading as an alternative way of survival if they are unable to secure jobs in the formal sector economy.

Table 5-2: Foreign migrants in Durban

Country	Number of people
Born in South Africa	1 085 748
South African Development Community (SADC) Region	22 279
Rest of Africa	6 564
United Kingdom and Europe	1 858
Asia	2 778
North America	79
Latin America and the Caribbean	119
Oceania	112
Unspecified group	69 302
Total	1 188 839

Source: CSDP Annual Review (2014/2015:22)

5.6 Economy

Provincially, the eThekweni Municipality contributed 65.5 percent to the GDP of KZN, making it the largest contributor. Also, nationally, the municipality contributed 10.9 percent to the GDP of South Africa making it the third largest contributor after Johannesburg and Cape Town. Between 2012 and 2013, the municipality experienced a GDP growth of 2.6 percent, surpassing the average growth rate of KZN and South Africa which had a growth rate of 1.8 percent and 1.9 percent respectively. However, similar to any city in Africa, GDP growth does not translate into job growth. Thus, the informal sector, including street trading played a vital part in terms of job provision (South African City Network Economic Development Study, June 2016:8).

In terms of employment, the tertiary and the secondary sectors of the economy, which accounted for 73 percent and 26 percent respectively, remained the major source of employment in the eThekweni Municipal Region. Meanwhile, the primary sector provided employment for only 1 percent of the people. The communal services sector which accounted for 19 percent was the largest employment sector. Also, 18 percent and 17 percent of the people were employed in the trade and manufacturing industries. The mining sector which was the lowest source of employment in the eThekweni Municipal region accounted for only 2 percent (eThekweni IDP, 2015/2016:42). Between the years 2004 and 2013, there was a decrease in the unemployment rate from 28.1 percent to 13 percent respectively, outperforming Johannesburg and Cape Town whose unemployment rate stood at 22.8 percent and 24.9 percent respectively (South African City Network Economic Development Study, June 2016:8).

Evidently, the informal economic sector is dominated by trade, including street trading, representing 48 percent. This is followed by services (12 percent) and construction (11 percent) as indicated in Figure 5-6.

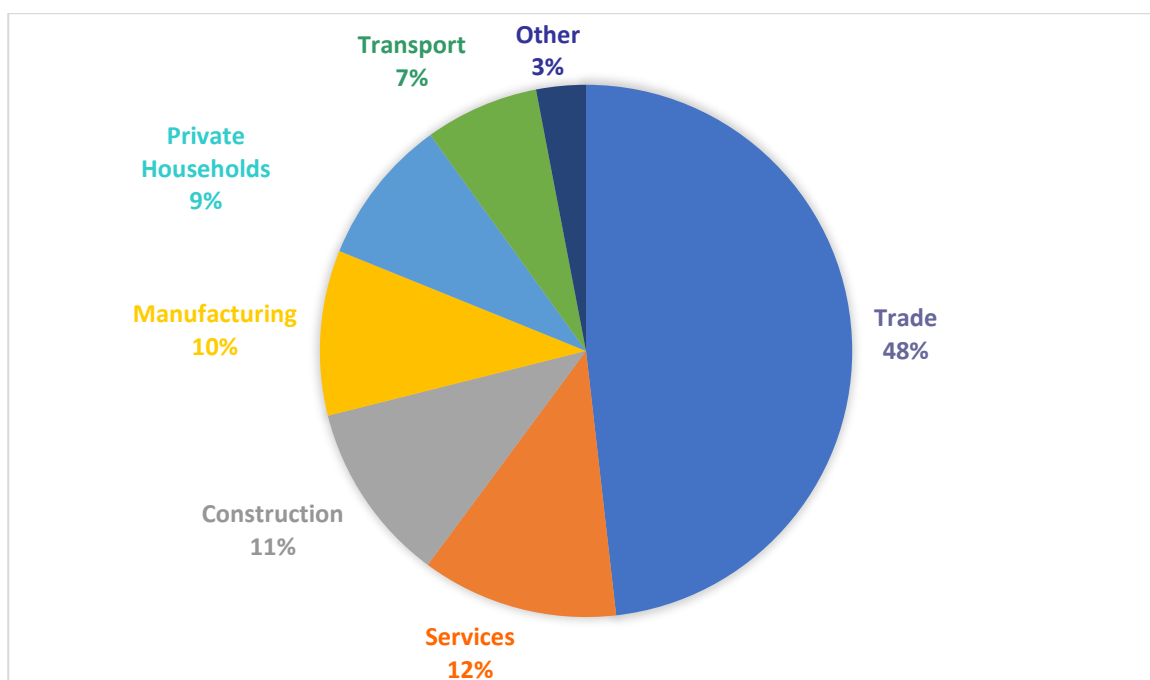


Figure 5-6: eThekweni informal economic sector

Source: eThekweni Municipality (2017)

Table 5-3: Functions and priorities of the Informal economy in Durban

Key functions	▪ To render a management service that is in harmony with the policy of the Council, National, Provincial and other legislation affecting trading in public spaces ▪ Identify new and existing fields that need attention in terms of management, upgrading and development ▪ To ensure community consultation service with relevant stakeholders on behalf of the council ▪ Make provisions for enquiries relating to public service ▪ To formulate, implement and monitor support programmes and opportunities within their jurisdiction ▪ To provide policy documents to regulate street trading activities within the council
Sector priorities	▪ To find and decide on a particular trading space that will lead to a proficient implementation and regulation with rational trading opportunities ▪ To link the formal and informal economies in order to provide the needed support to migrate street traders into the formal economy ▪ To bring to the doorstep of traders in the informal economy business development support and capacity building services

- To identify the relationship between street traders and formal businesses through specifically designed programmes

Source: eThekweni Municipal Official Website (2019c)

A report by Durban Economic Development and Growth in eThekweni Team reveals that the number of unemployed people increased from 986 000 to 1.059 million people, between the second and third quarter of 2020 (Ngema, 2021). This has a bearing on the research as the informal sector economy usually provides alternative source of livelihood, when there is an increase in an unemployment. As such, there is a positive correlation between informal sector economy and unemployment.

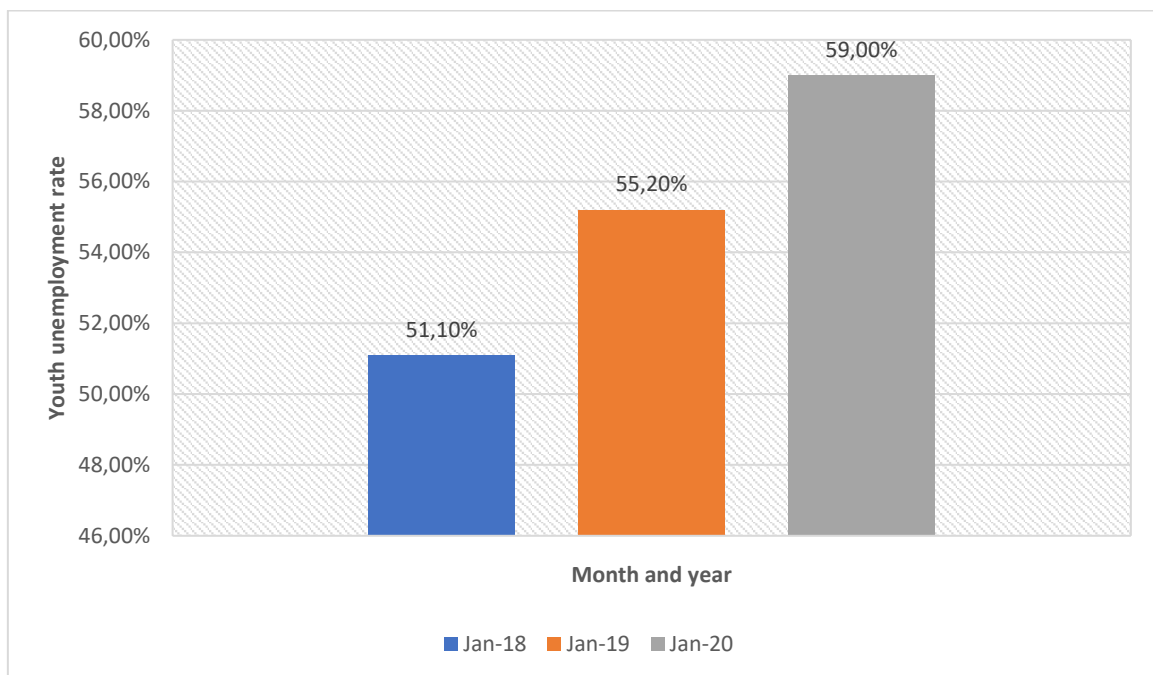


Figure 5-7: Historical youth unemployment rate in South Africa (January 2018 to January 2020)

Source: Trading economics (2021a)

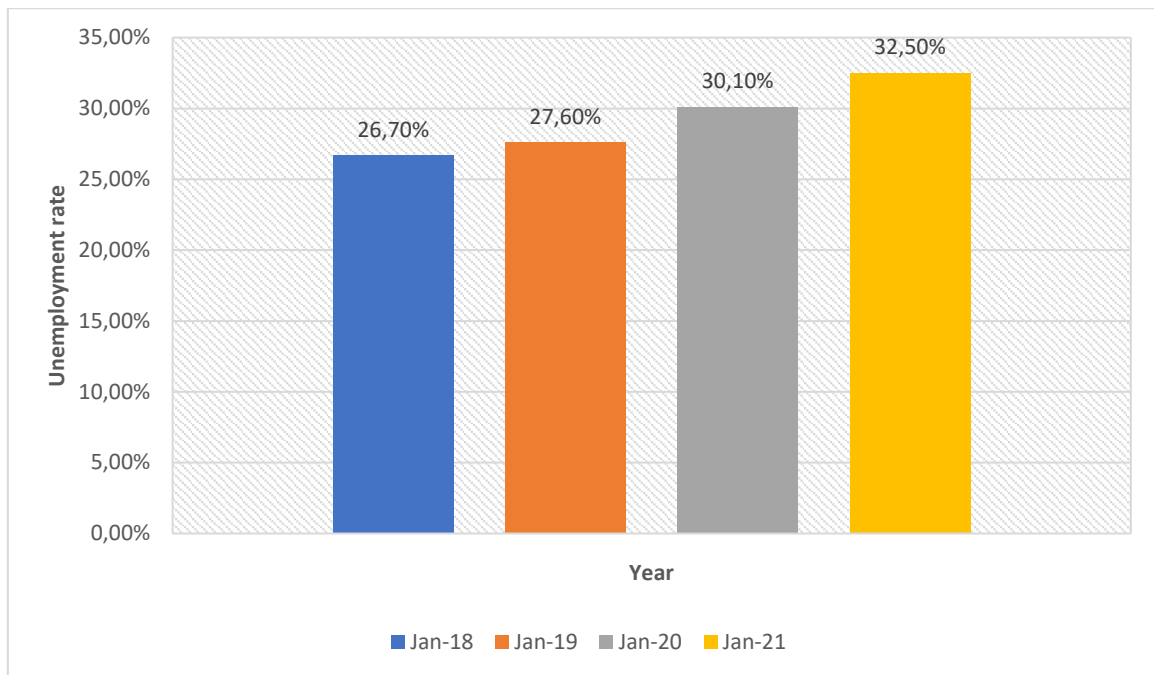


Figure 5-8: Historical unemployment rate in South Africa (January 2018 to January 2021)

Source: Trading economics (2021)

5.7 Land uses

Residential land use constitutes the largest percentage of land cover in the Central Spatial Region and it is followed by the Durban Metropolitan Open Space System and Industrial land use as illustrated in table 5-4. The dominant land-use within the Durban CBD is mixed land-use as indicated in figure 5-9. Since the Durban CBD is composed of mixed land uses interspersed with commercial activities and transportation facilities, it tends to serve as an attractor to a large number of people and ultimately street traders, because the activity of street trading thrives well in areas with a high number of pedestrians.

Table 5-4: Land uses

Land use	Area (Ha)
Durban Metropolitan Open Space System	16 942.79
Environmental amenities	95.19
Existing Business Park	34.48
Existing commercial	187.15
Existing industry	3 502.37
Existing office park	29.59
Existing port logistics	1 375.31
Existing residential	24 228.90
Institution	351.19
Mixed use	1 038.04
Municipal	58.37
Total	47 843.38

Source: CSDP Annual Review (2014/2015:20)

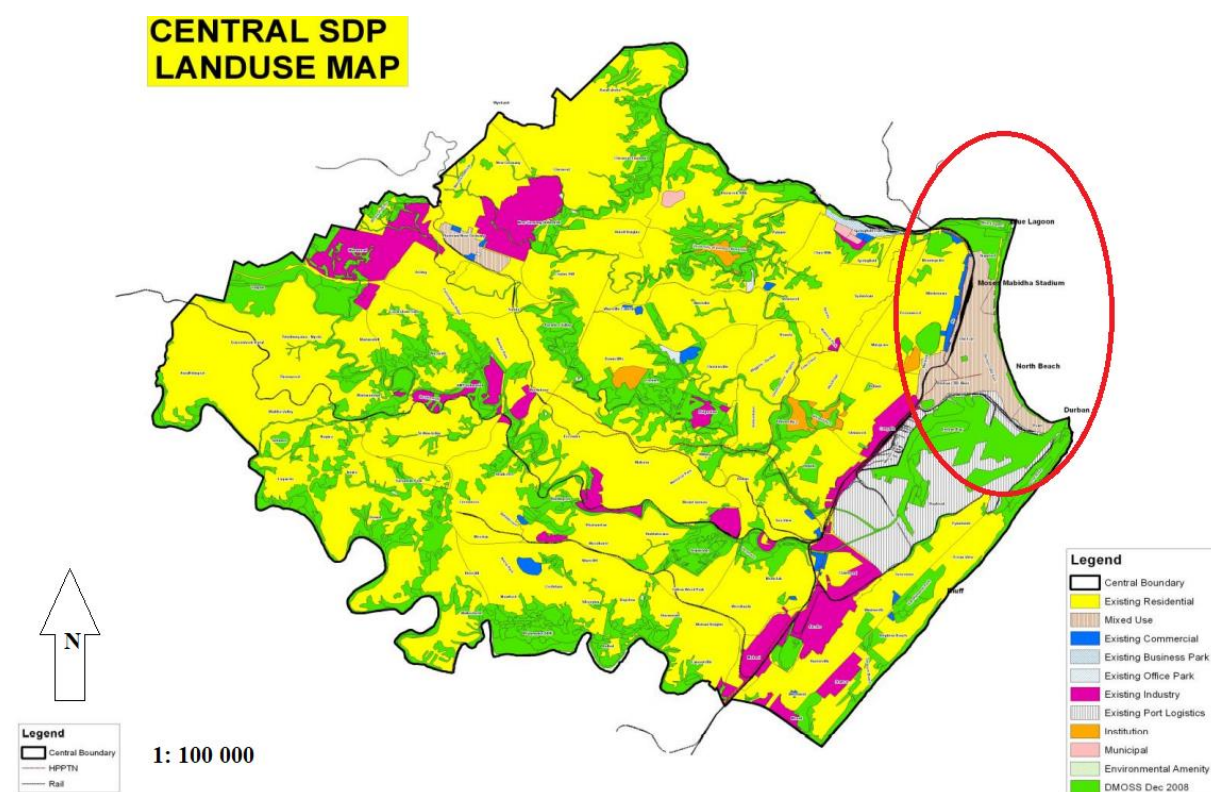


Figure 5-9: Central land use map (Durban CBD in red circle)

Source: CSDP Annual Review (2014/2015:19)

5.8 Road characteristics

The Durban CBD has the highest number of road intersections in the EMA. Out of the 1 000 significant road intersections within the EMA, the Durban CBD accommodates 172 of these intersections as indicated in table 5-5. Roads in the Durban CBD are mostly one-way traffic, with two or more lanes (as shown in tables 5-6 to table 5-9), with properly delineated sidewalks and parking lots on the road shoulders.

Table 5-5: Road intersections in the EMA

Area	Number of road intersections
*Durban CBD	172
Berea	106
Pine town	101
Southern industrial area	84
Southern suburbs	50
Phoenix	49
Chatsworth and Montlands	46
Umhlanga and Mount Edgecombe	45
Umgeni South and Springfield Flats	43
Verulam and Tongaat	41
Inanda, Ntuzuma, KwaMashu & Newlands	39
Reservoir Hills, Westville, Chesterville and	39
Western Suburbs and Farmlands	35
Durban North	34
Queensburgh	34
Duikerfontein and Melkhoute	30
Umlazi	29
Bluff	23
Total	1 000

*Study area

Source: eThekweni Municipality Traffic Volume Report (2018:1)

Table 5-6: Examples of road length (in Kilometres) and the number of lanes

Dr Yusuf Dadoo		Smith Street		West Street		Mncandi Street	
Lanes	Length	Lanes	Length	Lanes	Length	Lanes	Length
2	0,063762	2	0,090701	4	0,106509	3	0,05539
2	0,019627	2	0,046221	2	0,130777	3	0,060445
4	0,043034	2	0,037998	2	0,068375	3	0,047407
4	0,041531	2	0,10784	2	0,20722	2	0,108452
4	0,056954	2	0,010638	4	0,04047	2	0,06966
4	0,059989	2	0,062409	4	0,020336	3	0,089066
2	0,067158	2	0,110473	4	0,077597	3	0,06219
2	0,0574	2	0,070371	4	0,086047	3	0,080151
2	0,125583	2	0,017448	4	0,091066	3	0,159334
2	0,057242	2	0,052694	4	0,138062	2	0,040306

2	0,070766	2	0,058677	4	0,084474	2	0,048768
3	0,076547	2	0,028618	4	0,098747	2	0,027396
3	0,024421	2	0,041279	2	0,020586	3	0,215052
2	0,044337	2	0,04561	4	0,060514	2	0,112434
2	0,044337	2	0,057822	4	0,054268	3	0,066884
2	0,007076	2	0,031082	4	0,019846	3	0,071567
2	0,005913	2	0,014746	4	0,027871	2	0,073322
2	0,054437	2	0,051727	4	0,031908	2	0,04477
2	0,063773	3	0,006656	4	0,076084	3	0,069179
2	0,060049	3	0,054296	4	0,057785	2	0,368225
2	0,011622	3	0,060407	4	0,059888	3	0,082866
2	0,05499	3	0,055485	2	0,171433	3	0,194972
2	0,060568	3	0,055601	2	0,075105	2	0,069803
2	0,060352	2	0,010296	3	0,08896	2	0,107774
2	0,059072	2	0,02173	4	0,046012	3	0,074266
2	0,1247	2	0,022027	2	0,031242	3	0,070294
		2	0,021203			3	0,068775
		2	0,028263			2	0,111641
		2	0,011861			2	0,136888
		2	0,034133			3	0,193669
		2	0,095125			3	0,06935
		2	0,047806			2	0,039457
		2	0,214868			2	0,03494
		2	0,185615			2	0,047698
		2	0,036314			2	0,041566
		2	0,108501			3	0,161205
		3	0,081797			3	0,076926
						3	0,014429
						2	0,133551
						2	0,04288
						0	0,161111

Source: eThekweni Municipality Road and Infrastructure Office (2019)

Table 5-7: Examples of road length (in Kilometres) and the number of lanes

Field Street		Dr Xuma		Aliwal Street		Queen Street	
Lanes	Length	Lanes	Length	Lanes	Length	Lanes	Length
3	0,07882	4	0,22269	4	0,12289	4	0,18579
3	0,112156	4	0,18331	4	0,12011	2	0,221006
4	0,041488	4	0,24189	4	0,04685	2	0,090623
4	0,029761	4	0,22772	5	0,05528	5	0,04675
4	0,053745	4	0,10855	5	0,18184	5	0,129711
3	0,144554	4	0,08373	5	0,11721	2	0,050826
5	0,125581	4	0,11757	2	0,06904	2	0,046034
4	0,154717	4	0,17305	2	0,06904	2	0,095006

2	0,071029	4	0,09323	2	0,06645		
4	0,11798	4	0,04326	2	0,07041		
4	0,046865	2	0,10661	2	0,0618		
4	0,119806	4	0,00933	2	0,27808		
4	0,121525			2	0,01890		

Source: eThekweni Municipality Road and Infrastructure Office (2019)

Table 5-8: Examples of road length (in Kilometres) and the number of lanes

Gardiner Street		Old Fort Street		Palmer Street		Stalwart Simelane Street	
Lanes	Length	Lanes	Length	Lanes	Length	Lanes	Length
5	0.060937	2	0.323158	2	0,172339	3	0,020819
5	0.115668	2	0.166115	2	0,088009	3	0,279649
2	0.044793	2	0.058636	2	0,008497	2	0,123569
2	0.055294	3	0.154741	2	0,09612	2	0,06248
2	0.024166	3	0.02349	2	0,117109	2	0,057221
		3	0.194159	2	0,015876	4	0,047912
		4	0.118922	2	0,041761	4	0,053337

Source: eThekweni Municipality Road and Infrastructure Office (2019)

Table 5-9: Examples of road length (in Kilometres) and the number of lanes

Diakonia Avenue		Victoria Street		Brook Street		Cross Street	
Lanes	Length	Lanes	Length	Lanes	Length	Lanes	Length
2	0,052313	4	0,033695	4	0,124038	2	0,057941
2	0,01436	2	0,091031	4	0,06226	2	0,058784
2	0,035242	2	0,046916	2	0,059647	2	0,055681
2	0,057713	2	0,142971	3	0,124906	2	0,00781
2	0,058306	2	0,219939	2	0,118666	2	0,049458
2	0,079944	4	0,183189			4	0,062432
3	0,019769	5	0,209879			4	0,005215
3	0,054721					4	0,05515
2	0,126491					4	0,044467
2	0,2225					4	0,006456
						4	0,048102

Source: eThekweni Municipality Road and Infrastructure Office (2019)

Many streets in Durban had their names changed to reflect the inclusive, and to ensure accurate historical representation of Durban and South Africa. Data secured from the

eThekwini Municipality were mostly given in the old street names. This study, on the whole, used both the new and the old street names to offer an explanation to some of the findings.

Table 5-10: Examples of street names changed in the Durban CBD

Old Street name	New street name
Smith Street	Anton Lambede Street
West Street	Dr Pixley KaSeme Street
Commercial Road	Dr Xuma Street
Gardiner Street	Dorothy Nyembe Street
Field Street	Joe Slovo Street
Grey Street	Dr Yusuf Dadoo Street
Victoria Street	Bertha Mkhize Street
Queen Street	Denis Hurley Street
Victoria Embankment	Margaret Mncadi Avenue
Samora Machel Street	Stalwart Simelane Street

Source: Official Website of eThekwini Municipality (2019)

5.9 Traffic characteristics

The average 12-hour (06:00 to 18:00) volume of traffic at intersections in each area within the EMA, as well as the intersection volumes for all vehicles detailed in table 5-11, suggests that besides Umlazi, the Durban CBD has the highest number of taxis. The Five Kilometre Cordon traffic volume which measures traffic flow into the central area of the city following the Umgeni River in the north, the N2 in the west, and the Umbilo River in the south has increased profoundly from approximately 230 000 vehicles in 1982 to 470 000 in 2018, an annual average increase of 2 percent (eThekwini Municipality Traffic Volume Report, 2018:19). The situation indicates a potential traffic congestion, and eventually a successful street trading business within the Durban CBD

Table 5-11: Average 12-hour Intersection Volume by Area of EMA

Area	Intersections	Cars	Buses	Taxis	Heavy vehicles	Total
Duikerfontein and Melkhoute	28	24 542	325	2 228	1 475	28 571
Umgeni South and Springfield Flats	41	24 072	288	1 090	893	26 343
Durban North	31	22 996	336	1 621	780	25 733
Umhlanga and Mount Edgecombe	36	23 615	123	1 122	729	25 588
Reservoir Hills, Westville, Chesterville and Cato Manor	39	21 095	112	1 028	1 063	25 588
*Durban CBD	168	18 501	464	3 621	694	22 327
Pinetown	90	18 124	134	2 788	1 350	22 327
Queensburgh	32	18 870	100	574	1 285	20 828
Southern Industrial	79	15 434	296	2 313	1 140	19 718
Berea	102	18 002	217	1 048	452	19 271
Western Suburbs and Farmlands	31	17 374	31	1 510	661	19 591
Umlazi	26	13 594	468	4 559	651	19 271
Southern Suburbs	39	14 791	72	1 487	2 537	18 316
Chatsworth and Montlands	42	16 809	82	804	547	18 242
Phoenix	47	15 563	144	1 500	697	17 903
Bluff	20	15 885	158	976	673	17 692
Verulam and Tongaat	30	14 684	174	1 266	1 202	17 326
Inanda, Ntuzuma, KwaMashu and Newlands	36	12 420	296	2 300	585	15 598
Total	917	18 063	245	2 007	985	21 300

Source: eThekweni Municipality Traffic Volume Report (2018:6-14)

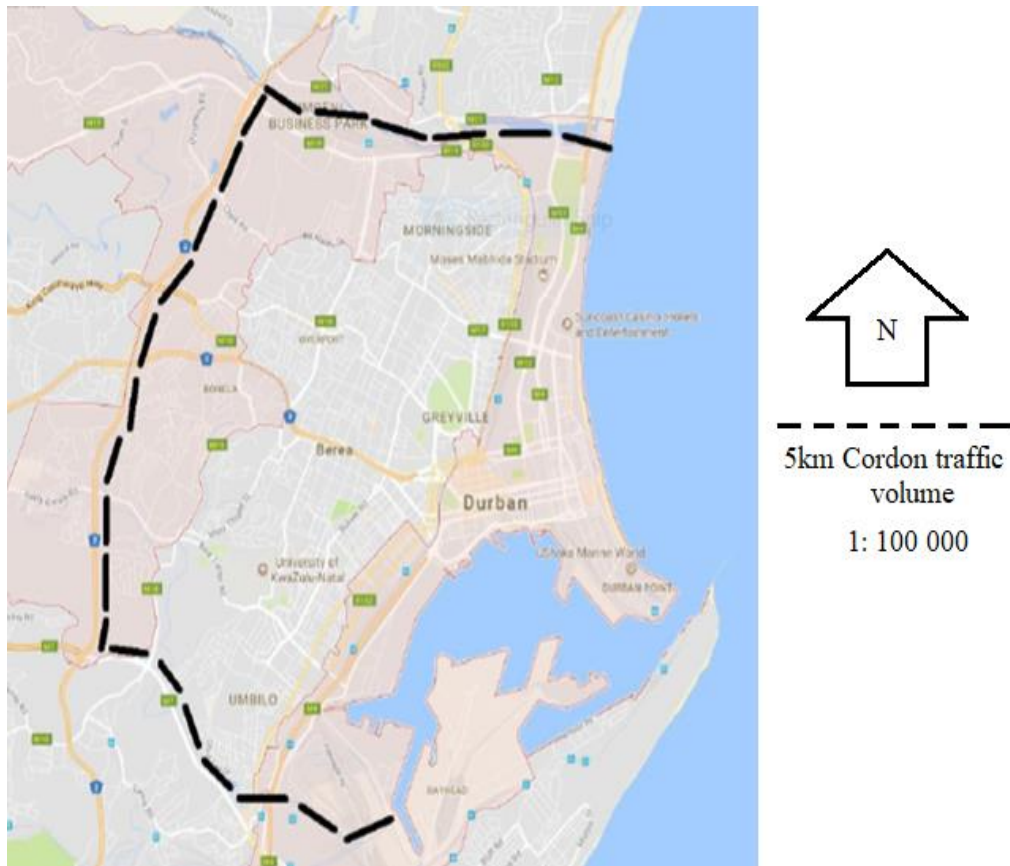


Figure 5-10: Five Kilometre Cordon traffic volume

Source: eThekweni Municipality Traffic Volume Report (2018:18)

5.10 Vehicle/pedestrian crashes

Comparatively, pedestrian crashes on distributor are very high which perhaps, may be as a result of high intensity of human activities, as well as high pedestrian movement and concentration on such roads.

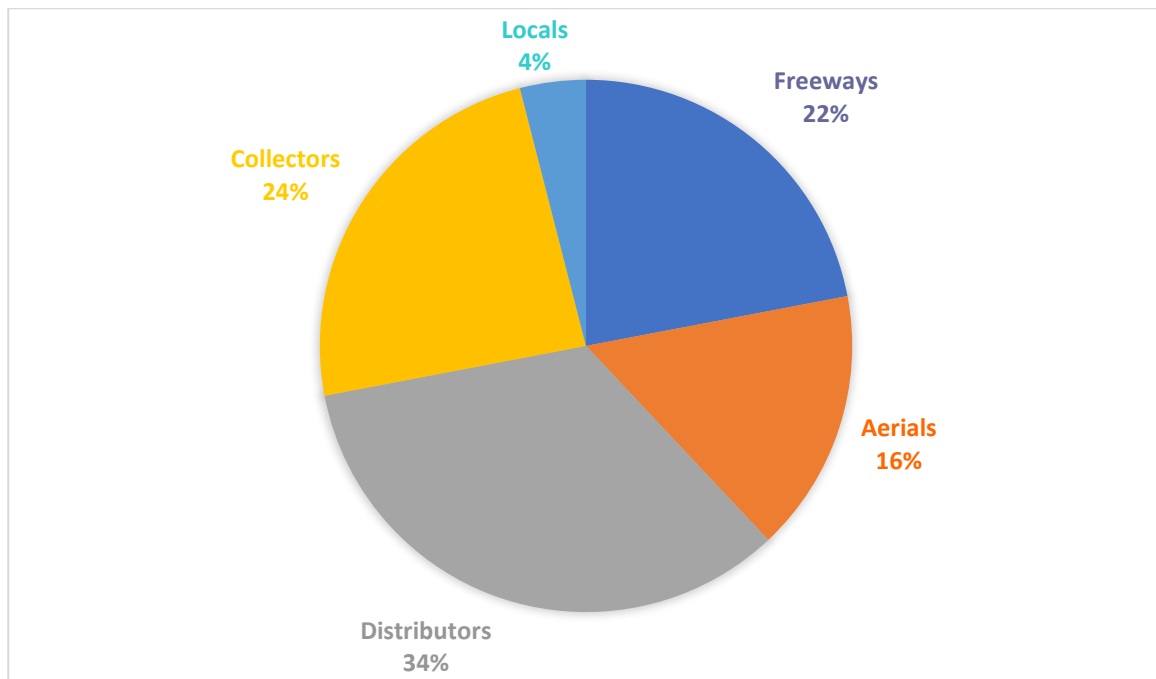


Figure 5-11: Pedestrian crashes reported on the different road types in 2017

Source: eThekweni Municipality Traffic Volume Report (2018:8)

5.11 Transportation nodes

Nodes are highly accessible areas, mostly situated at main transport interchanges where there is a concentration of a mixture of uses (National Spatial Development Draft, 2018:12; CSDP Annual Review, 2014/2015:37). Isipingo, Durban CBD, Bridge City and Pinetown are the major public transport nodes in the eThekweni Metropolitan Municipality. Since street trading business thrives in areas with high pedestrian volume, the Durban CBD, being one of the major transport nodes in the EMA may serve as an attractive point to the majority of street traders.

Table 5-12: Major public transport nodes

Major Transport Nodes	Description
Isipingo	Isipingo transport node is in the south of EMA. The node defines the limits of the South Coastal public transport corridor
Durban CBD	Durban CBD is situated at the centre of the corridor. It connects the Isipingo and the Bridge City transport nodes. Moreover, it serves as the major transport route between the remains the northern and southern parts of the municipality
Bridge City	Isipingo transport node is located in the north of the EMA. The node defines the limits of the North Coastal public transport corridor

Pinetown	Pinetown Central is a service node that serves the Outer West. Also, it serves the industrial and residential areas in the south of Pinetown Central
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Source: eThekweni Public Transport Plan (2005:8.3-8.5)

Table 5-13: Minor public transport nodes

Other public transport Nodes	Characteristics
In the south	Prospection is an industrial area located on the south of the Isipingo node
In the west	Hillcrest is an area in the west which is progressively attaining the status of a sub-regional centre
In the north	- Phoenix town centre - Verulam is noted for high concentration of buses and taxi activity - Tongaat is also known for a concentration of buses and taxis - There is a developing node around the Umhlanga town centre

Source: eThekweni Public Transport Plan (August 2005:8.5)

From table 5-14 it can be seen that the Durban CBD is the busiest destination in terms of the number of passengers within the Durban Metropolitan Area, particularly during the morning and afternoon peak hours. Moreover, out of the 10 busiest surveyed passenger facilities/ranks, four of them are located within the Durban CBD as shown in table 5-15. Besides the Durban CBD serving as a host to 10 ranks, the area accommodates 50 designated formal metered taxi ranks. In total, the ranks consist of 150 bays of which the majority are on-street parking (eThekweni Public Transport Plan, August 2005:4.6-5.3). All these characteristics pertaining to the Durban CBD are reasons for the high number of street trading activities as transportation facilities and street trading are usually interlinked.

Table 5-14: Number of passengers in the Durban Metropolitan Area

Central Business Districts	Number of passengers (AM and PM peak hour)
Durban CBD	112 000
Pinetown CBD	27 000
Isipingo CBD passengers	21 000

Source: eThekweni Public Transport Plan (August 2005:4.6)

Table 5-15: List of lorry terminals in Durban Metropolitan Area

Rank name	Passenger per hour
Victoria Bus Rank (Durban CBD)	7035
Umlazi Station	5961
Ntuzuma E- Dalmeny Road	5472
Pine Street Rank 1 (Durban CBD)	5104
Westmead-Malcolm Road	4900
Soldiers Bus Rank (Durban CBD)	4336
Ntuzuma F	3894
Hill Street Bus Rank-Hill Street, Pinetown	3819
Isipingo Bus Rank	3778
Canongate (Durban CBD)	3713

Source: eThekweni Public Transport Plan (August 2005:4.6)

5.12 Transportation corridors

The spatial configuration of the EMA demonstrates the network of movement corridors supporting node hierarchy, variety of activities and connections. Table 5-16 shows the existing corridors within the EMA.

Table 5-16: List of transportation corridors in the Durban Metropolitan Area

Existing Corridors	Description
National corridors	The (N3) Durban-Pietermaritzburg-Johannesburg and (N2) South Coast-Durban-Richards Bay are significant because: ▪ The corridors channel activities into the Durban Metropolitan node and the sub-metropolitan nodes including Pinetown, facilitating economies of scale ▪ The corridors expedite the rapid movement of people and goods in an east-west and north-south direction
Regional corridors	Existing regional accessibility corridors within the central area include the M1, M7, M13, M19 and R102. These routes facilitate the generation of economic potential in the central area through the development of appropriate spaces in order to stimulate emerging economies. For instance, the M1 which connects Mariannhill with Westmead is an important route for people living in and beyond Pinetown South to access facilities and services provided by the Pinetown CBD The following routes are identified as areas with accessibility potentials and priority areas for integration, mixed use and densification within the EMA:

	▪ Regional Routes – R102 – road and rail (north/south link) forms part of High Priority Public Transport Network ▪ Metropolitan routes – M1, M13 and M19
Mobility corridors	Mobility corridors are primarily high-speed routes mainly serving the purpose of accessing different areas. For instance, the N2 is a national route which serves as an accessibility corridor at the national level and as a mobility route at the local level. Generally, it is a high speed, limited access route linking the north and south regions of the Durban Metropolitan Area. The N2 is a primary carrier of freight, commercial and tourist traffic along the Durban-Richards Bay corridor, while the N3 is a primary vehicular route from Durban to Gauteng
Coastal/Tourism corridor	The Durban coastal corridor provides a high quality natural coastal experience to complement the urban beachfront of the central metropolitan area. Thus, sustaining it as a consolidated mixed use and mixed density residential, recreation, entertainment and tourist-oriented corridor is essential
Activity Corridors/Spines	Activity corridors are linear mixed-use centres characterised with accumulation of facilities such as retail, office, business, residential, entertainment and community facilities at different scales. Existing activity corridors along the north and south axis in the Central Spatial Region include Umbilo and Sydney Roads, Umgeni Road, Stamford Hill Road, Florida Road, Spine Road and North and South Coast Roads, Essenwood Road, Musgrave Road, Sydney Road, Booth Road, Old Main Road (Pinetown) and the Southern Freeway

Source: CSDP Annual Review (2014/2015: 40-43)

5.13 Activity nodes

Well-planned activity nodes allow people to conduct different activities in a centralized place, and in turn allow a variety of goods and services to be accessed in a single defined precinct (Committee of Transport Officials, 2012: II). Nodes may often serve as attractors to a variety of people. For example, a nationally important node such as the Durban CBD fulfils several functions for a wide spectrum of end users because of the convergence of the national transport routes N2 and N3. On the other hand, 'local' nodes including Chatsworth meet the regular standards by providing goods and services to a smaller population in a localized area. Existing and potential nodes have been identified in accordance with their metropolitan significance: national importance, regional, sub-regional and local. Within this scale, nodes may achieve certain functions (CSDP Annual Review (2014/2015:37-40).

At a metropolitan level, the Durban and Pinetown CBD nodes have been identified as areas intended for densification, integration, intensification and improvement in the quality of the environment. Moreover, nodal points within well-serviced areas such as Westville provide opportunities for capitalizing on their locational advantage. Also, nodes, including Pinetown South, Clermont and Kwadabeka open areas of needs, and often serve as important linkage elements. As established growth points, nodes become the focal point of development, and as such they require support from public and private sector investment (CSDP Annual Review (2014/2015:37-40)).

Table 5-17: List of activity nodes in the eThekweni Municipal Area

Nodes	Description
Metropolitan node	The metropolitan area is characterised by in-built opportunities including a variety of specialised activities in various sub-metropolitan zones. In general terms, metropolitan nodes are generally of mixed-use character which provides a variety of higher order services to meet the needs of a large population living within and outside metropolitan boundaries. The Durban CBD characterised by a variety of business/industrial typology with mixed uses and mostly functioning as recreation, formal and informal, residential, and tourism is the only metropolitan node within the eThekweni Municipality. The DCBD functions on the port operations which serves the region and beyond as a multi-nodal transport hub
Sub-metropolitan node	Sub-metropolitan nodes provide accessibility for day-to-day business, transport and social services to existing and future local communities. These nodes serve sub-metropolitan areas of large districts and they are mostly connected to the metropolitan public transport systems as well as adjacent residential areas. Mostly, they are situated on mobility spines and supported by mobility roads coupled with access to urban freeways offering a full variety of higher order uses. Nodes also serve as major intermodal transport hubs. Pinetown is a sub-metropolitan node within the Central Spatial Region of EMA which acts as a regional retail and service industrial node supported by the sub-regional industrial nodes of New Germany and Westmead
Urban node	Urban nodes are mostly situated at transport interchanges. These local nodes vary in activity mix and are determined

	depending on the number of people to whom they render services. The main role of urban nodes includes providing social and commercial services. Existing urban nodes in the Central Spatial Region include Chatsworth, Malvern, Westville, Musgrave and Glenwood/Berea
Recreation and Tourism Nodes	The essence of recreation and tourism nodes is mainly to stimulate the economy by generating revenue from tourism related businesses. The “golden mile” with beach-holiday-related infrastructure and leisure related facilities, as well as the Durban International Conference Centre, the Point Waterfront Development and Ushaka Marine World as well as the Sun Coast Entertainment Complex, Moses Mabhida Stadium and Kings Park sports precincts are recognised as tourist and recreational nodes
Major Economic Investment Nodes	The major role of economic investment nodes is to maintain and develop the major existing economic development areas significant to the municipality, province and the country as a whole. The Southern Durban Basin combined with the Port are the major economic investment nodes in the Central Spatial Region of the EMA

Source: CSDP Annual Review (2014/2015:37-40)

5.14 Public spaces

Open public spaces in Durban range from recreational, civic, commercial and sporting spaces. A properly designed and managed public space attracts consumers, and ultimately enhances the commercial and retailing activities. Public spaces, particularly public markets enhance some areas in the city, thereby promoting local economic development; and also, integration of informal economy. In African context, the market has often been the historic and original form of economic development (United cities and local government, 2014:13), by providing opportunities for small and medium enterprises to partake in urban economy. Also, they promote rural and urban linkages (United cities and local government, 2016:34). In support, the eThekweni Municipality Retail Markets Policy (s.a:1) asserts that globally, public markets play an important role to traders and customers in their area of location. Their major role may range from economic to cultural functions, including:

- Providing employment opportunities to people in their location.
- Providing grounds for economic and social interaction.

- Supplying goods to the people in their area of location at relatively low prices.

Similar for any other retail business, the site selected for market location is vital as it determines the success or failure of the market. Areas which attract clientele and also fulfil the needs of traders are suitable for market location. Moreover, retail market should be compatible with the spatial conditions of the selected area. In fact, the preferred place to locate markets would be in proximity to existing shopping centres and busy transportation nodes, and major pedestrian flow in order to make it more accessible to the general public. Markets should be located at points of maximum accessibility. Ideally, the centrality of market could be emphasized by establishing other forms of public infrastructures, such as clinics, halls, community resource centres, pension pay-points and services pay-points within it or in proximity to it (CSIR Building and Construction, 2000: Chapter 3:11)

Table 5-18: List of Retail Markets in Durban Municipal Area

Name of Market	Description
Farmers Retail Market	The market, which is situated on 81 Flower Road, Clairwood was established in 1975. The market has 160 stalls with fruits and vegetables being sold as the main products
Tongaat Daily Market	The market, which was established in 1947, is situated on 323 Main Street, Tongaat, and consists of 18 fruit and vegetable shops, 1 butchery and 1 general dealer. Fruit and vegetables are the main products sold in the market
Tongaat Morning Market	The market was established in 1975 and consists of 176 stalls, 8 shops and 10 poultry stand. The market is situated on 59 Plane Street, Tongaat. Locally grown vegetables and dry goods, including clothing, are the main products traded in the market
Verulam Day Market	The market, which is situated on 151 Wick Street, Verulam, was established in 1988. Currently, the market consists of 3 cafes, 3 spice shops, 7 fruit shops and 8 fruit and vegetable stalls. The main products sold in the market include fruit and vegetables purchased from the Durban Bulk Sales Market
Verulam Morning Market	The structural component of the market consists of 498 stalls/tables, 6 flower stalls, 16 poultry stands. It is situated at 151 Wick Street, Verulam. It was established in 1912
Brookdale Market	The Brookdale market, which was established in 1997, is situated on 17 Brookdale Drive, Brookdale, Phoenix. The market operates like a flea market type. Items sold at the market include groceries, fruit and vegetables
Phoenix Plaza Market	The Phoenix Plaza market was built in 1996. The market is situated on 51 Pandora Street, Phoenix. The market consists of 130 stands which are mainly fruit and vegetable stalls, clothing, fish shops, café and shoe repair shops

Early Morning Market	The Early morning market is located at 100 Warwick Avenue, Durban. The market, which was established in 1933, is made up of 676 tables, mainly in the sale of fruits and vegetables
Fragrance Market	The Fragrance market is situated on 12 Fragrance Street, Chatsworth. The market consists of 157 tables and 21 huts on the second floor. The market traders are in the sale of fruits and vegetables, clothing and dry goods as well as small businesses such as welding and mechanic shops
Herb Sellers' Market	The Herb Sellers' market established in 1997 is situated on Russell Street. The market consists of 277 stalls plus 12 kiosks and consulting rooms, and it is mainly involved in the sale of indigenous natural products
English Market	The English market established in 1938 is located at the Warwick Avenue, and consists of 56 shops, 5 offices and 10 cold rooms
Loco Plaza Market	The Loco Plaza market, which is situated in the Workshop Complex, Durban was established in 1992. The market has 83 stalls mostly involved in the sale of clothes, shoes, bedding, beads and fruit
Umlazi Market	The Umlazi Shopping Centre was established in 1998. The market structure is made of 200 stalls mainly in the sale of meat, fruit and vegetables, indigenous medicines, poultry and clothes
Wyebank	No information is given
Hammarisdale	The market is made up of 130 stalls
Newlands East Market	The market is situated at 120 Newlands East Drive, Newlands East. It was established in 2005
Bangladesh Market	The market was built in 1984. The main products traded in the market include fruit, vegetables, hardware, prepared foods, fish, chicken, clothing and cosmetics
Ezimbuzini Herb Market	The market, which was established in 1998 consists of 185 stalls and 8 kiosks. The main products sold in the market include indigenous medicines
Churchwalk Market	The market, which was established in 1992 is located at the West Street Main Post Office, Durban. It consists of 105 stalls mainly involved in the sale of clothing, food, shoes, bags and bedding
Mansel Road	The market was established in 1998. It is situated on 20 Mansel Road, Durban. The market is made of 470 stalls, and trades in the sale of clothes, shoes, pinafores, pillows, three legged pots and plastic drums

Source: eThekwin Retail Markets (s.a:1)

Table 5-19: Examples of Flea Markets in the EMA

Operational flea market	Closed flea market	Proposed flea market
Bangladesh Flea Market	Durban traders' flea Market	Umlazi flea Market
Golden Hours School Flea Market	Fever Tree Market	Amanzimtoti flea Market
Essenwood Flea Market	Doonside Bowling Club flea	Cato Manor flea Market
Shongweni Flea Market	Bluff flea Market	
Stables Flea Market	Woodlands flea Market	
South Plaza Flea Markets		
Car Boot Flea Market		
Amphitheatre Flea Market		
Church Walk Flea Market		
Carnival Flea Market		
Soldiers' Way Flea Market		
Market in the Park		
Umhlanga Farmers Market		
Food Market (Hellenic)		
Bluff Market		
Shell Ultra City		
Umhlanga farmers Market		
Westwood flea Market		
Hillcrest craft Market		

Source: eThekweni Retail Markets (s.a:1)

Table 5-20: Examples of Open Public Space in Durban

Open spaces	Interpretation
The beachfront precinct	The beachfront is not just the most important asset in the tourism industry, but also, provides an opportunity for informal trading activities to succeed. Many people view Durban's Golden Mile as the most successful open public space in the city
Gugu Dlamini park	The Park which was formerly known as Central Park was renamed on worlds aids 1 December 2000 in honour of Gugu Dlamini, a woman who was gruesomely murdered for revealing her HIV positive status at a time when most people were ignorant about the pandemic. The Park is situated at the workshop shopping complex carpark
People's Park	The Park was established in 2009. It is situated at the Durban beach front in proximity to the Moses Mabhida

Durban's Botanical Gardens	The Durban Botanic Gardens, located in Greyville, was established in 1849, in close proximity to Greyville race course and the Curries Fountain Sports Development Centre
Francis Farewell Square	The square was established in 1824, and named after Lieutenant Francis Farewell who played a key role in the establishment of a trading post in the Port of Natal. Important monuments adjoining the square include the Durban City Hall and the Old Court House

Source: Cloete and Yusuf (2018: 40-45)

The official reports from the City of Durban revealed that the Durban CBD, with a limited space receives the highest number of trips, both motorised and non-motorised/ as well as the greatest concentration of activities. Hence, the high demand for transportation capacity and activities in such a geographical region gives it a comparative advantage in terms of successful street trading over other areas. However, Das and Keetse (2015:837) argue that a concentration of trip destination in addition to maintaining the historical, political, cultural, economic and environmental values in a limited area may pose a great challenge.

5.15 Durban's informal trading/street trading management

Street trading in Durban is managed by the BSU. The core functions regarding the management and development of informal economy, particularly street trading and retail markets involve identifying management precincts; demarcation of trading area; issuing of permits; organizing traders into area committees that feed into citywide forum, and collection of rentals. Again, the management includes the implementation of laws governing informal trading and dispute resolution measures, particularly between residents and traders in the formal economy. These regulatory functions mandated by By-laws is achieved through the eThekweni Business Support Tourism and Markets Unit's (BSTMU's) Regional Offices. The regional offices render services to their clients, mainly informal traders with permits within their locality. The permit is an electronic system, usually credit card permit type issued to traders to enable them to conduct trade in their designated sites (eThekweni Municipality, 2017).

Table 5-21: List of informal traders in BSTMU's priority region

No.	BSTMU's Priority Region	Number of permitted informal traders
1	CBD	6903
2	Coastal	1308
3	Inner and Outer West	1912
4	North	1029
5	South	1802
6	Upper North	1046
	Total	14 000

Source: eThekweni EMA (2017)

The current data secured from the Durban informal economy and retail markets indicated that there were 3 832 licensed street traders operating in demarcated zones CBD1, CBD2, CBD3 and the Warwick triangle as of 2018. There were 1 583 and 1 114 licensed traders plying their trade in CBD2 and the Warwick triangle areas respectively. CBD1 had the lowest number of street traders numbering up to 462 as detailed in figure 5-12 to figure 5-15.

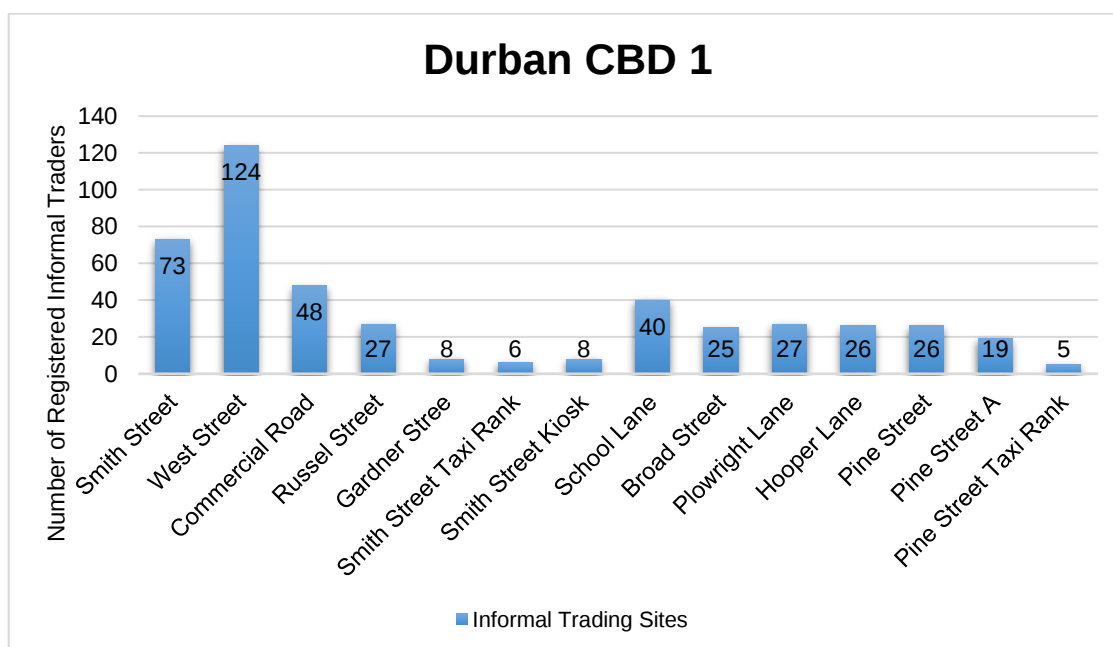


Figure 5-12: List of informal traders at the Durban CBD 1

Source: eThekweni Informal Trading Economy Office (2018)

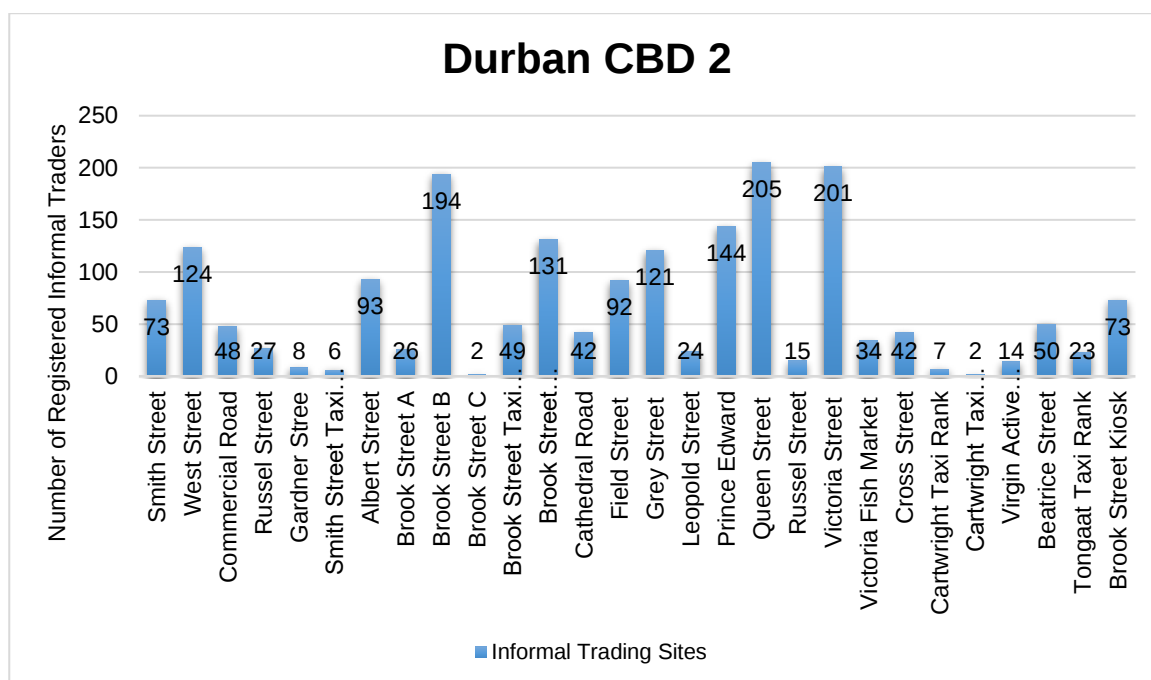


Figure 5-13: List of informal traders at the Durban CBD 2

Source: eThekweni Informal Trading Economy Office (2018)

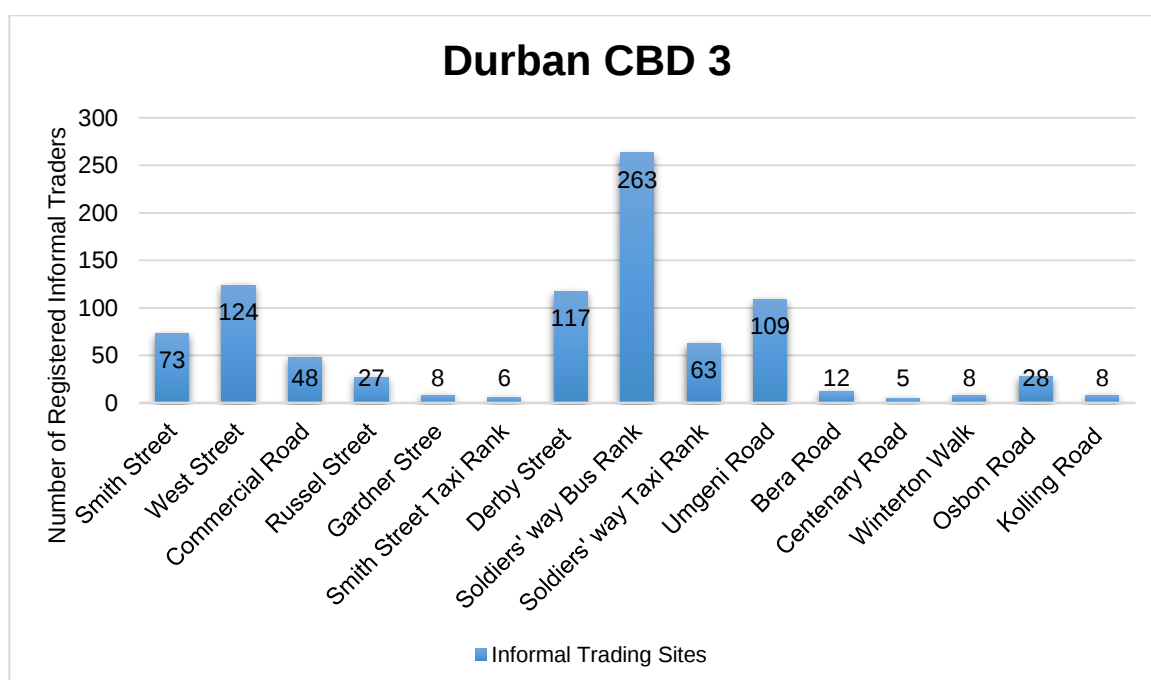


Figure 5-14: List of informal traders at the Durban CBD 3

Source: eThekweni Informal Trading Economy Office (2018)

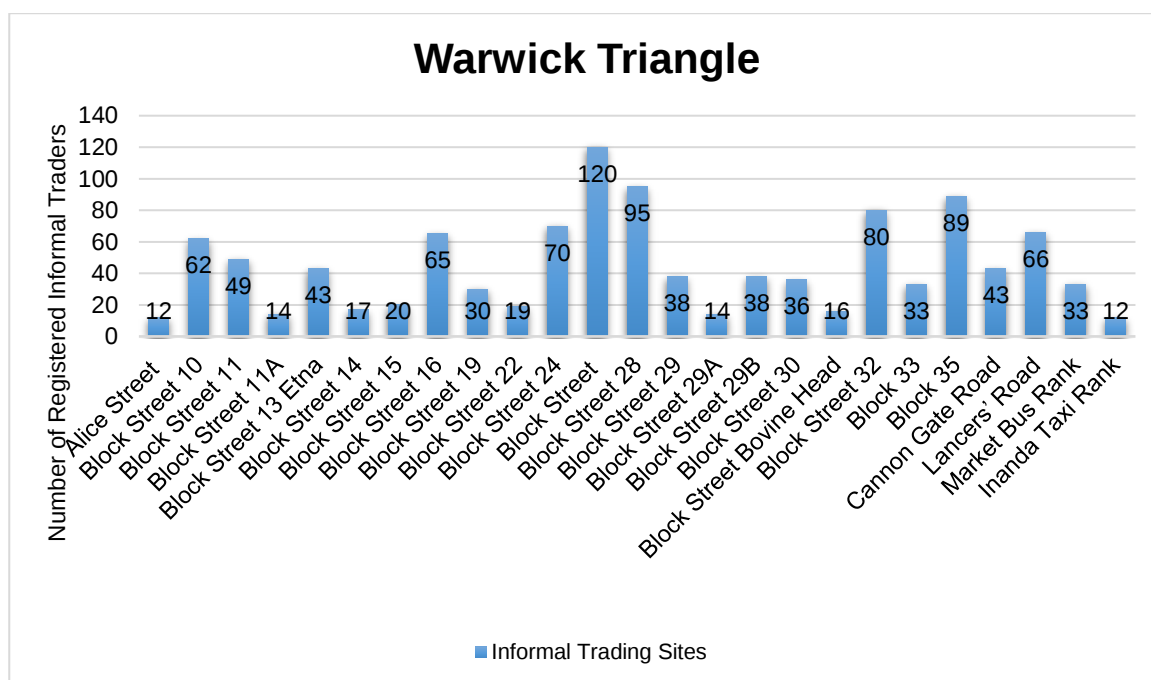


Figure 5-15: List of informal traders at the Warwick triangle

Source: eThekweni Informal Trading Economy Office (2018)

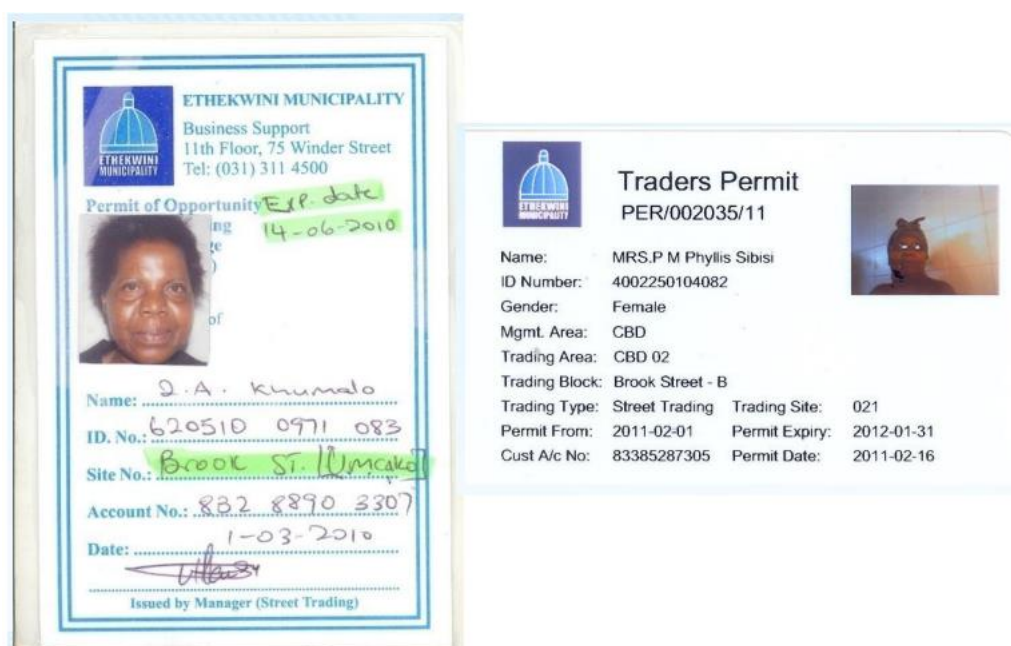


Figure 5-16: Old and new informal trading permit types

Source: eThekweni Municipality (2017)

The BSU provides range of trading facilities specifically to the nature and the type of business to be conducted, geographical design as well as policies and regulations pertaining in the subject area.



Figure 5-17: Example of vending facilities

Source: eThekweni Municipality (2017)



Figure 5-18: Example of vending facilities

Source: eThekweni Municipality (2017)



Figure 5-19: Prefabricated trading facilities

Source: eThekweni Municipality (2017)



Figure 5-20: Example of trading facilities in the coastal region

Source: eThekweni Municipality (2017:18)



Figure 5-21: Trading facilities for poultry traders

Source: eThekweni Municipality (2017)



Figure 5-22: Trading facilities for livestock traders

Source: eThekweni Municipality (2017)



Figure 5-23: Example of trading kiosks

Source: eThekwin Municipality (2017)



Figure 5-24: Example of Flea-markets

Source: eThekwin Municipality (2017)



Figure 5-25: Curbside trader

Source: eThekweni Municipality (2017)



Figure 5-26: Storage facility

Source: eThekweni Municipality (2017)

As part of the management of informal trading in the EMA, the BSU renders support to traders. The support may include goods display and exhibition, food handling and hygiene, waste management, knowledge on By-laws, co-operative development, financial literacy, drafting of business plans, food handling, access to finance and agricultural development. These support and training which could come from internal or external source, are aimed at equipping traders

with information and skills to run and grow their businesses in a profitable manner (eThekweni Municipality, 2017). Despite the successful management of informal trading, including street trading the EMA, the sector is afflicted with many challenges which hamper their growth, and eventually cause a huge burden in monitoring and promoting informal economic growth.

Table 5-22: Challenges associated with street trading management

▪ Inability of the BSU to make provision for trading facilities and infrastructures, including ablution and storages facilities, and access to water and electricity ▪ Economic challenges resulting from insufficient funding ▪ Trading facilities are often subjected to theft and damage ▪ Some traders operate without permit ▪ Some traders trade on counterfeit goods ▪ Some traders do not comply to trading By-laws and regulations ▪ Congestion in trading space ▪ Fronting by formal businesses
--

Source: eThekweni Municipality (2017)

5.15.1 Exclusionary Street trading management experience in Durban

In 2004, the Durban municipal council approved the Public Realm Management Project with the objective of putting a stop to “illegal unlicensed street trading” as they were believed to be competing with formalized retail businesses. To make this a reality, an amount of ZAR 3.7 million budget was allocated to recruit 50 Metro Police Officers to execute the project (Xulu, 2015:2).

Similarly, in 2009, towards preparation for the 2010 FIFA World Cup, the Durban City authorities came up with a proposal to replace the Early Morning Market, one of the biggest and longest serving markets in the Warwick Junction with a mall, a development that threatened the sustainability of street trading (Skinner; 2009; Xulu, 2015:2).

Source: Author’s construction (2019)

5.15.2 Inclusionary Street trading management experience: Warwick Junction Renewal Pilot Projects

Warwick Junction is situated on the borders of the Durban CBD, in proximity to the Berea Station. It is centred on the busiest passenger railway station in the metropolitan area. The precinct is enclosed by Greyville to the north, Dr Yusuf Dadoo Street to the east, Dr Pixley

KaSeme Street and the M4 to the south-east, Che Guevara Road to the south-west, and Bulwer Road (M8) to the North West (eThekweni LAP, 2016:241). It is the largest transportation hub in Durban, with an estimated number of 300 buses and 1 550 minibus taxis departing from the junction daily. Also, 460 000 commuters and 38 000 vehicles go through the area daily to the inner-city (Dobson and Skinner, 2009; Badsha, 2003:4). More so, the area has very high concentration of informal workers, including street vendors and market vendors operating in all the nine district markets collectively known as the Markets of Warwick (Dobson and Skinner, 2009:5).

Historically, the Warwick Junction with a white population of about 20 percent was declared a white group area in 1963. However, due to the growth in anti-apartheid community organizations, the apartheid government grew weaker by the 1980s. Later, with the demise of the apartheid government after 1994, the area saw an influx of large numbers of informal traders leading to some challenges such as crime and competition for space. Thus, in response, the Warwick Avenue Coordinating Committee was set up in 1995, and a budget was assigned to mitigate the challenges and upgrade the area. The development led to the Warwick Junction Urban Renewal Project to tackle the urban management and design challenges, as well as to promote healthy security, transport, trading and employment, environment, services and facilities, housing, integration and investment in the area (Dobson & Skinner, 2009:5; (Kitchin & Ovens, 2008:21). In the end, the project was successful in accomplishing its objectives. Since there are very few examples in South Africa or internationally where street traders have been integrated into urban planning through urban regeneration, the case of Warwick is worth telling.



Figure 5-27: Warwick junction renewal pilot project

Source: Google image (2019)

5.15.2.1 Herbal traders

The herbal market was the first and the major traders' market to be established at the Warwick junction. Before the establishment of the traders' market, about 600 traders plied their trade in a hazardous and unclean environment next to the roads often leading to congestion on the pavement. In consultation with the traders, the municipality identified a space near to the original site of the herbal traders' market to relocate the traders. A pedestrian steel bridge was then constructed to link the new market with the rest of the Warwick Junction area. The herbal market which provides 277 trading spaces for hawkers, 12 kiosks and consulting rooms, remains the largest herbal market in South Africa.

Source: Kitchin and Ovens (2008:22)



Figure 5-28: Herbal market

Source: Kitchin and Ovens (2008:23)

5.15.2.2 Bovine head cookers

Bovine head cooking, a traditional delicacy business in the Warwick Junction, started from the Dalton Men's Hostel. Culturally, this activity is mostly done by men but has recently been taken over by women. Formerly, the cooks who buy their stock, mostly cow heads, from formal butcheries occupied a pavement at the Warwick Avenue. Processing the meat involves thawing, skinning, cutting up and boiling in large drums. Each vat is heated by four paraffin-fuelled stoves which often posed serious health implications to the head sellers. In

response to the challenge, the Warwick Junction Project management provided a shelter, food-preparation facility serviced with water and drainage, electricity, refuse removal and also sitting areas for customers to eat.

Source: Kitchin and Ovens (2008:23)



Figure 5-29: Bovine head cooking facility

Source: Market of Warwick (s.a)

5.15.3 Inclusionary management approach to street trading: West Street

West Street is currently known as the Dr Pixley KaSeme Street. It is a one-way and mostly four-lane streets connecting the main Durban CBD to the beachfront. The major land uses dominating West Street are commercial retail activities with intermittent office activities. Street trading integration schemes at Dr Pixley KaSeme Street is worthy of discussion as it exemplifies the pedestrian-street trading friendly environment.

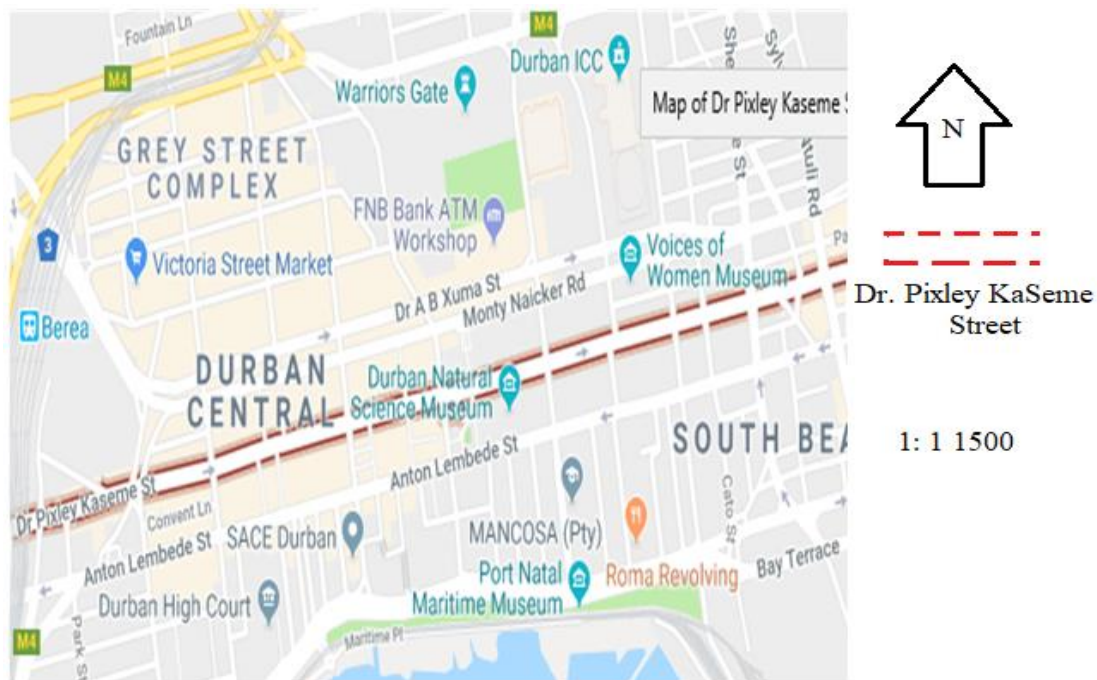


Figure 5-30: Dr Pixley KaSeme Street (in red lines)

Source: Google images (2019)

Between central West Street, Field Street and Gardiner Street, 138 structures have been mounted on the sidewalks for street trading activities. Out of the 138 stands, 30 of them were placed in areas previously serving as parking or loading bays but later converted by extending them into the pavements to make additional space for the erection of informal trading stands. Each structure is about one-meter x two metres in size with a roof. In total, the land area made available for street trading purposes by converting parking bays or street space is around $60m^2$ including the surrounding floor area that previously formed part of the road.

Source: Kitchin and Ovens (2008:14)



Figure 5-31: Urban design strategies for street trading – West Street, Durban

Source: Kitchin and Ovens (2008:13)

Table 5-23: Theoretical, management approach and practical trends in relation to street trading in Durban

Key planning theory	Management approach	Key action and objective	Practical case
Rational planning	Exclusionary: trading permit remains requirement	Investor priority	- Public Realm Management Project- Durban - The plan to demolish and replace the Early Morning Market in the Warwick Junction with a mall- Durban
- Advocacy planning - Participatory planning - Systems theory	Inclusionary: provision of designated trading space and workshops for street traders	Creation of employment opportunities through the informal sector	- The Warwick Junction Pilot Project- Durban - West Street inclusive urban design strategies- Durban

Source: Author's construction (2021)

5.16 Conclusion

The chapter dealt with urban features that facilitate street trading in the Durban CBD. Moreover, the chapter identified street trading integrated projects, demonstrating policy and legal implementations within the Durban CBD. The chapter revealed that urban regeneration is not limited to private led housing-led programmes or spatial relocation of informal trading operators, often intended to maximize profit, but may also include redevelopment of a purpose-built municipal informal trading sites, as demonstrated in the case of the Warwick Junction Renewal Pilot Projects. More so, the Warwick project confirmed the intimate relationship between informal trading and transport systems. This intimate relationship exists due to the mutual benefit to both traders and transport operators, as concentration of public transport networks ensures high pedestrian gravitation. An essential pull of centrality which traders need to ensure high profit margin. Again, the chapter revealed that besides the traditional open-air markets and transportation such the Warwick Junction, which often serve as centres for economic trade, production and consumption, other urban public spaces, including parks and gardens, particularly those with high pedestrian gravity during high occupancy periods may be utilized to facilitate small scale economic opportunities.

Moreover, the chapter presented multidimensional framework to illustrate the Durban Street trading management system. In fact, the chapter provided understanding on street trading inclusive management indicators (issuing of trading permits, site demarcations, and types of trading facilities) employed by Durban city authorities, using illustrations and real case scenarios, supported with pictorial evidence. The next chapter, which is chapter six is the empirical research outputs and results. In this chapter, the research methods are applied to ascertain and confirm or reject the theories, concepts, policies, legislations and management practices in lure with street trading in Durban.

CHAPTER 6: SURVEY OF THE CASE STUDY AREA

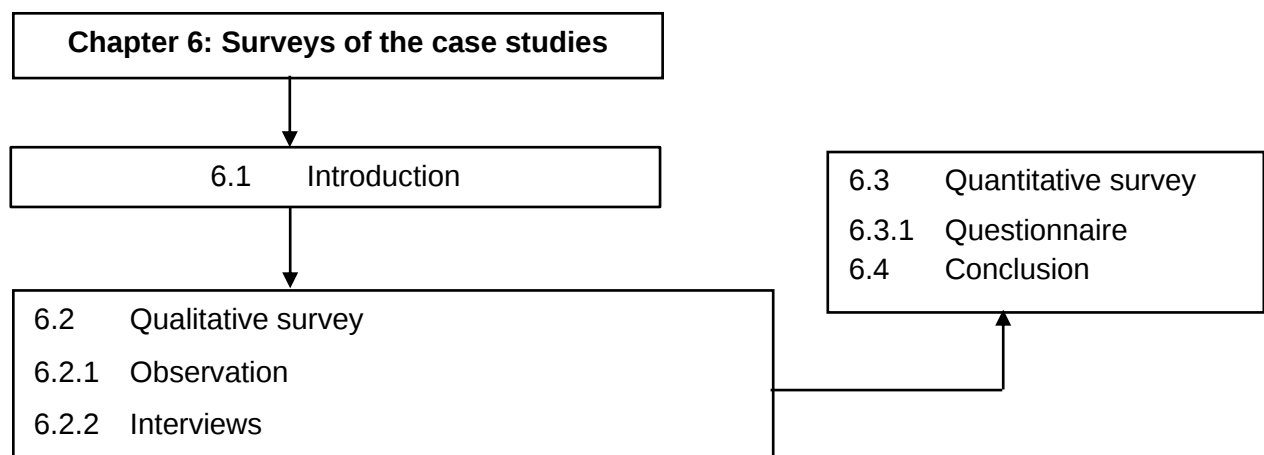


Figure 6-1: Layout and footprint of chapter 6

Author's construction (2019)

6.1 Introduction

The purpose of this chapter is to discuss the surveys relating to the case study to accomplish the research objectives. The section is structured into three parts. The first part is the qualitative survey which discusses the data collected through observation and interview. The second part deals with the quantitative survey, mainly the respondents' perception on street trading, and the last section concludes the chapter.

6.2 Qualitative survey

6.2.1. Observation

This section seeks to achieve two of the objectives of the research, including investigating the impact of spatial contestations between street hawkers and pedestrians on vehicular traffic flow in the Durban CBD. Also, to evaluate the strategies the Durban authorities have taken to integrate street trading activities in the Durban CBD.

6.2.1.1 Situational analysis of the streetscape

A situational analysis was done by the author by walking through the Durban CBD at various times of the day and week, making notes of informal trading activities in relation to vehicular traffic flow, pedestrian and land use. The exercise provided useful insights, mainly to evaluate the impact of spatial contestation between street trading and vehicular traffic flow. Also, it established the existing relationship between street trading and transportation system. The

analysis formed the basis for the proposed strategies to integrate street trading into the urban morphology of the Durban CBD. Generally, the area observed is a retail business hub. The main areas observed included hard open space typologies such as mixed-mode streets, markets, parking areas, public squares, public transport stops and stations, junctions, links, as well as pedestrian-orientated streets. The survey was guided by the Kelvin Lynch principles as explained in table 6-1.

Table 6-1: Kelvin Lynch Principles

Principle	Description
Paths	They are routes that enable people to move throughout the city.
Edges	They are boundaries and breaks in continuity in the city.
Districts	They are areas in the city with common features.
Nodes	They are the strategic focus points for orientation in the city, including squares and junctions.
Landmarks	They are external points of reference in the city that are easily identifiable

Source: Lynch and Lynch (1960)

Onsite observations indicated that the sight distance and horizontal and vertical road alignments were adequate for a designed speed of mainly 40km/h. The streets are classified as access roads and activity streets, with mainly two to four lanes that could adequately accommodate one-way traffic movement. Again, there are parking facilities and pedestrian walkways on both sides of all the roads observed. In addition, the Durban CBD has wider sidewalks to accommodate high volumes of pedestrians and street traders at the same time. Again, parking lots on the shoulders of the streets surveyed appeared to serve as buffer to prevent pedestrian and trader spillage onto the carriageway in the event of overcrowding on the sidewalk.

More so, from observation, demarcating or appropriating of sidewalks in the Durban CBD for street trading purposes appeared to be very professional, as permanent vending stands were properly located to limit impact on pedestrian traffic flow, even though trading activities occurred in unofficial designated spaces on the sidewalk. Trading in unofficial demarcated areas were observed to be the major cause of pedestrian congestion on the sidewalk. In summary, and in confirmation to the literature review, from observation, the local roads in the Durban CBD facilitate mixed traffic. There were free movement of pedestrians with minimum

DURBAN CENTRAL ROADS MAP

West Lane
Hunter Str
East Lane
Milne Str
South Lane
Shestone Str
Peck Str
Timber Str
Cato Str
Cilicwa Str
Water

DR DOONAM STR (PRINCE EDWARD STR)
BETHA MKHIZE STR (VICTORIA STR)
DENIS HIRLEY STR (QUEEN STR)
DR A B RUMA STR (COMMERCIAL RD)
WORTHY MANCKER RD (PINE STR)
DR POLEY KASEME STR (WEST STR)
ANTON LEMBEKE STR (SMITH STR)
MARK LANE
SOUTHERN PL
MURCHIES PSG
BAY PSG
FOUNDRY LANE
DODDARD HENRIDGE STR
HENTON RD
SALOMO RD
WEST WALK
GREENAGERS PSG
BEACH CR
CHANCERY LANE
MARGARET MICAHO AVE (VICTORIA LANE)
SOLDIERS WAY
CHURCH STR
SMITHFIELD PSG
BEACH WALK
LESLIE STR
MARITIME PL

MAINUT RD
UNION STR
PALMER STR
GROVE LANE STR (SANDER STR)
CATO SQ
MILLS LANE
KITCHENER STR
JONSON LANE
MONARD
AUBANY CR
ACOTT STR
BEACH WALK
EAST WALK STR (ALMA STR)
RIVERVIEW STR (ALMA STR)
HUNTER STR
EAST LANE
MILNE STR
SOUTH LANE
SHESTONE STR
PECK STR
TIMBER STR
CATO STR
CILICWA STR
WATER

Legend
Roads
Parcels
1:4000
eThekweni Municipal Boundary 201

Source: Author's construction (2019)

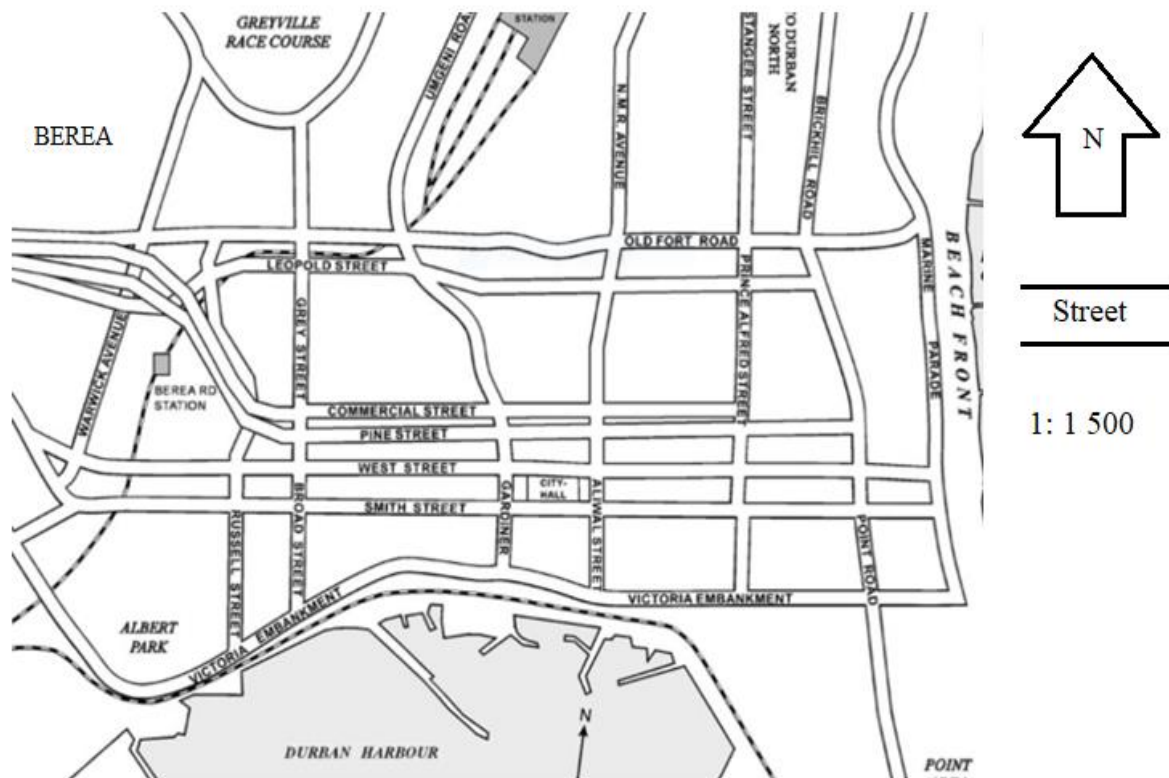


Figure 6-3: Road layout of Durban Central

Source: Popke and Ballard (2004;103)

It was important to examine pedestrian movement within the study area as this was a vital factor for the success of street trading. Land use, particularly transport terminals and commercial retail markets determine pedestrian route choice within the Durban CBD, and in turn the place for street trading. The observation survey revealed that street trading was more pronounced in areas with a high volume of pedestrian density as well as areas with highly intensive land use. In essence, street traders, both permit holders and non-permit holders were mostly confined within the parameters of the Smith, Dorothy Nyembe, Russel and Dr Goodman Streets, where retail and pedestrian activities were intensive.

Queen Street and Victoria Street had the highest concentration of trading activities due to their proximity to the Victoria Market. Therefore, the streets serve as the main pedestrian route to the market, giving it a comparative advantage for successful street trading over other areas. Moreover, from observation, there was high concentration of street traders within the demarcations of Dr Yusuf Dadoo, Denis Hurley, Anton Lembede and Stalwart Simelane Streets, due to the high commercial activities, mostly retailing. In essence, the precincts with high level of street trading concentration activities were those in proximity to central locations, busy intersections or other urban land uses or activities that attract high pedestrian and

vehicular traffic flow. In fact, the intensity of street trading activities diminished as one moved further from the Warwick Triangle which serves as a transport and commercial hubs, and ultimately having the ability to attract high pedestrian densities.



Figure 6-4: Zoning map of the Durban Central

Source: Author's construction (2019)

6.2.2. Interviews results, analysis and interpretation

This section analyses and interprets the qualitative data obtained from the BSU and the ACHIB/EMIEF personnels through interviews.

Table 6-2: List of interview respondents

Respondent	Organization
1 st respondent	BSU-Durban Region
2 nd respondent	ACHIB/EMIEF

Source: Author's construction (2020)

6.2.2.1. Official from eThekweni Municipality Business Support Unit

According to the BSU official, the BSU office is responsible for the management of street trading in the EMA.

6.2.2.1.1 Site demarcation for street trading

In her (BSU official) remarks:

Demarcating areas for informal trading purposes, especially within the city centre, that on its own obviously brings concern on why pavement meant for pedestrian movement are being demarcated for informal trading purposes. In such instances, prior to the demarcation, the roads department is consulted to seek their approval. Moreover, in instances where traders are to be accommodated in a taxi rank, the transport authority is consulted.

Her statement reinforces the need to involve appropriate authorities and stakeholders when demarcating a site for an informal trading purpose. She opined that there were two main types of trading sites, including demarcated and non-demarcated areas. Demarcated areas are trading sites within the city where trading facilities were provided and financed by the municipality depending on the kind of trading activities. Facilities and structures in the demarcated areas were designed to meet the specification of the kind and needs of trading activities.

The non-demarcated areas were those areas outside the city, where people put containers or tables to engage in trading activities. These trading areas were often identified by potential traders, who later applied to the municipality for permits to trade in such areas. The permit was either granted or refused after a site inspection had been carried out by the BSU to assess the feasibility of the area for informal trading purposes. However, the BSU official added that in areas such as schools, where trading was prohibited per the eThekweni By-law, the consent of the institution had to be sought before a trading permit could be issued. Furthermore, she argued that in instances where vendors had already established themselves in certain precincts, the municipality met them half-way by providing them with trading facilities. Her assertion confirmed to De Certeau's argument, as revealed in the literature, that the creation of public space was not solely done by experts, but also by other stakeholders, including street traders who shaped, contested and created public space through their ingenuity.

6.2.2.1.2 Relevant issues

The BSU official posited that each street and market had a committee, and that the members of the committees were elected by the informal traders in an election facilitated by the BSU. As discussed in chapter five of this study, as far as informal trading was concerned, there were six priority regions in eThekweni. They included the CBD, Coastal, Inner and Outer West, North, South and Upper North. Each region elected two committee members to represent them in the

EMIEF. The EMIEF met at the Durban City Hall in a quarterly basis to discuss matters relating to informal trading.

On the question of what basis could lead to a revocation of trading permit, the BSU official remarked that a trading permit could be revoked when a trader refused to make use of the site allocated to him or her. Or in instances where a trader was involved in illegal activities on the site allocated to him or her. Moreover, when the issue of a higher number of traders trading without permits came to the fore, the official remarked that there were limited spaces in the municipality, hence, they were not able to accommodate many people when it came to the issuing of permits. She instanced that an advertisement of four vending stands could attract about 800 applicants. This was an indication that unemployment was rife, as it was a requirement that an applicant of a trading site had to be unemployed prior to submission of an application.

On the issue of whether traders paid for their trading facilities, she opined that they paid rents, but she preferred calling it a responsibility fee as it was an insignificant amount. Moreover, regarding where the street traders stored their goods, the BSU officials opined that unlike the informal traders at the Warwick triangle who were provided with storage facilities, traders in the CBD made use of privately owned storage facilities at a fee. Moreover, while the municipality provided ablution facilities specifically for informal traders at the Warwick Triangle, informal traders in the CBD relied on public ablution facilities. However, she argued that in instances where temporary toilet facilities had been provided for informal traders in the Durban CBD, it became a challenge as homeless people often used such facilities for other purposes after working hours.

When the BSU official was quizzed on foreign nationals involvement in informal trading, she argued that there was no law banning foreign nationals from partaking in informal trading. She went further to say that even though, according to their records, there were a handful of foreign nationals involved in permitted street trading, in reality there were many of them. An indication that most locals rented out their trading premises to foreign nationals. Regarding the issue of competition posed by street traders to formal retail businesses, the official opined that those informal traders had their own target market. Also, she argued further that business was about competition where one needed to market his or her business.

On the question of crime, the official argued that it was the responsibility of the law enforcement unit to deal with the issue of crime. Regarding the sale of counterfeit products, the BSU official contended that they relied on consumer protection laws and law enforcement agencies to

handle such matters. Also, with respect to how her office dealt with littering, she argued that her office provided refuse collection bins at vantage positions, particularly in areas where trading activities took place.

6.2.2.2. Official from ACHIB/EMIEF

ACHIB was formed in 1986 in Johannesburg by Lawrence Mavundla (Bénit-Gbaffou, 2013;26), who resorted to street trading and hawking in Johannesburg after he was retrenched from the mining sector. According to the official, the purpose of forming the organization was to protect the interest of the informal traders from harassment, which often manifested in the form of confiscation of stocks, and prosecution of traders in court by municipal authorities as informal trading was considered an illegal business. He argued that, in a narrow sense, ACHIB was formed in response to the dire need for the representation and protection of informal traders.

On the question of the requirements to becoming a member of the organization, he stated that one had to be a trader and had to have a South Africa green bar-coded Identity book or a passport if you were a foreign national in order to qualify to become a member. He remarked that there were about 20 000 registered members in the eThekweni branch.

When the question of whether a trading permit was a requirement for one to become a member of the organization, he stated that:

A trader is not defined by having a permit. The mere fact that informal trading is legalized in South Africa [in post-apartheid era], then it means everybody is welcomed to engage in informal trading activities. The municipalities call traders without permit illegal traders. However, we don't call our members trading without permit illegal traders, rather traders without permit because the municipal authorities must still issue them permits.

On the question of why people preferred to join the association, and if the association was still relevant, he argued that there were still challenges in relation to trading in South Africa, citing the issue of harassment meted out to informal traders which continued to exist even though street trading had been legalized in the post-apartheid era. He argued that even traders with permits continued to face some form of harassment, stating that:

Sometimes, even if you have permit, that permit must have a picture [photograph of the trader printed on them]. Like as I am having an interview with you at this moment, should the police come and I am not there, they will issue me with a ticket for not being there. Even if I should get someone to stand in for me, I must replace the photograph on my permit with the photograph of the assistant. Moreover, for some reasons [including visiting the washroom] if the person [first assistant] I engaged decides to vacate the trading space for a moment, and engages another person [second assistant], the photo on the trading permit must be replaced again with the photo of the second assistant. Even if that person comes, and they have started writing the ticket, they will continue.

When his opinion was sought on how the issue of harassment of traders, particularly people trading without trading permits, could be resolved, he argued for permits to be issued to all traders as the bulk majority of traders were already trading without permits. Also, where there were no spaces for traders, traders should be given an Itinerant permit at a fee to generate income for the municipality, since people were already involved in the trading. Contrarily, the BSU official argued that it is illegal to trade as a mobile vendor, except in a specified demarcated areas such as along the beach with a restricted number, as they [mobile vendors] obstruct pedestrian movement.

6.3. Quantitative survey

6.3.1. Questionnaire results, analysis and interpretation

This section deals with presentation of questionnaire results by analyzing and interpreting the quantitative data that assisted in accomplishing the objectives of the research. To accomplish this, the study secured information from 608 respondents, mainly street traders, pedestrians and motorists, and experts as indicated in table 6-3. The selection of 300 street traders was to know the street trading characteristics in the Durban CBD, while the selection of 300 road users and 8 experts was to seek public view on the debate surrounding street trading, mainly in relation to the advantages and disadvantages of street trading which often determined the type of street trading management approach.

Table 6-3: List of respondents to quantitative questionnaire

Strata	Respondents and Designation	Frequency	Percentage
Street traders	Permitted street traders	200	32.89
	Non-permitted street traders	100	16.45
Road users	Pedestrians	150	24.67
	Motorists	150	24.67
Experts	eThekwin Municipality officials and an official ACHIB/EMIEF	8	1.32
Total		608	100

Source: Author's construction (2020)

6.3.1.1. Survey characteristics of street traders in the selected study area

This section mainly deals with respondents involved directly in street trading activities. The aim of the section is to evaluate issues pertaining to street trading activities.

6.3.1.1.1. Gender distribution of street traders

The purpose of collecting data on distribution characteristics of the respondents was to ascertain the extent at which the law was applied in the issuing of trading permits.

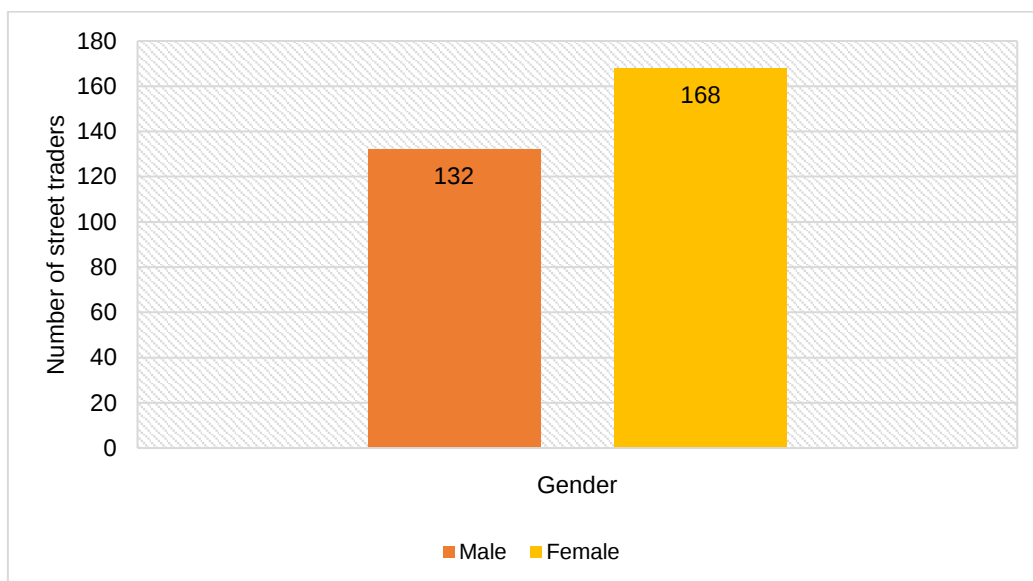


Figure 6-5: Graphical descriptive statistics of related themes on the gender distribution of street traders

Source: Author's construction (2020)

Out of 300 respondents, 132 (44 percent) respondents were males and 168 (56 percent) were females, revealing that there were more female respondents than male respondents. The reason being that the allocation policy governing street trading prioritizes women over men regarding the issuing of trading permits, since women were considered to have been disadvantaged historically. Hence, in general, the informal trading sector was dominated by women.

6.3.1.1.2. Age

The purpose of collecting data on the ages of the selected street traders was to assist the research on the extent of unemployment, and also to evaluate the extent at which the law was applied in the issuing of trading permits.

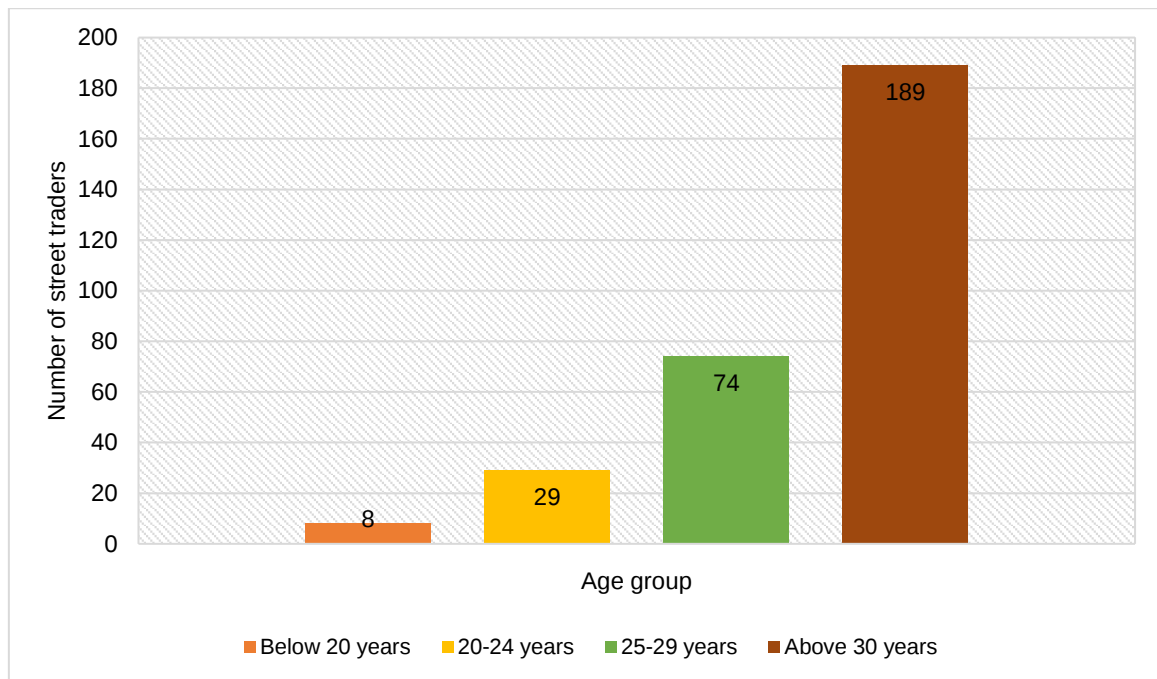


Figure 6-6: Graphical descriptive statistics of related themes on the age distribution of street traders

Source: Author's construction (2020)

The survey revealed that 189 (63 percent) of the respondents were above the age of 30 years, while 74 (24.67 percent) were between the age of 25 and 29 years. This was an indication that the majority of the respondents had passed the age of attending secondary school.

6.3.1.1.3. Race

One of the key objectives of the eThekweni Municipality was to remedy the historical economic injustices meted out on the black population of South Africa, hence, the reason for categorizing the respondents on racial line was to ascertain whether the allocation of trading permits met the objectives of the municipality.

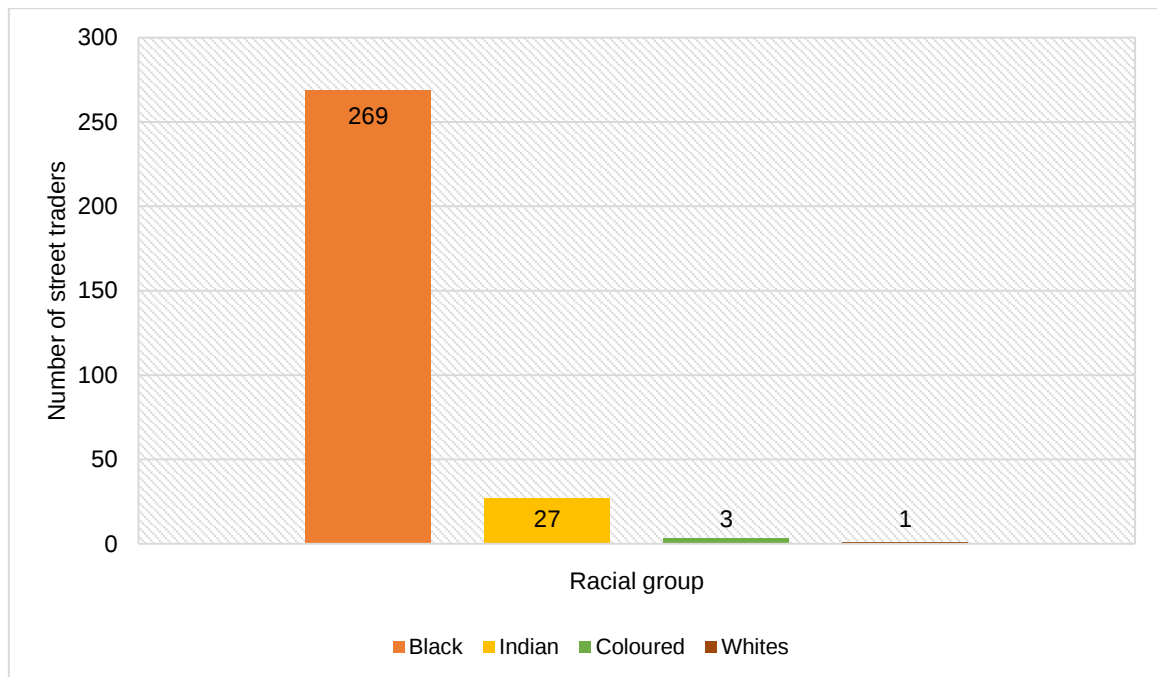


Figure 6-7: Graphical descriptive statistics of related themes on the racial distribution of street traders

Source: Author's construction (2020)

According to the survey, 269 (89.67 percent) of the respondents were black. An indication that street trading had been used as a tool to correct past economic injustices meted out on the black African community and in resonance with the informal trading policy objectives. Moreover, it indicated that street trading which was considered as a form of informality was synonymous with the black population of South Africa.

6.3.1.1.4. Level of education

The purpose of the question was to ascertain the veracity of the information that street trading provided a safety net for unskilled people in the society.

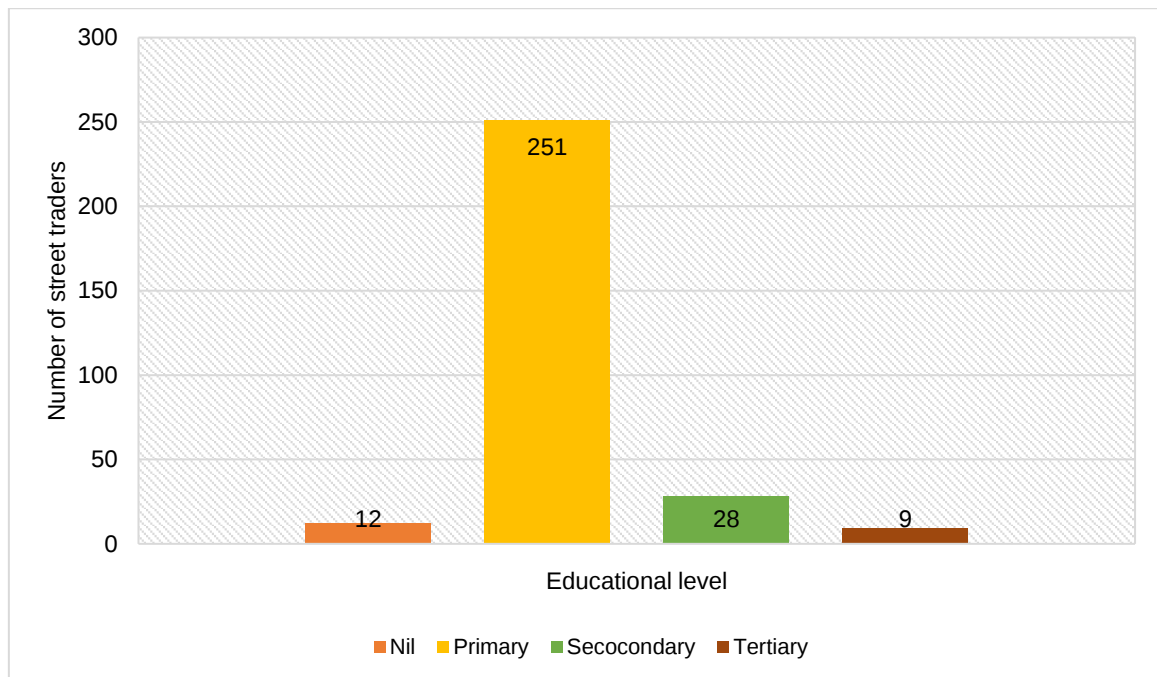


Figure 6-8: Graphical descriptive statistics of related themes on the level of education of street traders

Source: Author's construction (2020)

The survey revealed that 251 (83.67 percent) of the respondents had attained primary level of education. The low level of education amongst street traders could be interpreted to mean that street trading provided a safety net for the unskilled group in the society. Meanwhile, 28 (9.33 percent) had completed secondary school, and 9 (3 percent) had a tertiary education. This was an indication that the unemployment rate in South Africa was high, due to the inability of the formal sector to provide jobs for the teeming number of tertiary graduates. In a nutshell, street trading provided livelihood support for both skilled and unskilled labour.

6.3.1.1.5. Place of residence

The purpose of the question was to determine whether street traders operating in the Durban CBD lived in proximity to their place of work or not. The question was relevant in the sense that transportation cost, often determined by distance, had a negative impact on the income of street traders.

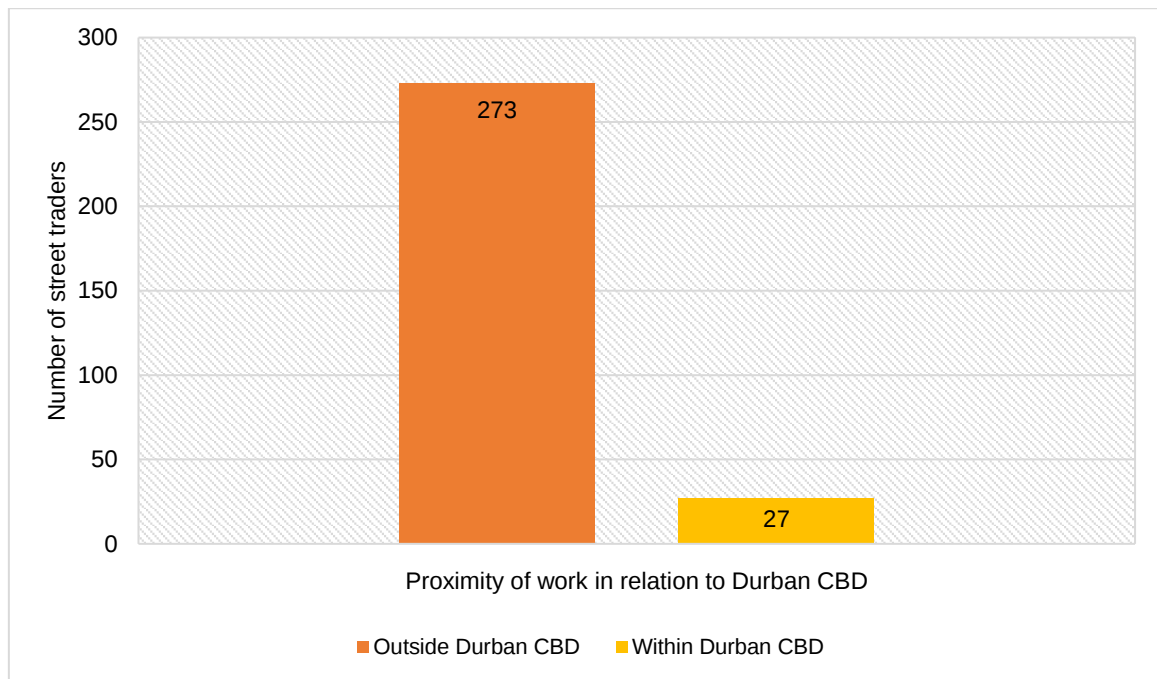


Figure 6-9: Graphical descriptive statistics of related themes on proximity of work

Source: Author's construction (2020)

The survey revealed that 273 (91 percent) of the street traders lived outside of the Durban CBD, mainly in the traditional townships and the informal settlement/slum environs situated on the periphery of the city of Durban, while only 27 (9 percent) lived within the Durban CBD. This could be interpreted to mean that there was a link between street traders and spontaneous informal housing settlement developments at the urban periphery. Moreover, it appeared most of the street traders were not able to rent in the Durban CBD, where they plied their trade which may be due to high rental cost or low income generated from street trading business.

6.3.1.1.6. Reasons for trading

The respondents were asked to reveal their reason for choosing to trade. The range of answers included: no alternative job, self-employed, less skilled, less capital and less registration requirement.

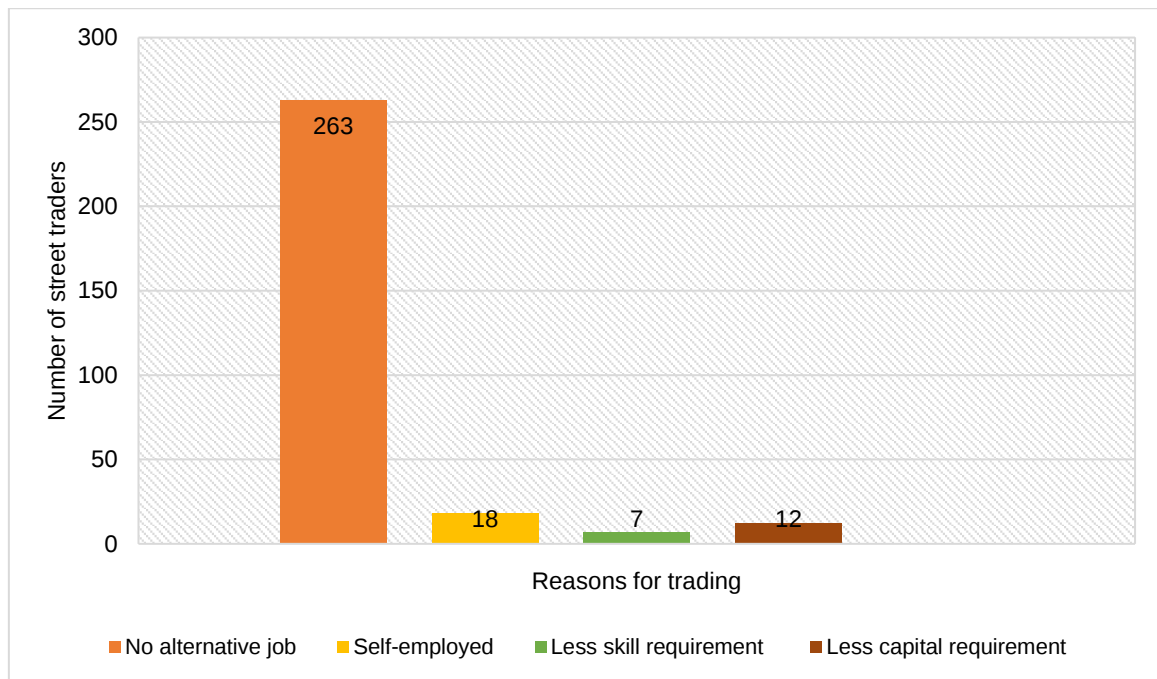


Figure 6-10: Graphical descriptive statistics of related themes considered for trading engaging in street trading

Source: Author's construction (2020)

According to the survey, 263 (87.67 percent), were involved street trading as a means of economic sustainability, as there were no alternative jobs. This could be interpreted to mean that the informal sector, including street trading, served as an alternative means of economic livelihood for many South Africans.

6.3.1.1.7. Average period of trading

The respondents were asked to reveal how long they had been involved in street trading. The range of answers included: less than 1 year; 1–5 years; 5–10 years and over 10 years. The question was formulated to determine the correlation between the average period of trading, and the level of job satisfaction and dependency.

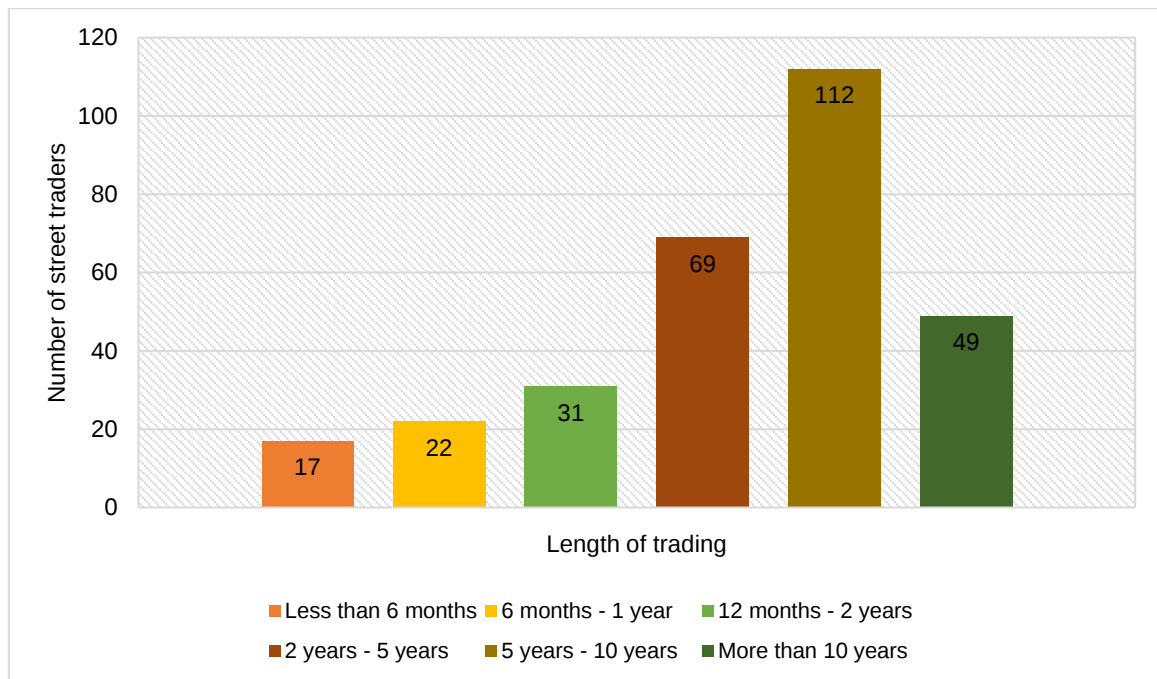


Figure 6-11: Graphical descriptive statistics of related themes on length of trading

Source: Author's construction (2020)

Data collected from the survey revealed that 112 (37.33 percent) had been involved in street trading for the period of 5-10years. This was followed by those who had traded for the period of 2-5 years (69 representing 23 percent), and by those who had traded for a period of more than 10 years (49 people representing 16.33 percent). The results indicated that on average, (53.6 percent) of the respondents had been involved in street trading for more than 5 years, representing a longer length of trading. This could be interpreted to mean that street traders were satisfied with their job. Moreover, the longer length of remaining a street trader indicated that street trading provided a reliable source of income.

6.3.1.1.8. Types of produce

According to the BSU official, the type of products sold determined the type of trading facility. Moreover, the type of trading activity had to conform to the character of the subject area, where trading was to take place. Hence, the purpose of securing data on the produce was to investigate whether the produce sold in the Durban CBD conformed to the character of the area.

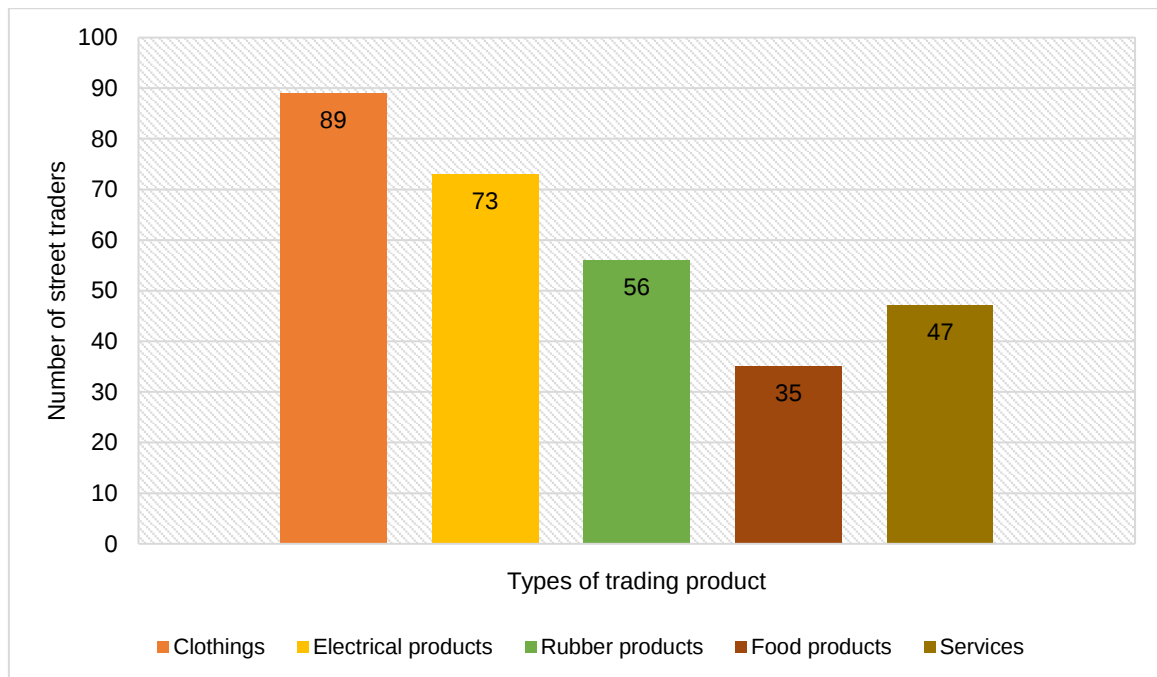


Figure 6-12: Graphical descriptive statistics of related themes on the types of street trading produce

Source: Author's construction (2020)

Out of the 300 street traders selected, 89 (29.67 percent) of them were into the sale of clothing. This was followed by 73 (24.33 percent), 56 (18.67 percent) and 47 (15.67 percent) who were into sales of electrical, rubber products and service provision (mainly beauticians) correspondingly. The number of traders (35 respondents, representing 11.67 percent) involved in the sale of food products, mainly fruits, vegetables, drinks and meat products were in the minority.

6.3.1.1.9. Source of produce

The purpose of the question was to establish the source of produce of street traders. Hence, the traders were asked to reveal their source of produce, ranging from manufacturers, wholesalers, retailers and imports.

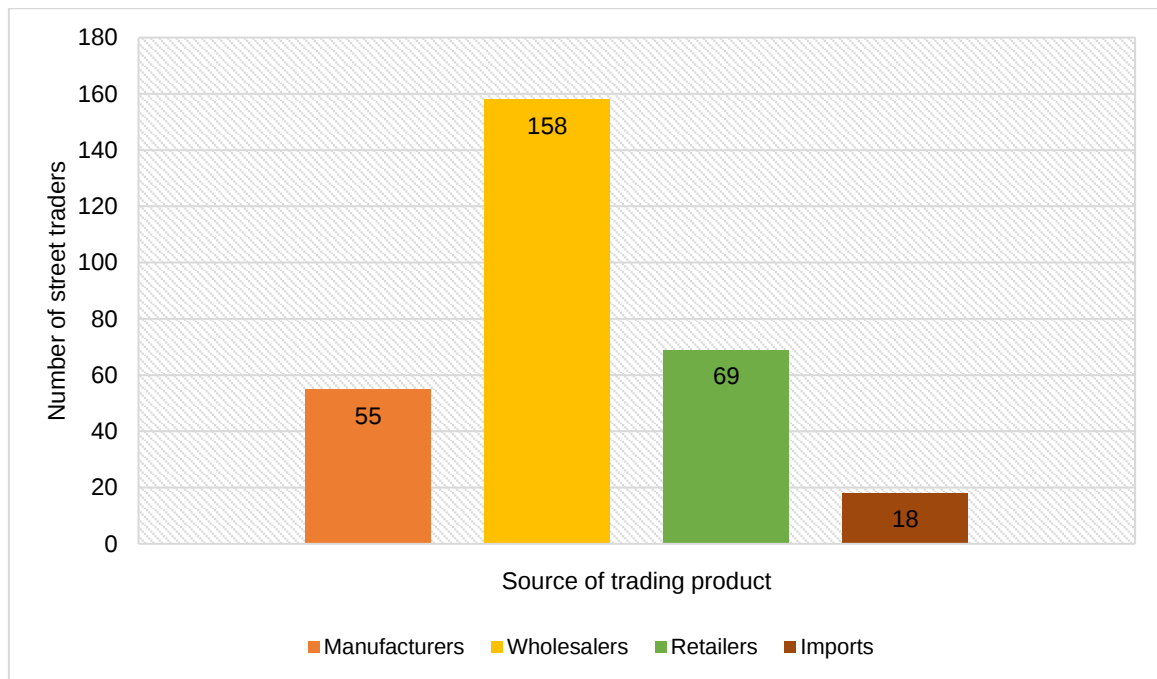


Figure 6-13: Graphical descriptive statistics of related themes on the source of street trading produce

Source: Author's construction (2020)

According to the survey, (158 respondents, representing 52.67 percent), (55 respondents representing 18.33 percent), (69 respondents, representing 23 percent) and (18 respondents, representing 6 percent) obtained their produce from wholesalers, retailers, manufacturers and imports respectively. Purchases made from wholesalers (52.67 percent) was the highest. Meanwhile, purchases made from imports (18 respondents, representing 6 percent) was the lowest. This was followed by manufactures (18.33 percent). The inability of most street traders to purchase directly from manufacturers affected their profit margin, and also disabled them from competing with the major retail outlets in terms of pricing.

6.3.1.1.10. Clientele base

Street traders were asked to reveal their clientele base. The questions ranged from pedestrians, motorists and passengers.

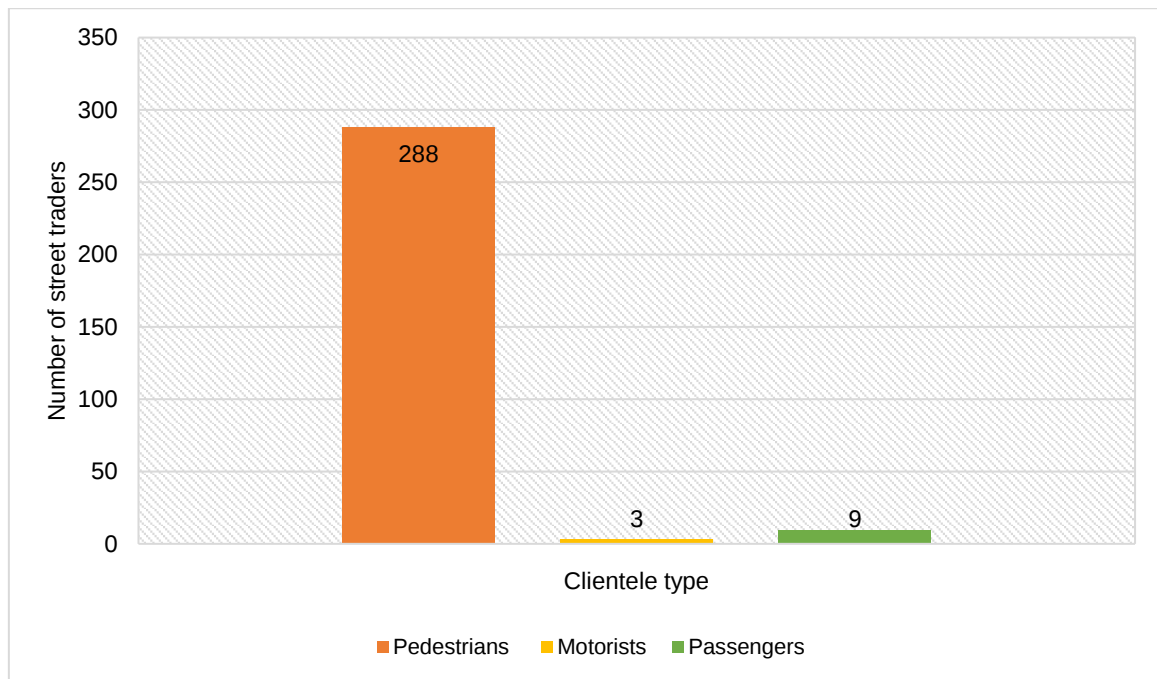


Figure 6-14: Graphical descriptive statistics of related themes on clientele base of street traders

Source: Author's construction (2020)

From the data collected 288 (96 percent), 9 (3 percent) and 3 (1 percent), revealed that pedestrians, motorists and passengers, correspondingly mostly purchased from them. The high number of purchases made by pedestrians indicated that there was a strong correlation between street trading and pedestrians.

6.3.1.1.11. Average monthly income

The respondents were asked to reveal the average monthly income they earned from their income. The question was relevant as the purpose was to ascertain the purchasing power of street traders.

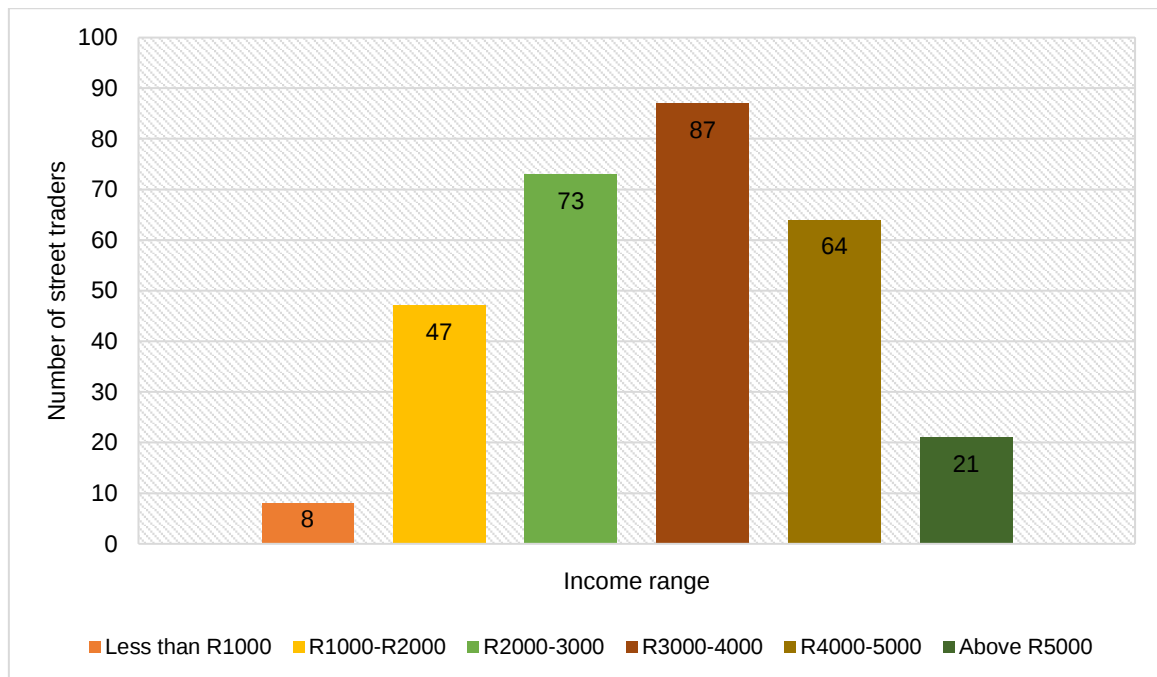


Figure 6-15: Graphical descriptive statistics of related themes on the average income of street traders

Source: Author's construction (2020)

Out of the 300 respondents surveyed 128 (42 percent), earned below an average income of R3 000, which is lower than the South African National minimum wage of R3 500 (Omarjee, 2019).

6.3.1.1.11. Forms of harassment

The question sought to rank the form of intimidation most street traders went through in the process of plying their trade.

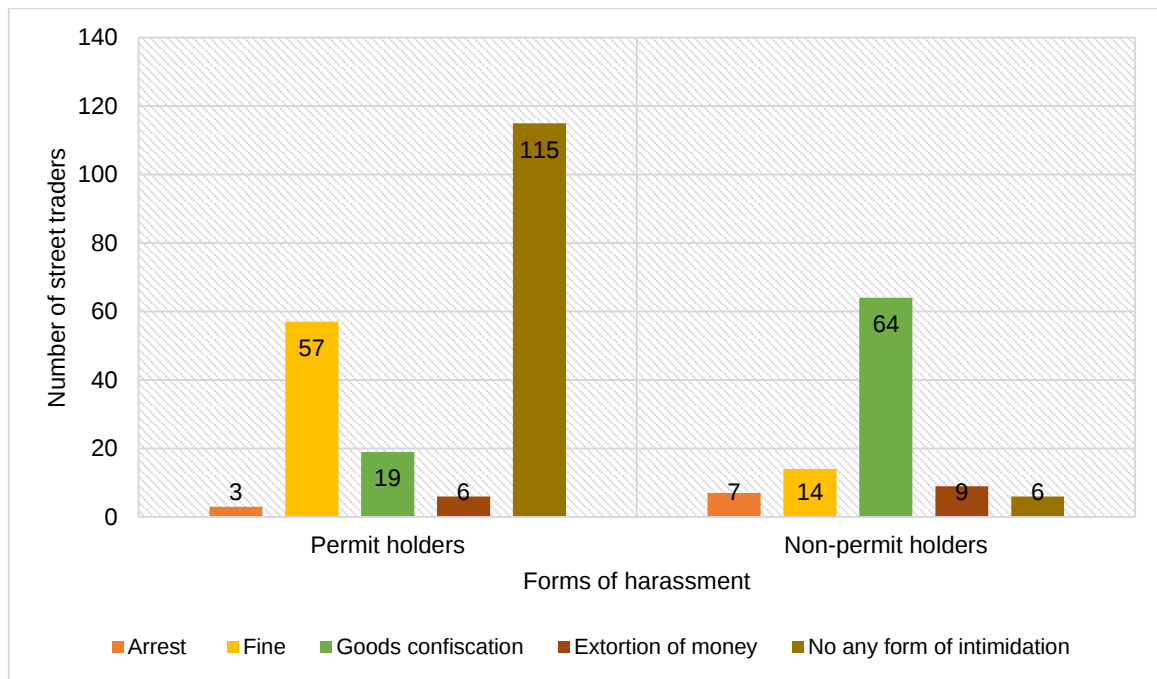


Figure 6-16: Graphical descriptive statistics of related themes on forms of harassment associated with street traders

Source: Author's construction (2020)

A survey of 200 permit holders revealed that 115 (57.5 percent) had not suffered any form of intimidation before, and 57 (28.5 percent) had been fined before, and 19 (9.5 percent) had their goods confiscated in the past. Meanwhile, out of 100 non-permit holder street traders surveyed, only 6 percent had not suffered any form of intimidation, 64 percent of them had their goods confiscated in the past. This could be interpreted to mean that trading with a permit was safer and more secure than trading without permit.

6.3.1.1.12. Reasons for operating with a permit

The purpose of this question was to ascertain the reason why street traders acquired permits. The range of questions included a requirement, cheap, easily accessible and for security reasons.

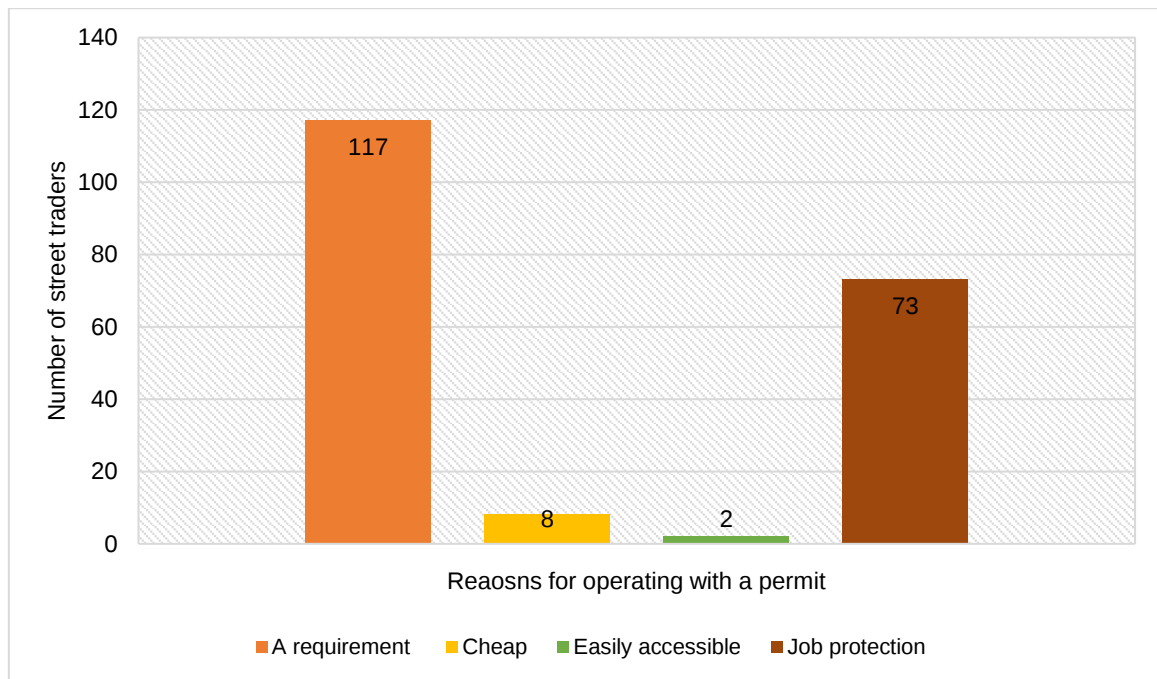


Figure 6-17: Graphical descriptive statistics of related themes considered for trading with a permit

Source: Author's construction (2020)

Out of the 200 respondents surveyed, 117 (58.5 percent) indicated that they obtained a permit because it was a requirement. Meanwhile, 73 (36.5 percent) revealed that they obtained a trading permit to protect their job. This indicated street traders were aware of the challenges they could face in the form of confiscation of goods if they traded without a permit.

6.3.1.1.13. Reasons for operating without a permit

The question sought to find out why some street traders operated without a permit. The range of questions included: not a requirement, expensive, avoid restrictions and irrelevant.

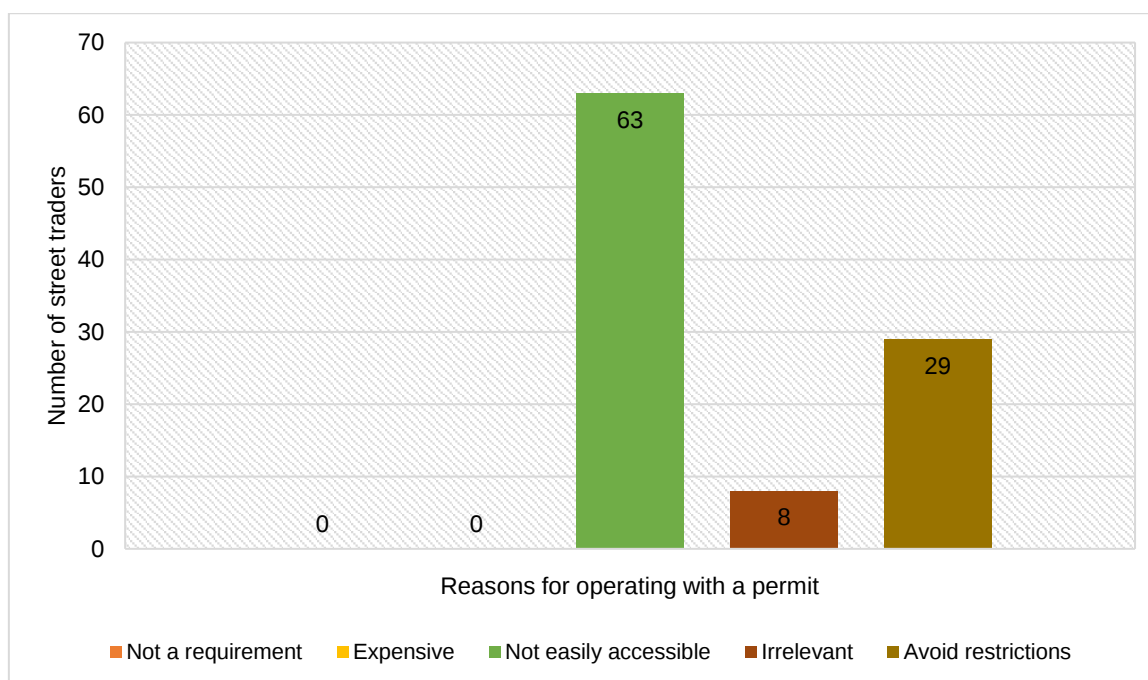


Figure 6-18: Graphical descriptive statistics of related themes considered for trading without a permit

Source: Author's construction (2020)

Out of the 100 traders operating without a permit, 63 percent of them argued that the trading permit was not easily accessible as they had applied on many occasions, but a permit had not been granted. The survey reinforced the assertion made by the BSU official that there was a high backlog of permit applications, due to limited trading space within the Durban CBD. Meanwhile 29 percent of them argued that the requirements of a street trading permit confined them to a specific trading site and produce. As such those traders preferred to operate without a permit. 8 percent of the respondents argued that securing a trading permit was irrelevant, since they were trading temporarily and looking forward to other opportunities elsewhere.

6.3.1.1.14. Reasons for operating from a permanent site

The respondents were asked to select from a range of options, including cheaper, nature of goods, safety and security and loyal customers, as to why they preferred to trade from a permanent site.

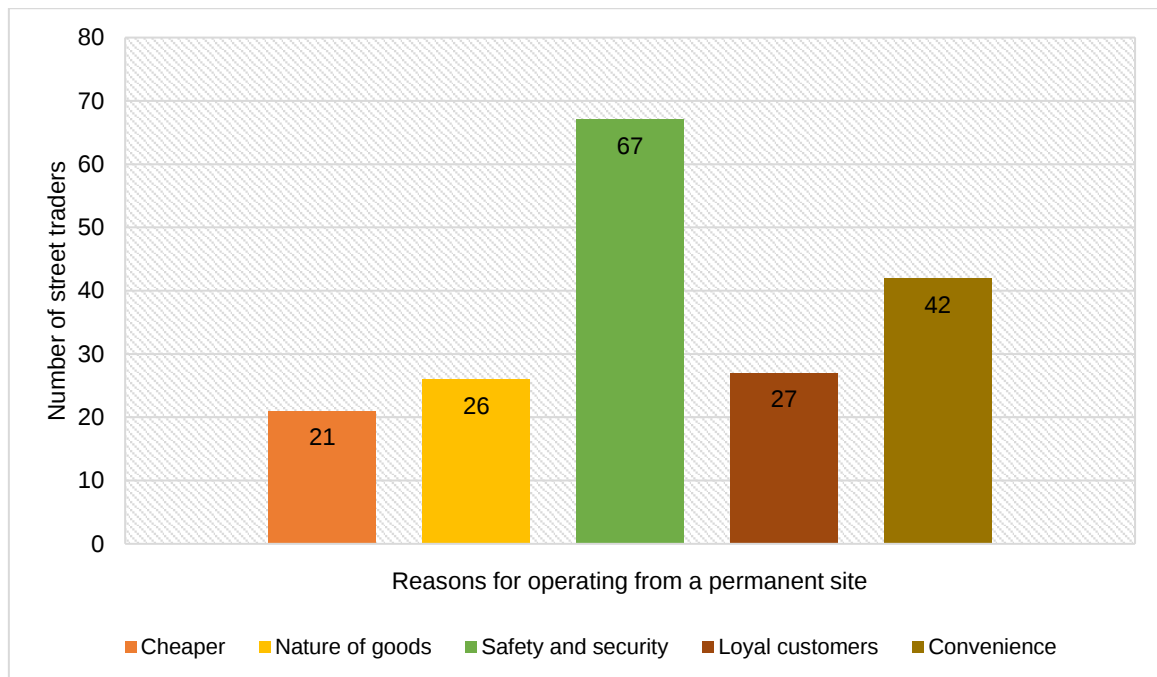


Figure 6-19: Graphical descriptive statistics of related themes considered for trading from a permanent site

Source: Author's construction (2020)

Out of the 183 permanent street traders operating from permanent sites selected for the survey, 67 (36.61 percent) of them preferred a permanent site because of safety and security reasons, 42 (22.95 percent) of them did so because of convenience. It appeared people operating from permanent sites did so because they had a permit, which could be interpreted to mean that the permit provided street traders the safety and security to operate, as they faced no or low level of harassment from municipal authorities.

6.3.1.1.15 Reasons for operating from a non-permanent site

The respondents were asked to state the reason for not operating from a permanent site. The range of options included cheaper, nature of goods, safety and security, itinerant trader, no loyal customers, no space and no restrictions.

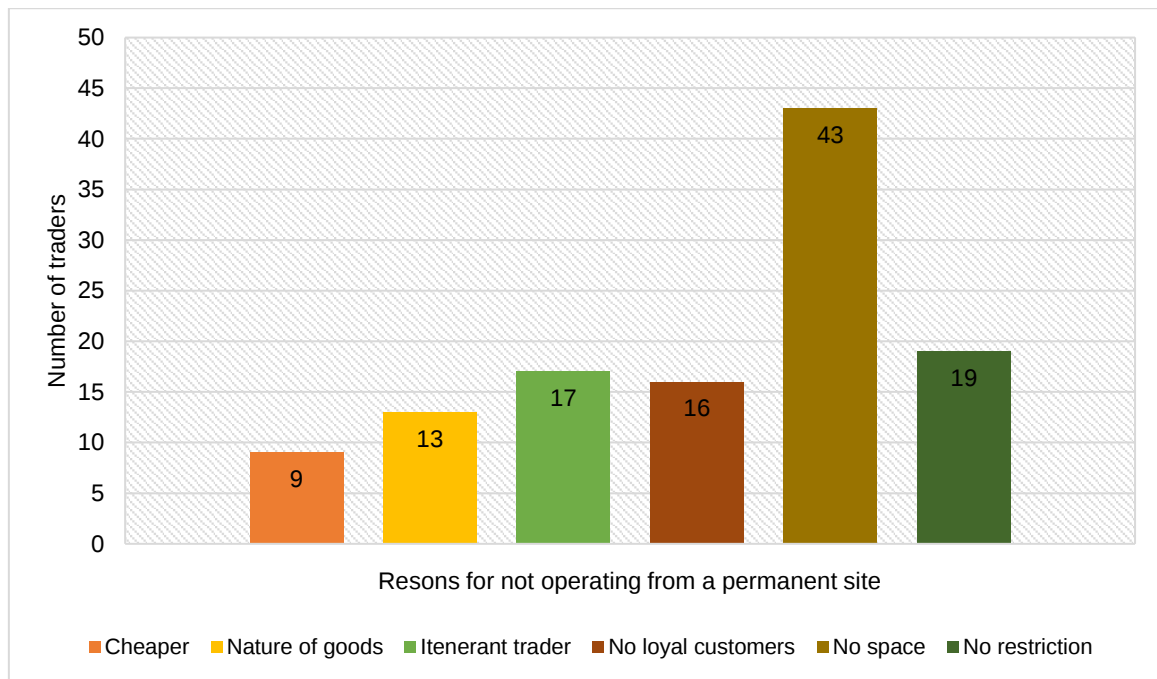


Figure 6-20: Graphical descriptive statistics of related themes considered for operating from a non-permanent site

Source: Author's construction (2020)

The survey revealed that of 117 street traders operating from a non-permanent site, 17 (14.52 percent) were identified as itinerant traders, which meant they did not have a permanent place of trading though they operated with a permit. Meanwhile, 43 (36.75 percent) were operating as mobile traders due to non-availability space. This was an indication that there were few spaces available or designated for street trading operations as remarked by the BSU official in the interview.

6.3.1.1.16 Reasons for joining an organization

Questions, including legal protection, financial support and negotiating purposes were asked to determine the reason why street traders joined trading organization.

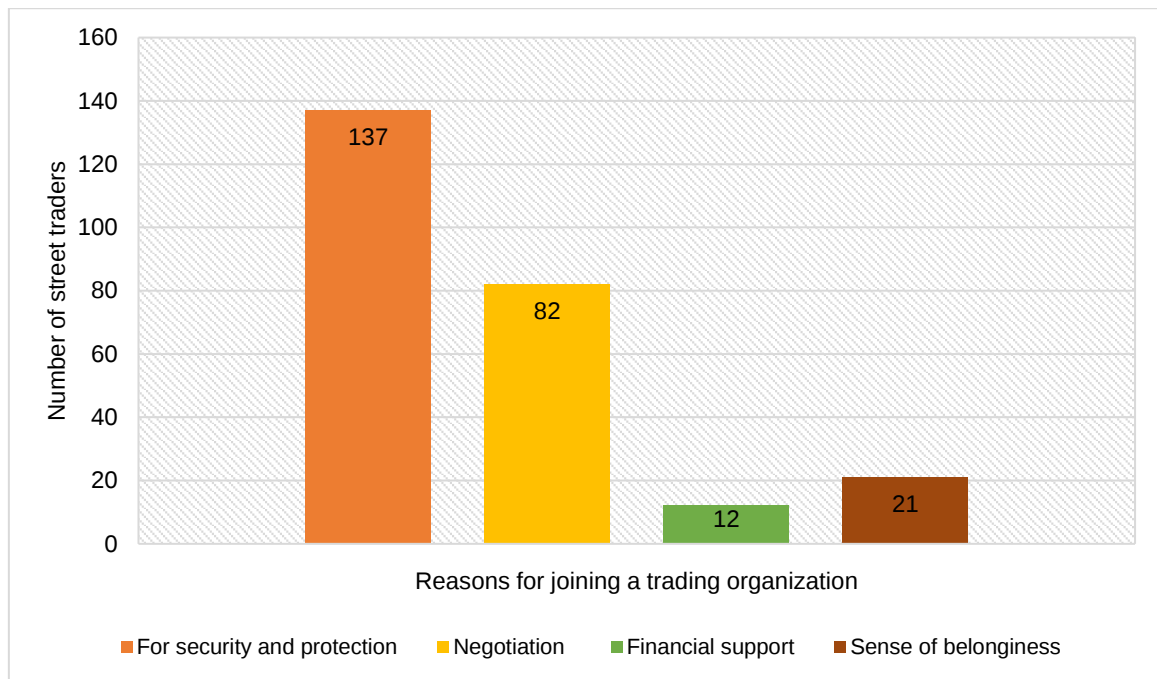


Figure 6-21: Graphical descriptive statistics of related themes considered for joining street trading organization

Source: Author's construction (2020)

Out of 300 respondents, 252 (84 percent) belonged to a street trading organization, while 48 (16 percent) did not belong to any street trading organization. It came to light that out of the 252 (84 percent) respondents who belonged to a street trading organization, 137 (54.37 percent) joined because of security and protection from the municipal officials, while 82 (32.53 percent) joined in order to have a common voice of negotiation. The high number of street traders joining street trading associations for protection purposes indicated that street traders continued to face some form of harassment.

However, 37 out of the 48 (77.08 percent) respondents who did not belong to any organization, and were operating without a permit argued that they were in street trading temporarily. 11 out of the 48 (22.92 percent) of the respondents who did not belong to any trading organization, but operating with a permit argued that having a permit was enough to protect them from harassment.

6.3.1.2. Public perception on street trading

The perception surrounding street trading varied in nature, with many debating either in favor or against it. The perception has often sparked debate on how street trading should be managed. Thus, the objective of this section was to seek the views of the public, mainly road users and experts to ascertain the veracity of the debate relating to street trading.

6.3.1.2.1. Public perception on the advantages and disadvantages of street trading

One of the objectives of the research was to evaluate the measures employed by city authorities in response to the impact of street hawking/trading on vehicular traffic flow. The literature revealed that, while an inclusive management approach towards street trading was mostly due to some benefits, usually provision of jobs by street trading, an exclusive management approach was often caused by the disadvantages, such as congestion linked with street trading. Hence, the need to examine the perception and debate on the advantages and disadvantages of street trading to make an informed decision was critical. Table 6-4 and table 6-5 entail the descriptive statistics representing the row of frequencies and row of percentages respectively, per the category generated from the questionnaire in relation to the respondents' perception on the strength and weaknesses of street trading in the Durban CBD.

Table 6-4: Matrix of descriptive statistics of related themes considered for measuring public perception on the advantages and disadvantage of street trading (numerical terms)

Indicator			Response											
			Road users					Experts						
			1	2	3	4	5	1	2	3	4	5		
			Freq.	Freq.	Freq.	Freq.	Freq.	Freq.	Freq.	Freq.	Freq.	Freq.	Freq.	Freq.
Advantages of street trading	1	Street vending serves as source of employment to many people	0	2	0	82	216	0	0	0	2	6		
	2	Concentration of street vendors attracts potential purchasers into an area which ultimately leads to an increase in sales in other businesses in the area	26	78	39	145	12	1	3	2	2	0		
	3	Street vendors contribute to the general level of economic activity through the sale of goods and service provision	18	46	9	142	85	0	1	2	4	1		
	4	Street traders contribute to government tax revenue	21	73	57	63	86	1	2	1	4	0		
	5	Street trading provides a safety net for the marginalised group	18	105	54	89	34	1	1	2	4	0		
	6	Street vending provides a platform for entrepreneurial development	27	81	38	128	26	1	1	2	3	1		
	7	Street traders assist in distribution of goods and services to remote areas and other areas where there are no large, merchandised shops	23	52	47	116	62	0	1	1	2	4		
	8	Street vendors bring life to dull streets	67	123	16	62	32	1	3	2	2	0		
		Total	200	560	260	827	553	5	12	12	23	12		
Disadvantages of street trading	1	Concentration of street vendors in areas with a high successful business rate contributes to vehicular congestion	27	56	32	98	87	0	2	1	4	1		
	2	Concentration of street vendors in areas with a high successful business rate contributes to pedestrian congestion	2	6	4	97	191	0	0	0	3	5		
	3	Street trading contributes to pedestrian crash	37	78	36	117	32	0	2	2	3	1		
	4	Street vendors sometimes impede the flow of emergency service vehicles as they may create access problems for emergency vehicles and service points such as water hydrants	58	78	69	72	23	1	2	1	4	0		
	5	Street vendors may block the right of way of some places and buildings which may increase the level of tragedy in the case of an eventuality such as a fire outbreak or gas explosion	15	21	29	148	87	0	2	1	4	1		
	6	Street traders compete with registered formalized businesses for limited customers	13	71	57	86	73	0	3	1	4	0		
	7	Street vendors may cause school dropout as children of school going age often participate in street trading activities	61	76	19	97	47	1	1	2	4	0		
	8	Concentration of street vendors in a limited space provides grounds for petty crimes such as pick-pocketing and snatch thefts to thrive	19	47	44	106	84	1	1	0	5	1		
	9	Street vendors may cause noise pollution in the process of shouting to announce their products	22	93	18	126	41	1	2	0	5	0		
	10	Street traders are involved in the sale of counterfeit and illegal goods	13	97	54	109	27	1	1	0	5	1		
	11	Street traders may cause littering where they ply their trade	23	36	32	106	103	0	1	0	7	0		
		Total	290	659	394	1 162	795	5	17	8	48	10		
[1] Strongly disagree			[2] Disagree			[3] Neutral			[4] Agree			[5] Strongly agree		

Source: Author's construction (2020)

Table 6-5: Matrix of descriptive statistics of related themes considered for measuring public perception on the advantages and disadvantage of street trading (percentage terms)

Indicator			Response									
			Road users					Experts				
			1 %	2 %	3 %	4 %	5 %	1 %	2 %	3 %	4 %	5 %
Advantages of street trading	1	Street vending serves as a source of employment to many people	0	0.67	0	27.33	72	0	0	0	25	75
	2	Concentration of street vendors attracts potential purchasers into an area which ultimately leads to an increase in sales in other businesses in the area	8.67	26	13	48.33	4	12.5	37.5	25	25	0
	3	Street vendors contribute to the general level of economic activity through the sale of goods and service provision	6	15.33	3	47.33	28.33	0	12.5	25	50	12.5
	4	Street traders contribute to government tax revenue	7	24.33	19	21	28.67	12.5	25	12.5	50	0
	5	Street trading provides a safety-net for the marginalised group	6	35	18	29.67	11.33	12.5	12.5	25	50	0
	6	Street vending provides a platform for entrepreneurial development	9	27	12.67	42.67	8.67	12.5	12.5	25	37.5	12.5
	7	Street traders assist in distribution of goods and services to remote areas and other areas where there are no large, merchandised shops	7.67	17.33	15.67	38.67	20.67	0	12.5	12.5	25	50
	8	Street vendors bring life to dull streets	22.33	41	5.33	20.67	10.67	12.5	37.5	25	25	0
Disadvantages of street trading	1	Concentration of street vendors in areas with a high successful business rate contributes to vehicular congestion	9	18.67	10.67	32.67	29	0	25	12.5	50	12.5
	2	Concentration of street vendors in areas with a high successful business rate contributes to pedestrian congestion	0.67	2	1.33	32.33	63.67	0	0	0	37.5	62.5
	3	Street trading contributes to pedestrian crash	12.33	26	12	39	10.67	0	25	25	37.5	12.5
	4	Street vendors sometimes impede the flow of emergency service vehicles as they may create access problems for emergency vehicles and service points such as water hydrants	19.33	26	23	24	7.67	12.5	25	12.5	50	0
	5	Street vendors may block the right of way of some places and buildings which may increase the level of tragedy in the case of an eventuality such as a fire outbreak or gas explosion	5	7	9.67	49.33	29	0	25	12.5	50	12.5
	6	Street traders compete with registered formalized businesses for limited customers	4.33	23.67	19	28.67	24.33	0	37.5	12.5	50	0
	7	Street vendors may cause school dropout as children of school going age often participate in street trading activities	20.33	25.33	6.33	32.33	15.67	12.5	12.5	25	50	0
	8	Concentration of street vendors in a limited space provides grounds for petty crimes such as pick-pocketing and snatch thefts to thrive	6.33	15.67	14.67	35.33	28	12.5	12.5	0	62.5	12.5
	9	Street vendors may cause noise pollution in the process of shouting to announce their products	7.33	31	6	42	13.67	12.5	25	0	62.5	0
	10	Street traders are involved in the sale of counterfeit and illegal goods	4.33	32.33	18	36.33	9	12.5	12.5	0	62.5	12.5
	11	Street traders may cause littering where they ply their trade	7.67	12	10.67	35.33	34.33	0	12.5	0	87.5	0

[1] Strongly disagree [2] Disagree [3] Neutral [4] Agree [5] Strongly agree

Source: Author's construction (2020)

On the question of whether street trading cause vehicular traffic congestion (Question 1 of the disadvantages of street trading), the survey revealed that a total of 185 (61.2 percent) of the respondents supported the notion that street traders cause vehicular traffic flow, contrary to the evidence gathered from the observation survey.

Table 6-6: Frequency distribution of public perceptions on advantages and disadvantages of street trading based on row percentages of descriptive statistics

Matrix		Average		Road users		Experts	
		Frequency	%	Frequency	%	Frequency	%
Advantages of street trading	1	102.5	8.07	200	8.33	5	7.81
	2	286	21.04	560	23.33	12	18.75
	3	136	14.79	260	10.83	12	18.75
	4	425	35.2	827	34.46	23	35.94
	5	282.5	20.90	553	23.04	12	18.75
		1 232	100	2 400	100	64	100
Disadvantages of street trading	1	147.5	7.74	290	8.79	5	5.68
	2	338	19.65	659	19.97	17	19.32
	3	201	10.52	394	11.94	8	9.09
	4	605	44.88	1 162	35.21	48	54.55
	5	402.5	18.13	795	24.09	10	11.36
		1 693	100	3 300	100	88	100

[1] Strongly disagree

[2] Disagree

[3] Neutral

[4] Agree

[5] Strongly agree

Source: Author's construction (2020)

From table 6-6, on the question of the advantages associated with street trading, on average 35.2 percent of the respondents agreed with that notion, and 20.90 percent of the respondents strongly agreed. The overall score indicates that 56.1 percent of the respondents confirmed the benefits associated with street trading, 14.79 percent remained neutral. 29.11 percent (that is 8.07 percent strongly disagreed and 21.04 percent disagreed) rejected the notion that street trading was beneficial.

Meanwhile, on the issue of disadvantages of street trading, the average score indicated that 44.88 percent of the respondents agreed to the disadvantages associated with street trading, and 18.13 percent strongly agreed to the notion. In total, 63.01 percent of the respondents accepted that street trading was disadvantageous. 10.52 percent remained neutral, and 27.39 percent (7.74 percent strongly disagreed and 19.65 percent disagreed) were not in support of the disadvantages associated with street trading.

Table 6-7: Matrix of descriptive statistics in support of public perception on the advantages and disadvantage of street trading (numerical terms)

Indicator		Respondents in support of perception				
		Road users	Experts			
		Freq	Freq.	Total freq.	%	Rank
Advantages of street trading	Street vending serves as source of employment to many people	298	8	306	99.35	1
	Street vendors contribute to the general level of economic activity through the sale of goods and service provision	227	5	232	75.32	2
	Street traders assist in distribution of goods and services to remote areas and other areas where there are no large, merchandised shops	178	6	184	59.74	3
	Concentration of street vendors attracts potential purchasers into an area which ultimately leads to an increase in sales in other businesses in the area	157	2	159	51.62	4
	Street vending provides a platform for entrepreneurial development	154	4	158	51.30	5
	Street traders contribute to government tax revenue	149	4	153	49.68	6
	Street trading provides a safety net for the marginalised group	123	4	127	41.23	7
	Street vendors bring life to dull streets	94	2	96	31.17	8
					$\bar{x} = 57.43$	
Disadvantages of street trading	Concentration of street vendors in areas with a high successful business rate contributes to pedestrian congestion	294	8	302	96.10	1
	Street vendors may block the right of way of some places and buildings which may increase the level of tragedy in the case of an eventuality such as a fire outbreak or gas explosion	235	5	240	77.92	2
	Street traders may cause littering where they ply their trade	209	7	216	70.13	3
	Concentration of street vendors in a limited space provides grounds for petty crimes such as pick-pocketing and snatch thefts to thrive	190	6	196	63.64	4
	Concentration of street vendors in areas with a high successful business rate contributes to vehicular congestion	185	5	190	61.69	5
	Street vendors may cause noise pollution in the process of shouting to announce their products	167	5	172	55.84	6
	Street traders compete with registered formalized businesses for limited customers	159	4	163	52.92	7
	Street trading contributes to pedestrian crash	149	4	153	49.68	8
	Street vendors may cause school dropout as children of school going age often participate in street trading activities	144	4	148	48.05	9
	Street traders are involved in the sale of counterfeit and illegal goods	136	6	142	46.10	10
	Street vendors sometimes impede the flow of emergency service vehicles as they may create access problems for emergency vehicles and service points such as water hydrants	95	4	99	32.14	11
					$\bar{x} = 59.47$	

Source: Author's construction (2020)

From table 6-7, of all the perception indicators on advantages of street trading, street trading as a source of employment received the most favorable response (306 respondents, representing 99.35 percent), followed by street trading as a contributor to the general level of economic activity through the sale of goods and service provision (232 respondents, representing 75.32 percent); and lastly, people's perception on street trading bringing life to dull streets received the less favorable response (96 respondents, representing 31.17 percent).

Meanwhile, of all the perception indicators on the disadvantages of street trading as a generator of pedestrian congestion received the most favorable response (296 respondents, representing 96.10 percent), followed by street trading blocking the right of way of some places and buildings (240 respondents, representing 77.92), and street trading as a contributor to littering, mostly in their trading vicinity (216 respondents, representing 70.13 percent). Respondents' perception that street trading contributes to vehicular congestion featured fifth on the list (190 respondents, representing 61.69 percent). Meanwhile, street vendors sometimes impede the flow of emergency service vehicles received less favorable responses (99 respondents, representing 32.14 percent).

The survey revealed that comparatively, the challenges (63.01 percent of the respondents, consisting of 44.88 percent agreed and 18.13 percent strongly agreed) posed by street trading were greater than the benefits (56.1 percent of the respondents, consisting of 35.2 percent agreed and 20.90 percent strongly agreed) associated with it. However, of all the perception indicators, street traders as a source of employment received the most favourable response. Out of the 308 respondents, 306, representing 99.35 percent agreed to the idea that street trading provides employment. This appeared to have informed the decision of the Durban city authority to adopt an inclusive management approach towards street trading to create economic opportunities. In support, the BSU official remarked that "People are willing to work, but currently, there are less jobs in the formal sector so we are working within our capacity to create jobs for the people, mainly the previously disadvantaged group by creating trading areas for them".

6.3.1.2.2. Spatial management of street trading based on public perception

Two key management approaches to street trading, the inclusive and exclusive approaches, were revealed in the literature. Moreover, a survey of the respondents' perceptions of advantages and disadvantages of street trading revealed that the disadvantages outweighed

the former. Therefore, there was the need to investigate the respondents' perception on which management approach should be used in dealing with street trading.

- **Space availability**

Perception of the respondents was sought on space availability for street trading purposes. The options included limited space and no space.

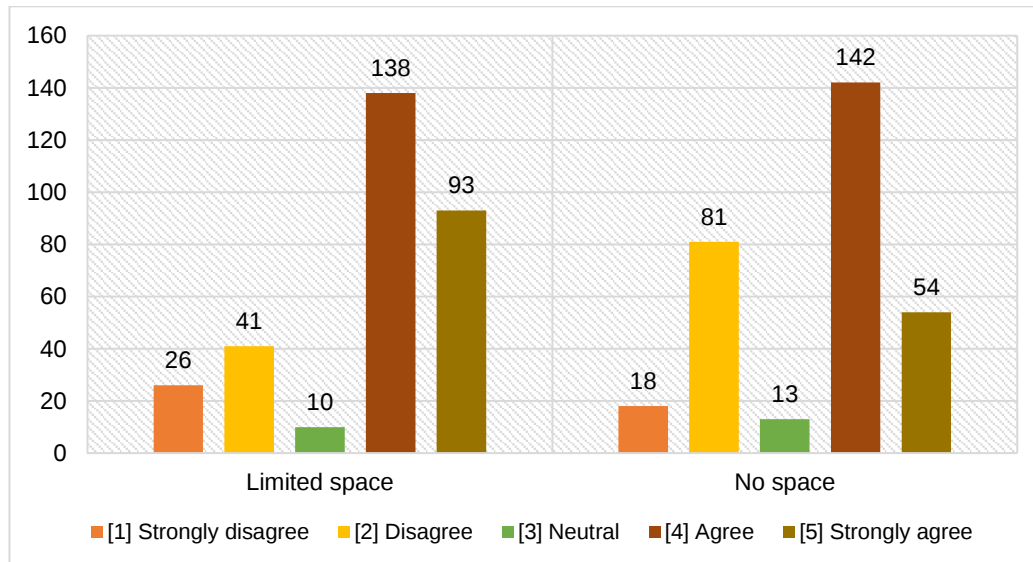


Figure 6-22: Graphical descriptive statistics of related themes considered for measuring public perception on space availability for street trading

Source: Author's construction (2020)

On the question of whether there was space in the Durban CBD to accommodate street traders, 196 respondents (63.64 percent) argued that there was no space for street traders, while 99 respondents, representing 32.14 percent argued that there was space to accommodate street traders. Meanwhile, on the question of whether there was limited space to accommodate street traders in the Durban CBD, 138 (44.81 percent) respondents agreed and 93 (30.19 percent) strongly agreed to that notion. On average, 75 percent concurred with the assertion that there was limited space for street traders in the Durban CBD. The results reinforced the notion that appropriating or demarcating space within the CBD for street trading purposes should be exercised with extra caution to limit conflict with users as remarked by the BSU official.

- **Control approach to street trading**

The next question concerned what form of management approach should be used by the municipal authority to deal with street traders. The aim of the question was to seek the views

of two management approaches, exclusive, which included an eviction and ban on street trading; and inclusive management, which included relocation and integration of street trading.

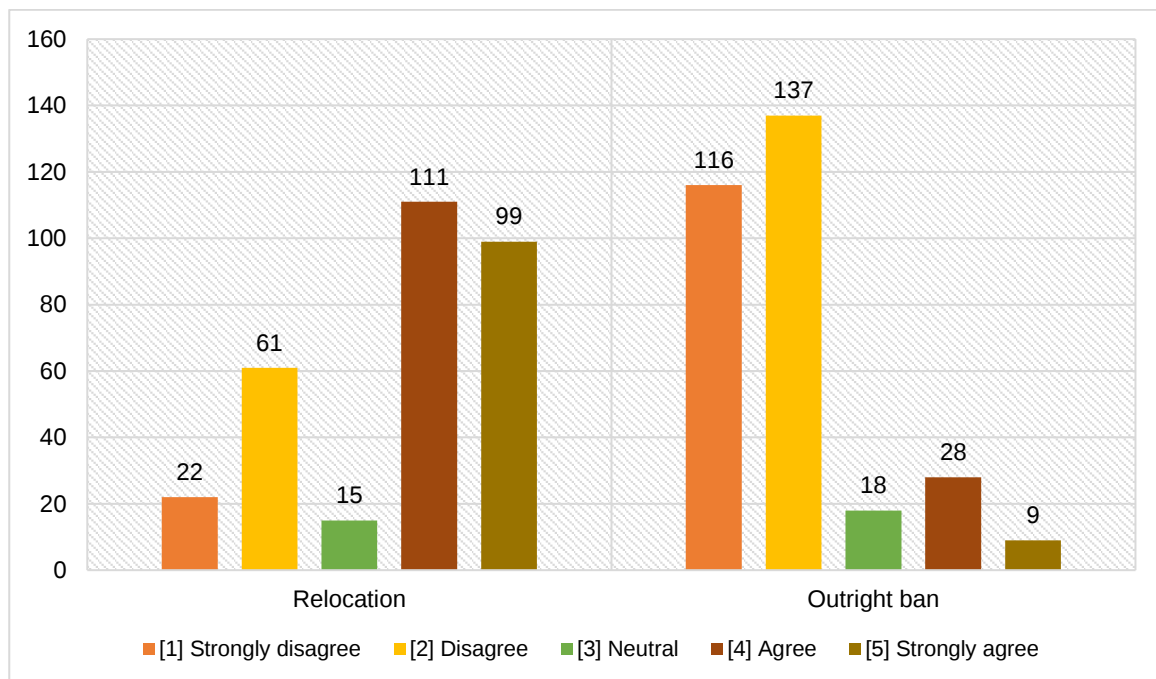


Figure 6-23: Graphical descriptive statistics of related themes considered for measuring public perception on the management of street trading

Source: Author's construction (2020)

The survey revealed that 253 respondents, representing 82.14 percent (i.e., 44.48 percent and 37.66 percent disagreed and strongly disagreed respectively) of the respondents opposed the idea of banning street trading from the Durban CBD. The high number of respondents objecting to the banning of street trading could be interpreted to mean that the respondents were aware of the benefits associated with street trading, particularly in the provision of employment.

210 of the respondents, representing 68.18 percent (36.04 percent and 32.14 percent, agreed and strongly agreed, respectively) of the respondents supported the notion that street traders should be relocated from the Durban CBD. It appeared the higher number of respondents canvassing for street traders to be relocated was an indication of people's awareness of the challenges, including traffic congestion, pedestrian congestion, filth and noise associated with street trading. Hence, the majority of the respondents saw the relocation of street traders as the best solution. However, as revealed in the literature, street traders often returned to their familiar spot after sometime, after a relocation because the exercise often led to loss of income, usually due to a change of customer base.

Table 6-8: Matrix of descriptive statistics of related themes considered for measuring public perception on the management for street trading (numerical terms)

No	Indicator	Response									
		Road users					Experts				
		1	2	3	4	5	1	2	3	4	5
		Freq.	Freq.	Freq.	Freq.	Freq.	Freq.	Freq.	Freq.	Freq.	Freq.
1	Space availability										
	Limited space for street traders in the Durban CBD	26	39	9	134	92	0	2	1	4	1
	No space for street traders in the Durban CBD	16	77	13	140	54	2	4	0	2	0
2	Control approach to street trading										
	Street traders should be relocated from the sidewalk	21	59	15	107	98	1	2	0	4	1
	Street trading should be banned outright	109	137	17	28	9	2	5	1	0	0
[1] Strongly disagree		[2] Disagree		[3] Neutral		[4] Agree		[5] Strongly agree			

Source: Author's construction (2020)

Table 6-9: Matrix of descriptive statistics of related themes considered for measuring public perception on the management of street trading (percentage terms)

No	Indicator	Response									
		Road users					Experts				
		1	2	3	4	5	1	2	3	4	5
		%	%	%	%	%	%	%	%	%	%
1	Space availability										
	Limited space for street traders in the Durban CBD	8.67	13	3	44.67	30.67	0	25	12.5	50	12.5
	No space for street traders in the Durban CBD	5.33	25.67	43.33	46.67	18	25	50	0	25	0
2	Control approach to street trading										
	Street traders should be relocated from the sidewalk	7	19.67	5	35.67	32.67	12.5	25	0	50	12.5
	Street trading should be banned outright	36.3	45.67	5.67	9.33	3	25	62.5	12.5	0	0
[1] Strongly disagree		[2] Disagree		[3] Neutral		[4] Agree		[5] Strongly agree			

Source: Author's construction (2020)

6.3.1.3. Perception of street trading management approach in the eThekweni Municipality

One of the objectives of this research was to investigate the measures employed by the Durban city authority towards the management of street trading. As revealed in the study, there were two main approaches, inclusive and exclusive management approach in response to the negative impact of street hawking. To achieve the objective of this section, a questionnaire was administered with an official from ACHIB, a street trading organization, and an EMIEF representative member to investigate the street trading management practices employed by the Durban city authority. The respondent answered questions based on the management indicator rating on a scale of 1 to 3, compiled by the researcher.

Table 6-10: Perception score on street trading management approach in Durban

		Indicator	Score		
			High [3]	Moderate [2]	Low [1]
Inclusionary street trading management approach	1	Existing policy and legal provisions regulating street trading			
	2	Existing policy and legal provisions regulating street trading			
	3	Development of trading market			
	4	On-site trading space upgrade and open-end design			
	5	Permit/licence provision			
	6	Flexible and mixed zoning ordinance			
	7	Low and flexible rental payments			
	8	Stakeholder consultation i.e., involving street traders in decision making			
	9	Wide infrastructural range			
	10	Provision of infrastructural services, including toilet and storage facilities			
	11	Rendering of training and skills development services to street traders			
Exclusionary street trading management approach	1	Relocation without adequate consultation			
	2	Long procedure and process to obtain a permit			
	3	High registration and rental fee			
	4	The use of hostile laws and policies			
	5	The use of ambiguous laws and policies			
	6	Forceful confiscation of merchandise			
	7	The use of media to demonise the activity of street trading activities			
	8	The use of public to demonise the activity of street trading activities			
	9	The use of force eviction and criminalization			

Source: Author's construction (2020)

Table 6-11: Frequency distribution of street trading management approach in the eThekweni Municipality

Management approach	Mark (x)	Frequency (f)	f . x	Mean score ($\bar{x}$)
Inclusive street trading management approach	3	4	12	2.36
	2	7	14	
	1	0	0	
		$\sum f = 11$	$\sum f . x = 26$	
Exclusive street trading management approach	3	1	3	2
	2	7	14	
	1	1	1	
		$\sum f = 9$	$\sum f . x = 18$	

Source: Author's construction (2020)

From the data indicated in table 6-11, the mean score of the use of an inclusionary approach was greater than exclusionary practices, representing 2.36 and 2 respectively. Hence, street trading management approach in the Durban CBD appears to be more inclusive than exclusive, even though there are still some exclusionary practices.

6.4 Conclusion

The chapter detailed a general overview of the situation of street trading in the Durban CBD. Also, it analysed the information secured through observation, as well as the data, mainly from experts and road users, focussing on the advantages and disadvantages of street trading. Interviews were conducted with BSU and ACHIB/EMIEF officials to investigate the management and the purpose of their organizations. Whereas the observation exercise focused on the impact of street trading on vehicular movement, as well as the management strategies adopted by the municipality to integrate street trading, the data secured from the street traders through questionnaire dealt with the profile and the character of street trading in the Durban CBD. The data obtained from the experts and road users focused on the perception surrounding the advantages and disadvantages of street trading, as well as the management of street trading. From the respondents' perceptions, the disadvantages of street trading surpassed the advantages. Moreover, majority of the respondents were not in support of an outright ban of street trading, an indication that street trading provides a livelihood support.

More so, the data revealed that street trading management was more inclusive, although the study revealed some elements of exclusionary practices. In essence, the chapter identified the

shortfalls in the inclusive management approach employed by the Durban city authorities, particularly on the use and possession of trading permit in relation to nominating a trading assistance by a lead trader as revealed by the ACHIB/EMIEF official. Again, the chapter revealed some forms of harassment towards traders operating without a permit as they were often classified by the municipal officials as illegal traders contrarily to the view of the ACHIB/EMIEF official, premised on the idea that in informal trading remained a legalised activity in the post-apartheid regime.

Moreover, the chapter provided perception scorecard to assess the performance of the eThekweni Municipality on the management practices towards street trading. This will provide guide for assessing other municipalities within and outside South Africa in their street trading management approach. In fact, the scorecard will ensure checks and balances in relation to street trading management, and eventually, inclusivity in city. In addition, under this chapter, the study demonstrated the relationship between theory and practice by applying the cost benefit analysis, that is the opportunity cost theory to analyze the benefits and challenges associated with street trading. The analysis will go a long way to inform the management strategies towards street trading. The next chapter, which is chapter seven, discusses the limitations, summary of the findings, creation of new knowledge, and conclusion of the study.

CHAPTER 7: FINDINGS AND CONCLUSIONS

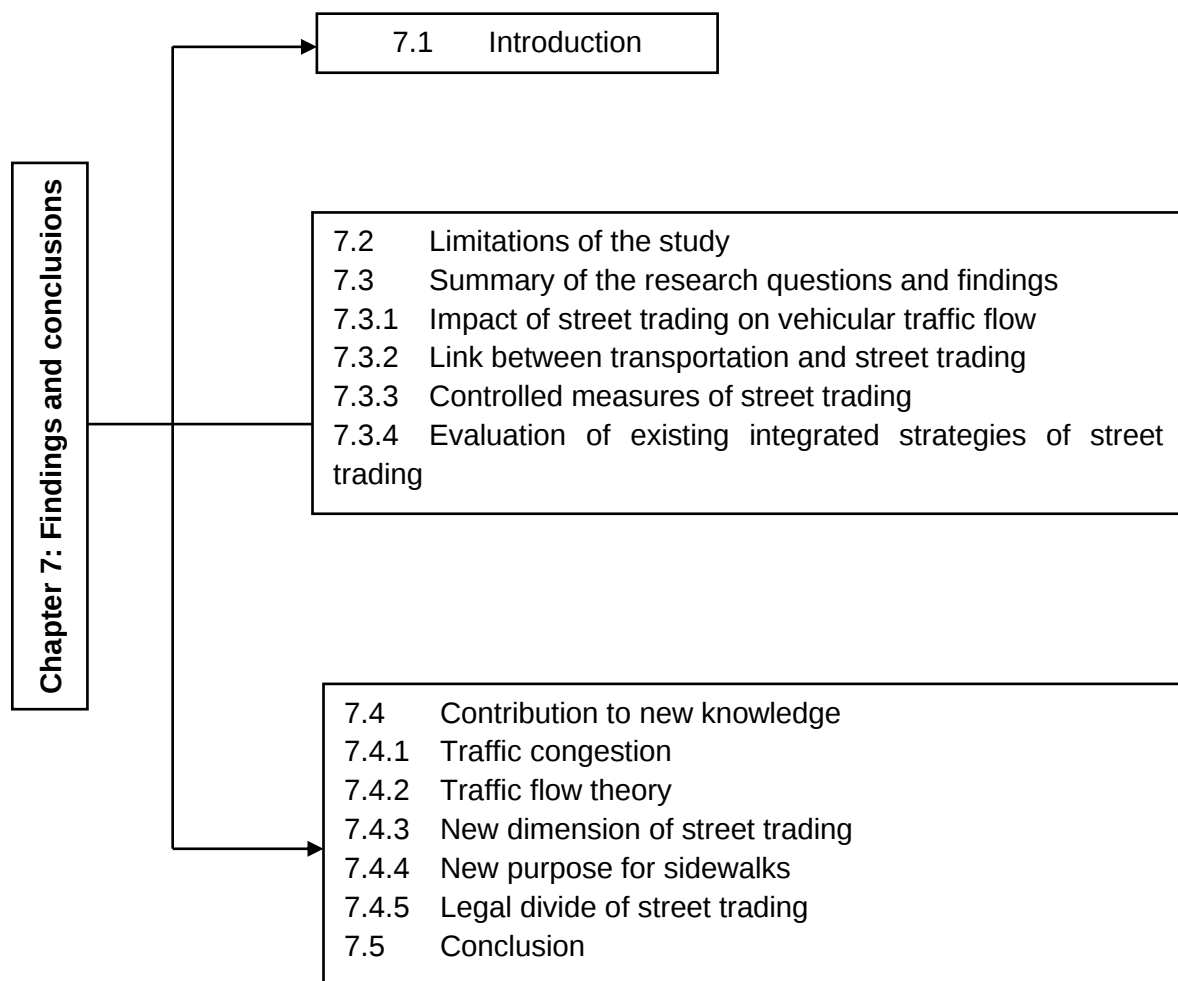


Figure 7-1: Layout and footprint of chapter 7

Author's construction (2019)

7.1 Introduction

The objective of this research was to investigate the impact of spatial contestations between street hawkers and pedestrians on vehicular traffic flow in the Durban CBD. The sub-objectives included investigating the ways and means by which spatial contestations between street hawkers/traders and pedestrians affects vehicular traffic flow. Moreover, the study sought to evaluate the measures employed by city authorities, mainly the eThekweni Municipality in response to the impact of street hawking/trading on vehicular traffic flow. Lastly, to evaluate and propose strategies to integrate street vending in pedestrian walkway design facilities, taking as case studies the example of the Durban CBD and other countries.

7.2 Limitations to the study

The study was limited in the sense that street trading was more of a phenomenon peculiar to a developing country than a developed one. However, the Durban CBD, though located in the developing world, is characterized by physical planning trajectories (improved streetscape) of a developed world makes it difficult to ascertain the true impact of street trading on vehicular traffic flow unlike in most developing countries in the sub-Saharan Africa. Moreover, street trading generally, categorized under the umbrella of an informal sector in most of the under-developed world is not the same as that in Durban, where policies and laws have been formulated and enacted for regulatory purposes. In essence street trading in Durban cannot be contained under the banner of the informal stream nor the formal stream. This made it difficult to investigate.

Moreover, investigating the impact of street trading activities on vehicular traffic flow was challenging as the impact varies overtime, due to the fluidity nature of street traders and pedestrians. This made it difficult to select the day and time interval for the investigation. Lastly, with all the international and continental cases selected for the literature review in the study, the case of Kumasi, a city in Ghana where the researcher hails from is the only case witnessed by the researcher. Information was secured for the other case studies through literature review.

7.3 Summary of the research questions and findings

Using a quantitative and qualitative research approach, the Durban CBD was selected as a case study to accomplish the research objectives. The following findings were obtained:

7.3.1 Impact of street trading on vehicular traffic flow

Although the literature review and score from the respondents' perception revealed that street trading impedes vehicular traffic flow, field observation made by the researcher in the Durban CBD did not entirely conform to that assertion. Firstly, in extreme case, street traders staged or mounted their stands, including moveable items such as mats or tables, on the carriageway, parking lots, loading zones, road intersections and road medians in the case of stationary traders, or plied their trade by meandering or manoeuvring their way through moving vehicles in the case of mobile vendors. Those actions often impeded vehicular traffic flow. Moreover, the literature revealed that street traders took over spaces often prioritized for pedestrian use. Hence, in such case, pedestrians tended to use the carriageway as an alternative avenue of movement.

The scenarios described were rare in the Durban Central, hence, the activities of the street trading had insignificant impact on vehicular traffic. Contrarily, the scenarios were more predominant in the Warwick Triangle, due to the land use and activities of the area, mainly serving as a host to taxi ranks and retail markets. The reason being that transport and retail market hubs often attract greater number of people, and street traders, which may have negative impact on vehicular and pedestrian traffic flow. Moreover, the scenarios described were not commonly observed in the Durban CBD due to high presence of law enforcement agents, 'the hawker unit' within the Metro Police, that were seen maintaining street trading related laws.

Also, unlike most developing and underdeveloped countries where street traders are dominant, but lack proper land use planning, the Durban CBD is properly planned with wider sidewalks enough to accommodate pedestrians and street traders when there was a demand for that. In the event of pedestrian/street trading spillage, the parking bays normally served as a buffer to prevent the spillage from getting onto the vehicular carriageway to impede vehicular traffic flow. In light of the statement, it appeared the principle of flexibility was given a consideration at the planning stage of the Durban CBD, as reflected in the spatial structure. The principle of flexibility is defined as the creation of spatial structures which can accommodate the unforeseen demands made upon them over time (CSIR Building and Construction, 2000: Chapter 7:21). Furthermore, prior to demarcation for informal trading purposes, effective consultation often ensued between the BSU and relevant department, the roads department to ensure less traffic pedestrian and vehicular impact.

Moreover, as revealed in the literature, historically, fewer people were involved in street trading within the Durban Central, and South Africa in general, due to hostile policies and legislations towards the management of street trading. In addition, the literature review established that unemployment remains one of the major contributory factors to street trading. According to Inter-Regional Inequality Facility (2006:1), South Africa is considered as an upper-middle income country although some of the economic and social indicators are comparable to some of the deprived countries of the world. The official unemployment rate is mostly between 26 percent and 30 percent, and poverty rate is estimated at 50 percent. This makes South Africa one of the countries with the most austere inequality in the world. Hence, Rogan and Skinner (2017:3) contend that despite more than 2.5 million people working in the informal sector of the South African economy, in relative terms it is smaller than other developing countries. This could be partly due to government social intervention programmes, including the RDP and NDP to curb poverty through social grants. According to Ferreira (2017), "a quarter of the

unemployed derives income support exclusively from the grant income of other members of their household”. This has ultimately limited the number of people who make their living through street trading.

In summary, contrarily to the public perception, from observation, the impact of street trading on vehicular traffic flow in the Durban CBD was insignificant, mainly due to proper physical planning. The study concludes that the impact of street trading on vehicular traffic flow is dependent on the level of development pertaining to the subject area. Street trading may pose traffic challenges in most developing countries. However, the situation may be different in the advanced countries due to limited numbers of people involved in informal trading activities, coupled with proper regulatory mechanisms.

7.3.2 Controlled measures of street trading

Globally, city authorities used two main measures to control street trading. The control approach ranges from an inclusionary to exclusionary approach. The exclusionary regulatory approach towards street traders/hawkers may manifest in the form of forced eviction and criminalization, relocation without consultation, confiscation of merchandise, the use of hostile and ambiguous laws and policies, long procedure to obtain permits, high rental and registration fees and the use of media and the public to demonize the activity of street trading activities. Exclusionary practice has often been unsuccessful as traders returned to their previous trading in the aftermath of the exercise. Typical of such cases include the 2014 FIFA's World cup zone of exclusivity, the case of 2014 FIFA World Cup exclusionary zones in Baianas do Acarajé Brazil, Zimbabwe's Operation Murambatsvina, Ghana's Decongestion exercise and Johannesburg's Operation Clean Sweep.

Inclusionary street management approach has mostly been successful as in the case of the natural market in Ahmedabad in India, Bangkok's experience, Singapore's hawker centre, Zanki Street trading in Tanzania and Retail Improvement District in Johannesburg, South Africa. The approach comes in the form of recognizing the importance of street trading to the economy through policy and legal frameworks, issuance of trading permits/licenses, development of trading markets, upgrading of on-site trading spaces, development of planning policies and laws, as well as promoting mixed zoning ordinances, participatory planning, and lastly, privately managed permitted vending zones.

Regarding street trading management approach in the Durban CBD, even though exclusionary practices, mainly in the form of confiscating goods from street traders, particularly non-permitted traders, the management approach used is inclusionary approach, supported with

legal, policy, spatial and institutional frameworks. The objectives of the legal and policy documents on informal trading, revealed in the study sought to accommodate street traders. Hence, infrastructural range including vending facilities, storage and ablution facilities, as well as workshops to empower street traders were provided by the municipality towards the success of street trading. In essence, the management of street trading in the Durban CBD follows the indicators of inclusive management mechanism, including policy and legal provision; development of trading markets; on-site trading space upgrade and open-end design; permit/licence provision, and flexible and mixed zoning ordinance as revealed in the literature, although cases of exclusive practices, particularly impoundment of merchandise from traders trading without permits, still needs to be addressed.

7.3.3 Evaluating the existing integrated strategies of street trading

Through field observation conducted by the researcher and interview conducted with the eThekweni BSU, the strategies employed by the eThekweni Municipality to integrate street traders in the spatial footprint of Durban CBD were established. The strategies were often used as means to limit the impact of street trading on vehicular and pedestrian traffic flow in the Durban CBD. As such, appropriate departments were consulted prior to appropriating spaces for street trading activities.

7.3.3.1 Multi-functional approach of urban space usage

The idea that public space can serve multiple purposes is essential to accommodating street vendors in urban spaces. In light of this statement, the mono-functional role of sidewalks intended mostly for pedestrian use could be reviewed to accommodate street hawkers as well (Kusakabe, 2006:33). Observation indicated that sidewalks that had the potential to accommodate a secondary function such as street trading without disrupting the primary function was one of the ways the eThekweni Municipality has adopted to integrate street trading in some selected streets within the Durban CBD as indicated in figure 7-2. This signified the extent to which multi-functional use of public space, particularly on the sidewalks was encouraged in the Durban CBD.



Figure 7-2: Multi-functional use of space

Source: Author's construction (2019)

7.3.3.2 'Natural market' concept

A concept similar to India's 'natural market' concept was used by the eThekweni Municipality to integrate street traders into the Durban CBD. During the interview with the BSU official, she remarked that in instances where street traders congregate in a particular precinct, the municipality meets them half-way by providing trading facilities for them.

7.3.3.3 Urban regeneration programme approach

The field observation revealed that urban renewal was one of the foremost and key strategies used in integrating street trading in the urban space in the Durban CBD. Typical of such project include the Warwick Regeneration Project as discussed in chapter 5 of this research report.

7.3.3.4 Inclusive urban design strategy

Inclusive design refers to the optimum use of existing space using proper space management (Mahadevia *et al.*, 2014:12). Through urban design innovation strategies, the eThekweni Municipality converted spaces meant for parking to street trading sites, particularly on West Street (Dr Pixley KaSeme Street) to accommodate street traders (see chapter 5 of the study).

7.3.3.5 Incidental or leftover space approach

Leftover spaces are defined as spaces that have not been utilized or have gone unnoticed. They could be old building yards, lanes or casual passageways, evolving through ongoing informal use (Eli First and Tamar Pertzov cited by Qamaruz-Zaman *et al.*, 2012:452). The field observation revealed that although most public spaces in the Durban CBD were mostly designed to serve a purpose, the existence of unplanned spaces seemed interwoven in the cityscape; some in the form of leftover spaces, including lanes and passageways. Some of these spaces had been put to use to offer opportunities for street trading. A typical example is the pedestrian passageway passing underneath Monte Naicker Street connecting the Durban Post Office to the Workshop Shopping Centre precinct. Organized vendors, mostly involved in the sale of clothing ply their trade in that passageway as indicated in figure 7-3.

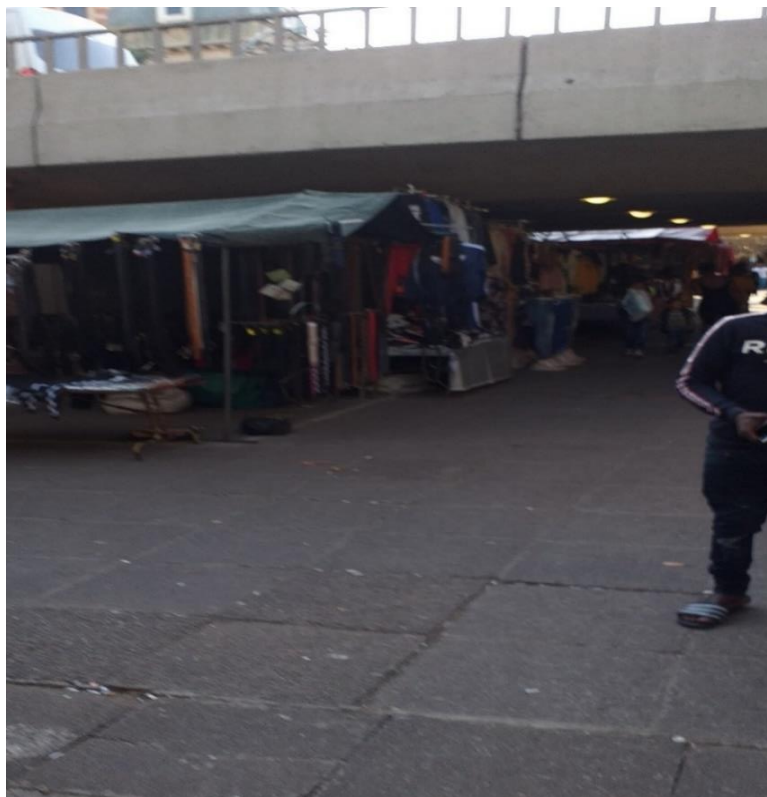


Figure 7-3: Use of left-over space

Source: Author's construction (2019)

7.3.3.6 Off-street site provision approach

It was observed that provision for off-street space for street trading had been adopted by the eThekweni Municipality in some instances as the possibility of identifying an on-street space for trading was slim. Since location played a vital role in determining the income levels of street

traders, locating street trading on a pedestrian route and area is vital to the success of off-street trading. From observation during the site visitation, it was revealed that some street traders were accommodated successfully in off street areas, particularly around the Workshop shopping centre as indicated in figure 7-4, since the shopping centre played a vital role in the success of street trading as it served as a major attractor to pedestrians in the area.

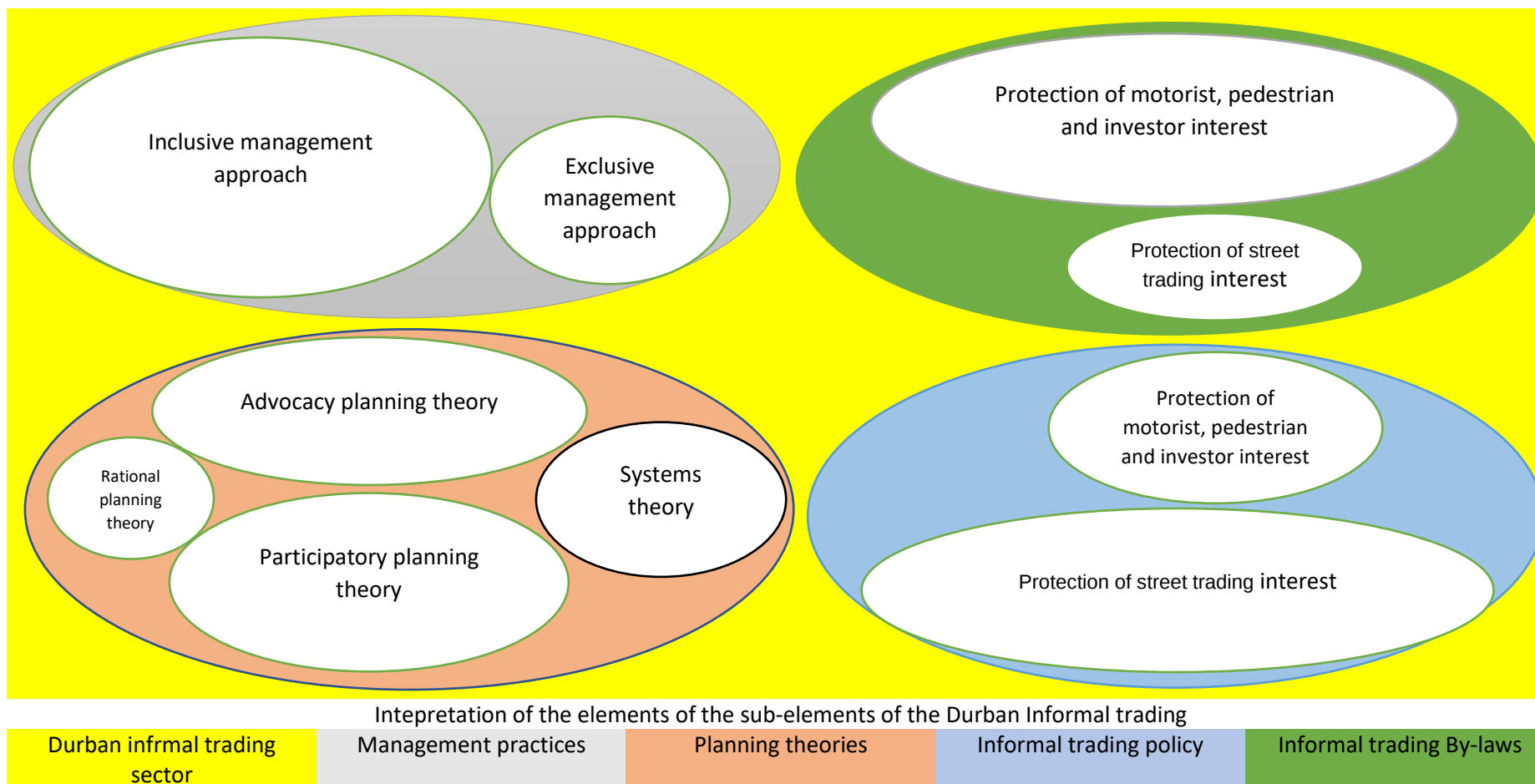


Figure 7-4: Off-street trading space provision

Source: Author's construction (2019)

7.3.3.7 Space sharing approach

Space sharing integrating strategy was identified as one of the ways of integrating street traders in the EMA. For instance, in the case of Brook Street space was used for the annual festival in certain times of the year and later used by traders throughout the year, as discussed in section two of this research report.



Note: The level of application of each element is directly proportional to the size of the 'egg'

Figure 7-5: Interplay of elements regulating street trading in Durban and their level of application

Source: Author's construction (2021)

7.3.3.8 Market system approach

Besides provision of permanent space for street traders, spaces for flea market operations are mostly identified by the eThekweni Municipality to accommodate street traders (see table 5-18 and table 5-19 for the list of markets and flea markets in the EMA).

Table 7-1: Historical legislative, policy, theoretical, management approach and practical trends in relation to street trading in South Africa

Main era	Key legislation and policy	Key planning theory	Management approach	Key action and objective	Practical case
Apartheid	▪ The Group Areas Act of 1950 ▪ Local government By-law- The Move On law ▪ Licence Act	Rational planning	Exclusionary due to the illegality of informal trading	Relocation of street traders to enhance pedestrian and vehicular circulation, and aesthetics	▪ Large scale removal of Black South Africans: Sophiatown in Johannesburg (1955-1963) ▪ District Six in Cape Town (begun in 1968)
Post-apartheid	▪ The 1996 Constitution of South Africa ▪ The 1991 Business Act 71	▪ Advocacy planning ▪ Participatory planning ▪ Systems theory	Inclusionary due to the legality of informal trading	Promotion of street trading to create economic opportunities	▪ The Warwick Junction Pilot Project- Durban ▪ The Retail Improvement District as a street trading area- Johannesburg

Source: Author's construction (2019)

Table 7-2: Summary of research objectives and core findings pertaining to the Durban CBD

Research objective	Core finding
Impact of spatial conflict between street traders and pedestrians on vehicular traffic flow	The impact of street trading on vehicular traffic flow due to the following reasons: ▪ Proper physical spatial planning mechanism ▪ The use of law enforcing agencies, and permit regime to regulate street trading
Street trading management approach	Inclusive management approach is used in the management of street trading in the Durban CBD judging from the objectives of their legal, policy, spatial and institutional framework, as well as the spatial footprint, although non-permitted street traders still face some form of exclusion due to the inability of the municipality to issue them with permit because of high permit application coupled with limited trading space in the Durban CBD.
Existing street trading integrating strategies	The strategies include: ▪ Multifunctional approach of urban space usage ▪ Natural market concept ▪ Urban regeneration programme approach ▪ Inclusive urban design strategies ▪ Incidental or leftover space approach ▪ Off street site provision approach ▪ Space sharing approach ▪ Market system approach

Source: Author's construction (2021)

7.4 Conclusion

The chapter dealt with the limitations pertaining to the study. In addition, the research questions and findings, as well as the research contribution to new knowledge were discussed. Through, the findings of the research, the chapter presented a multi-dimensional and relational framework to substantiate and demonstrate the comprehensive understanding of the Durban Street trading integrating strategies. The chapter gave spatial evidence on formulated legislations and policies pertaining to street trading. In essence, the chapter provided understanding of street trading integrating strategies employed by the Durban city authorities using illustrations and real case scenarios. The essence of this chapter is that it summarised and simplified the existing street trading integrating strategies in the Durban CBD into themes or principles for easy application to serve as a guide, particularly for other municipalities. The next chapter, which is chapter eight is integrated sustainability. The chapter discusses the need and ways to integrate street trading using scientific and economic based approach premised on the findings of this research.

CHAPTER 8: INTEGRATED SUSTAINABILITY ASSESSMENT

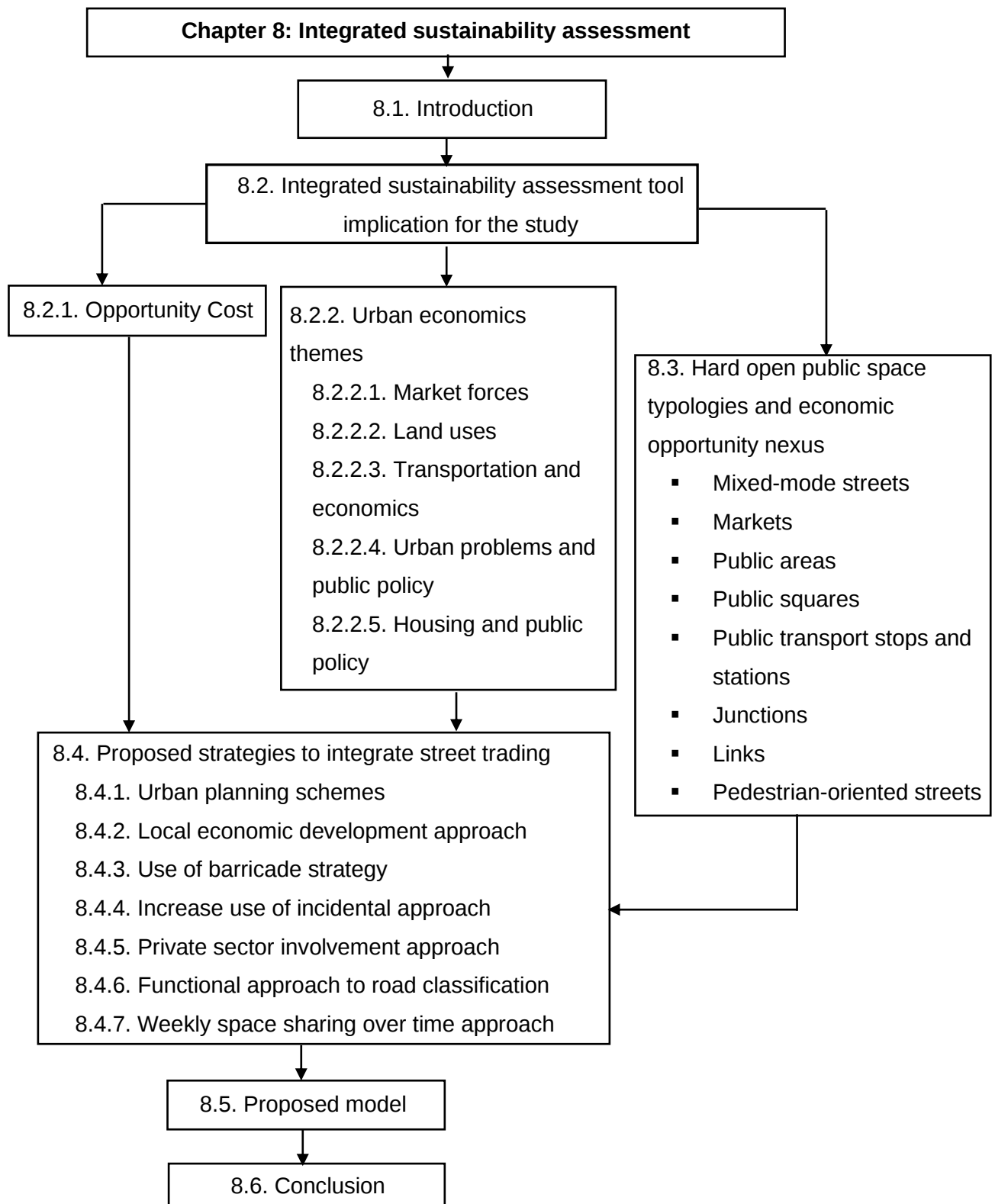


Figure 8-1: Layout and footprint of chapter 8

Source: Author's construction (2020)

8.1 Introduction

The aim of this chapter is to identify urban modelling tools to ascertain the benefits and challenges associated with street trading. These urban modelling tools are linked to the surveys and findings of the research, and are critical to making recommendations and developing strategies to integrate street traders in the Durban CBD, with minimum impact on traffic movement. The last section of the chapter is the conclusion which aims at examining the process and outcome of sustainability measurement to determine the efficiency and effectiveness of the modelling.

8.2 Integrated sustainability assessment implication for the study

Development planners have the responsibilities of formulating and integrating policies, and spatial development in relation to informal trading businesses and to provide specific guidance to evaluate the policies if they achieve the desired results. Hence, according to Haapio (2012:166), the importance of sustainability assessment is that it allows comparison of urban areas, and eventually serving as tool to enhance the decision-making process of authorities, planners and other urban practitioners.

In the context of this study, the aim of the integrated sustainability assessment tool seeks to assess the benefits and challenges associated with street trading pertaining to urban space, by adopting a wider interpretation of sustainability, and incorporating the social, economic, environmental, and cultural dimensions of sustainability. As such, this research used the opportunity cost theory, mainly based on the respondents' perceptions on the advantages and disadvantages of street trading. Moreover, the research adopted urban economic themes to evaluate spatial dynamics in relation to street trading in order to make informed decisions on proposed strategies to integrate street trading in the Durban CBD in a sustainable manner. Lastly, the proposed strategies to integrate street traders in the Durban CBD were informed by the relationship economic opportunities, street trading and the hard open public space typologies, as espoused in the CSIR Building and Construction (2000); and from field observation.

8.2.1 Opportunity cost

The purpose of Opportunity Cost Analysis is to investigate the potential benefits and risks associated with taking one action instead of the alternative action (Fauna and Flora international, 2014:1). In the context of this study, Opportunity Cost Analysis was used to assess the advantages of street trading that would be forgone if they were to be excluded from

trading in the Durban CBD, compared to the disadvantages of including street trading in the Durban CBD. From the cost benefit analysis based on the respondents' perceptions, the cost of including street traders outweighed the benefits accrued from street trading as 63.01 percent of the respondents argued against street trading, while 56.1 percent argued in favor of street trading. However, while it appeared some of the challenges such as waste generation, traffic and pedestrian congestion, sale of counterfeit products and crime associated with street trading could be resolved, creating alternative employment for the people involved in street trading would be challenging, as the economic conditions required to create employment were lacking. Corroboratively, of all the perception indicators, street traders as a source of employment received the most favourable response, representing 99.35 percent. Moreover, out of 300 street traders selected for the study, 263, representing 87.67 saw street trading served as an alternative form of job. In support, the eThekweni Municipality (2017) asserts that the informal sector was currently one of the largest generators of economic growth in South Africa as well as job creation. This meant coordinated strategy was needed to ensure its sustainability.

8.2.2 Urban Economic themes

In a narrow sense, urban economics deals with allocation of resources in urban areas focusing on spatial relationships between individuals and organizations to understand the economic motivations underlying the formation, functioning, and development of cities (Arnott and McMillen 2006:7; McCann 2001:1).

8.2.2.1 Market forces

Market forces in the context of the development of cities relate to location decision of firms and households in relation to spaces within a city, since the performance of market and geographical locations are interdependent (McCann 2001:1). As such, the market performance of a firm located in a spatially secluded region may not be the same as a firm located in a concentrated region (O'Sullivan 2003:14). Actualizing the market force and urban economics theme in this study, the literature revealed that most street traders preferred the CBD, particularly areas with high pedestrian density since such areas contributed to the success of their business, and eventually their profit margin.

8.2.2.2 Land use

Spatial arrangement of activities within cities, and land-use controls contribute to variations in prices of land across space and eventually, influence the urban economy as locational choices

of firms and households is dependent on land use patterns (O'Sullivan 2003:14). In relation to this study, the question of what land use activities and patterns influence the locational choice of street traders was vital. In the context of this study, the literature review revealed that transportation and market retail hubs, and sidewalks where pedestrian flow rate was very high were vital to the economic success of street trading, and had to be taken into consideration when developing strategies to integrate street trading.

8.2.2.3 Transportation and economics

Urban transportation affects land-use patterns as transportation affect accessibility of different sites (O'Sullivan 2003:14). In relative terms, areas with high accessibility are likely to attract high volumes of people, and vice versa. However, the ability of an area to attract high volumes of people also depends on the land use and activities of the area. As such, transport and retail market precincts attract large numbers of public space users, including street traders.

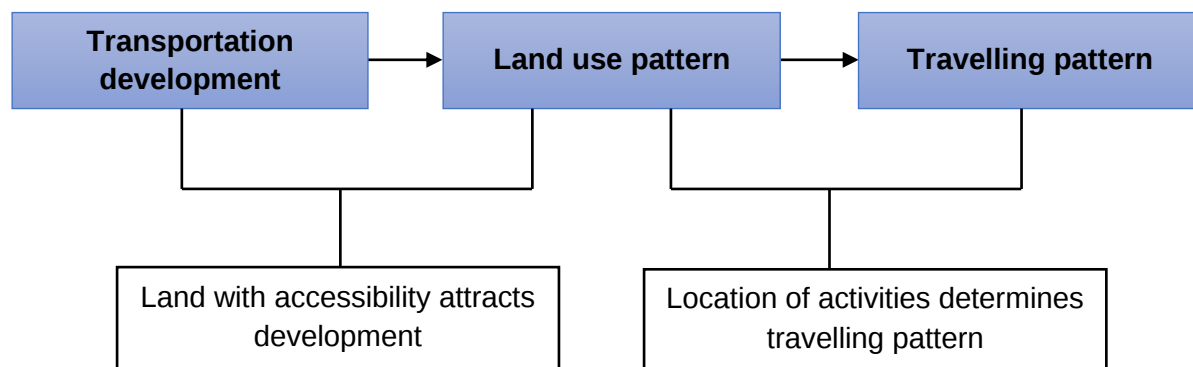


Figure 8-2: Transportation and land use nexus

Source: Author's construction (2019)

8.2.2.4. Urban problems and public policy

Urban public policy is often meant to identify urban challenges such as poverty or crime and the means of providing solutions to those challenges (O'Sullivan 2003:15). In developing regions, where there are major challenges of youth unemployment and underemployment, the majority of the workforce often earn its livelihood in the informal economy, mostly in the public spaces such as streets. To enhance the livelihoods of the people working in, and depending on the informal sector, basic infrastructure services are needed in their workplace, often requiring regulated access to public space coupled with security of tenure as well as upgrading of slum and squatter settlements (Habitat III, 2015:3).

8.2.2.5. Housing and public policy

Since houses are immovable, when a household chooses a dwelling, suffice to say it is choosing a location as well (O'Sullivan 2003:15). Due to the spatial structure of Durban induced by the apartheid planning system, the majority of blacks lived on the periphery, far from the centre, with limited economic opportunity. As such, the possibility of most street traders to move closer to their place of work or opportunity, mainly the CBD in order to reduce transportation cost was very high. This has often led to the development of squatter camps, as from the survey of 300 street traders, the average monthly income of the majority of street traders was below the national minimum wage (R3 500). This situation made it difficult for most street traders to rent accommodation in the Durban CBD.

8.3. Hard open public space typologies and economic opportunity nexus

In reality, large number of potentially economically active people have to generate their own employment through the small-scale activities, mainly in the informal economic sector. This is because the informal economic sector does not have the capacity to absorb them within the foreseeable future. In light of this, creation of opportunities for people to manufacture, trade and render services remain a priority in settlement-making. Hence, in a developing country such as South Africa, the need to create opportunities for small scale economic activity is imperative (CSIR Building and Construction Technology, 2000: Chapter 2:2 and Chapter 3:10). Since street trading mostly depends on hard open spaces, where there is high pedestrian density, physical agglomeration of people is one of the ways in which spatial conditions create economic opportunities. Similar to physical agglomeration, how settlements are organized and created is equally important to creating favourable conditions for economic opportunities (CSIR Building and Construction, 2000: Chapter 2:2). Hence, spaces, including streets or public transport facilities, parking areas, streets and sidewalks can be designed to cater for open market to create friendly environment for economic activities (CSIR Building and Construction, 2000: Chapter 5:2).

Table 8-1: Hard open public space typologies and street trading relationship

Hard open space types	Recommendation
Mixed-mode streets	It is advisable to accommodate variety of users, including informal traders and small-scale businesses (such as decorative kiosks for flowers) in the street
Markets	It is recommended that intensity and diversity should be increased in markets to create opportunity for formal commercial and informal trading activities, since concentration of activities encourages interaction and generate economic expansion
Parking areas	Variety of users should be accommodated in parking areas. Hence, informal traders may be allowed to trade within parking areas in an orderly fashion, as opportunities exist for a variety of uses, particularly at different times of night and day and different days of the week
Public squares	Intensity and diversity may be increased in public square by incorporating informal markets, either at the central area or demarcating the edges of the square for trading purposes
Public transport stops and stations	Public transport stops and stations may serve multi-functional purposes by incorporating informal markets since they are mostly characterised with high flow of pedestrians, which support street trading business as they come into direct contact with their customers
Junctions	In the context of junctions, the non-movement functions relate primarily to economic activity, as each quadrant of a junction is exposed to two adjacent movement routes, and thus, serve as a site of maximum potential consumer exposure in the immediate area
Links	Links may serve numerous functions, including providing commercial activities with exposure to potential consumers. Hence, the configuration of movement networks and the functional differentiation of links should be informed by variety of socio-economic factors, including provision of spaces for street trading
Pedestrian-oriented streets	Street trading and markets can be accommodated in pedestrian-orientated spaces to encourage variations of use and function

Source: Author's construction (2021) adapted from the CSIR Building and Construction (2000)

8.4. Proposed strategies to integrate street trading

The proposed strategies to integrate street trading were informed by the findings of the research secured through observation, interview and questionnaire, cost benefit analysis and urban economic themes, and the relationship between street traders and hard open public space typologies. However, it must be noted that the proposed strategies to integrate or

manage street trading can only be achieved depending on the availability of space as well as support activities. Moreover, the strategies be implemented in a manner that will ensure harmonious coexistence and mutual benefits between other public space users, particularly pedestrians and motorists.

8.4.1 Urban planning schemes

Current urban design features such as the width of the streets and pavements would only favour the inclusion of street trading if policy initiatives that informed urban design in support of street trading were critically observed. Therefore, sites identified and demarcated for street trading purposes should be incorporated into the planning schemes. Within the Durban CBD, street trading facilities on the sidewalk should be integrated with transport facilities such as taxi/meter ranks, and formalised retail business shopping centres. Transport (taxi/meter ranks) and commercial nodes should be created and integrated with street trading in areas with low pedestrian flow rate. Moreover, street trading facilities should be integrated into the principal walking corridors across and within the city, particularly routes leading to the beachfront, retail markets and transport hubs.

8.4.2 Local Economic Development approach

South Africa has a history of separate development and urban spatial planning features that marginalized blacks to the fringes of the city with limited economic opportunities. Consequently, street trading is dominated by black South Africans. As such, it would be prudent to ensure economic development on the outskirts of the cities in order to limit the level of urbanization as the majority of street traders travel from the outskirts to the urban centres for their daily activities. Creating commercial nodes on the outskirts of the city would ensure effective redistribution of the population, and ultimately limit the challenges characterized by urbanization, including the increasing number of street traders in the city centres.

8.4.3 Use of barricade strategy

In a high-density area within the CBD of Durban where the intensity of street trading activity and pedestrian flow is very high, barricades could be mounted to separate the pedestrian environment from the vehicular environment to confine pedestrians and street traders in a defined area to avoid a spill-over to obstruct traffic. Hence, street vending facilities may serve a multiple purpose, as a barricade and a vending facility. This will curb jaywalkers as spaces may only be provided in areas designated for crossing the road.

8.4.4 Increase use of incidental space

Durban has quite a high number of lanes and arcades, and if such spaces were properly planned, they could be appropriated for street trading operations. Again, they could provide space for mobile toilets and storage facilities for street traders. This would serve as alternative spaces for street trading, and eventually limit the use of pavements for street trading purposes, since committing too much space on the sidewalks for street trading activities leads to overcrowding on the sidewalks. The appropriation of such spaces into proper usage for street traders was in direct link with Jane Jacobs' opinions surrounding space. She states that spaces with no use for any activity breed crime; hence, it is better to encourage social and economic use of such spaces (Selwyn, 2018:25).

8.4.5 Private sector involvement approach

Moreover, the presence of street trading has economic and spatial implications on retail businesses and their location. Siting street trading in proximity to a retail store changes customer targets and results in unfair competition, since they trade in prime retail space without any overhead costs and regulations which in turn decreases the turnover of the retail outlets in that jurisdiction. More so, street traders obstruct entrances to chain stores, loading zones and display windows and inconvenience customers. For these reasons, involving private individuals who may be affected by street trading activities is essential to facilitate a proper regulatory scheme. Also, in the event of a private property within the Durban Central area becoming suitable for street trading activities, the government could go into private public partnership for the use of such property. Moreover, the municipality could negotiate with private space owners to use their unoccupied or unused spaces temporarily for trading purposes.

8.4.6 Functional approach to road classification

Functional approach to road classification, whereby the functions of some roads are devised for pedestrians and market activities rather than motor vehicle traffic (Gwilliam, 2002:126). This could be accomplished by limiting the dependence on private use of motor vehicles and providing alternative, attractive, accessible and reliable modes of transport. Hence, The City of Durban should design support programmes and projects that target key markets/sectors and promotes NMT, like "Vehicle Free Days" and Night Markets.

8.4.7 Weekly space sharing over time approach

According to the CSIR Building and Construction (2000: Chapter 3:11), “Markets need not always be permanent. The use of public spaces, including streets for periodic markets, at certain times of the day, week or year is also a positive and cost-efficient option.”

It was observed that most retail businesses within the Durban CBD closed from 15h:00h on Sunday afternoons until Monday morning leading to a total shut down and underutilization of most spaces in the Durban CBD. Street traders could take advantage of such time interval and could use the space. However, proper security mechanism and advertisements in the media should be encouraged to create awareness of such activities to ensure shoppers' responsiveness.

8.5. Proposed model

The proposed model plan seeks to increase the number of trading spaces for street traders on the sidewalks. From the field observation and literature, it came to light that in spite of sidewalks not primarily designed for street trading activities, with time they have evolved to suit the current needs of street traders. Against this backdrop, Schoeman (2021) recommends that a mechanism of CBD renewal, as well as adapted applicable geometric design standards are essential elements in urban renewal in relation to street trading layout, design and accommodation.

One of the ways of creating economic opportunities is by using the generating power of larger activities to attract smaller activities, both of which benefit from the movement flows, resulting from the presence of the other (CSIR Building and Construction, 2000: Chapter 2:3). In view of this, the proposed model supports mini taxi ranks to be created, and merged with street trading and parking facilities in areas where pedestrian density is low since transportation hubs and shopping streets with high pedestrian flow rate are vital to ensuring the viability of street trading. This phenomenon is described by Abed cited by (Gauteng City-Region Observatory Report, 2018:114) as functional activation of public spaces. Nonetheless, Jennings *et al.* (1995:6) argue that the presence of all these activities in combination may also create conflict zones.

Thus, the model proposes that sidewalks that accommodate street trading should be barricaded, and regulated by law enforcement agents to curb spillage on the sidewalk. More so, the proposed model supports trading markets to be integrated with adequate parking spaces to limit the impact of street trading on vehicular traffic. Schoeman (2021) suggests that “Revised policies will not address the core problems of street trading attraction and activity.

But provision of street trading markets linked to parking areas may provide a solution to traffic challenges associated with street trading.”

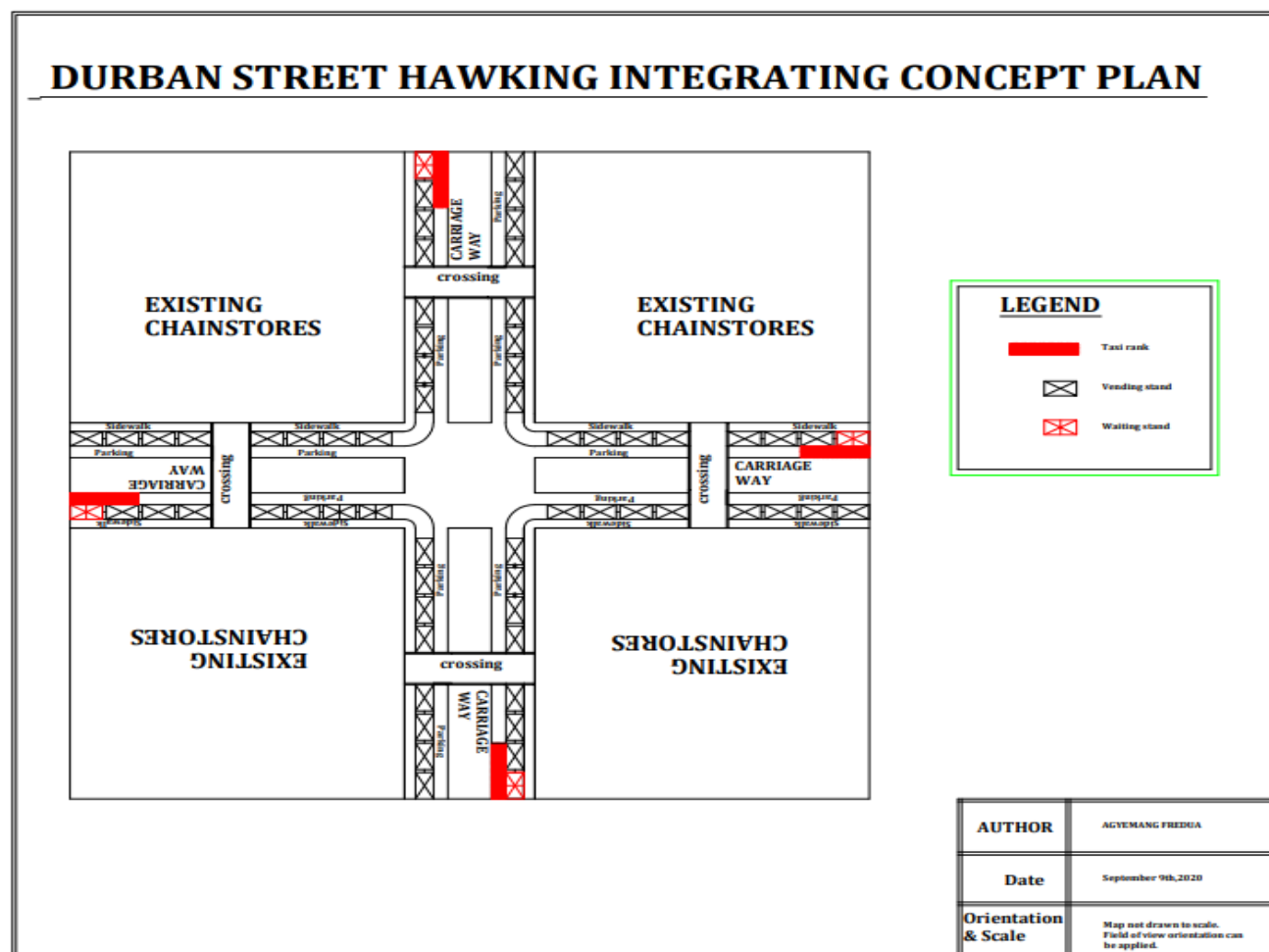


Figure 8-3: Durban Street trading integrating concept plan

Source: Author's construction (2020)

Table 8-2: Summary of proposed theories and concepts in relation to the proposed street trading integrating concept plan

No.	Theory and concept	Application	Inclusionary management approach: Proposed Street trading spatial integrating strategies	Spatial demonstration
1.	Opportunity Cost theory:	- Cost analysis: disadvantages of street trading - Benefit analysis: advantages of street trading		
2.	Urban economics themes:	- Market forces - Land use - Transportation and economics - Urban problems and public policy - Housing and public policy		
3.	The concept of public space and location theory:	The CBD region and recommended location for street trading: - Mixed-mode streets - Markets - Parking areas - Public squares - Public transport stops and stations - Junctions - Links - Pedestrian-orientated streets		

Source: Author's construction (2021)

8.6. Conclusion

The chapter started by defining and discussing the relevance of integrated sustainability assessment. Again, the chapter used opportunity cost analysis to substantiate the need to include or exclude street trading in the Durban CBD. The chapter proposed strategies and a model to integrate street trading after evaluating and identifying the gaps in the existing Durban CBD Street trading strategies. The proposed strategies and the model designed were informed and guided by the urban economics themes, and space typologies and street trading relationship. The chapter deviated from the normal path of formulating street trading legal enactments and policy to implementation. It demonstrated the pragmatic approach of linking

street trading legislation, policy and theory to practice, with minimum conflict with other space users, particularly pedestrians and motorists. In fact, the chapter demonstrated the positive relationship between street trading and transport facilities or systems, such as parking areas, public transport stops and stations. Again, the chapter linked theory to practice by incorporating locational theory, urban economic theme in its street trading integrating model and proposed strategies. Moreover, it identified the public space types where street trading can thrive successfully. The next chapter, which is the last chapter of the research, deals with planning recommendations.

CHAPTER 9: PLANNING RECOMMENDATIONS

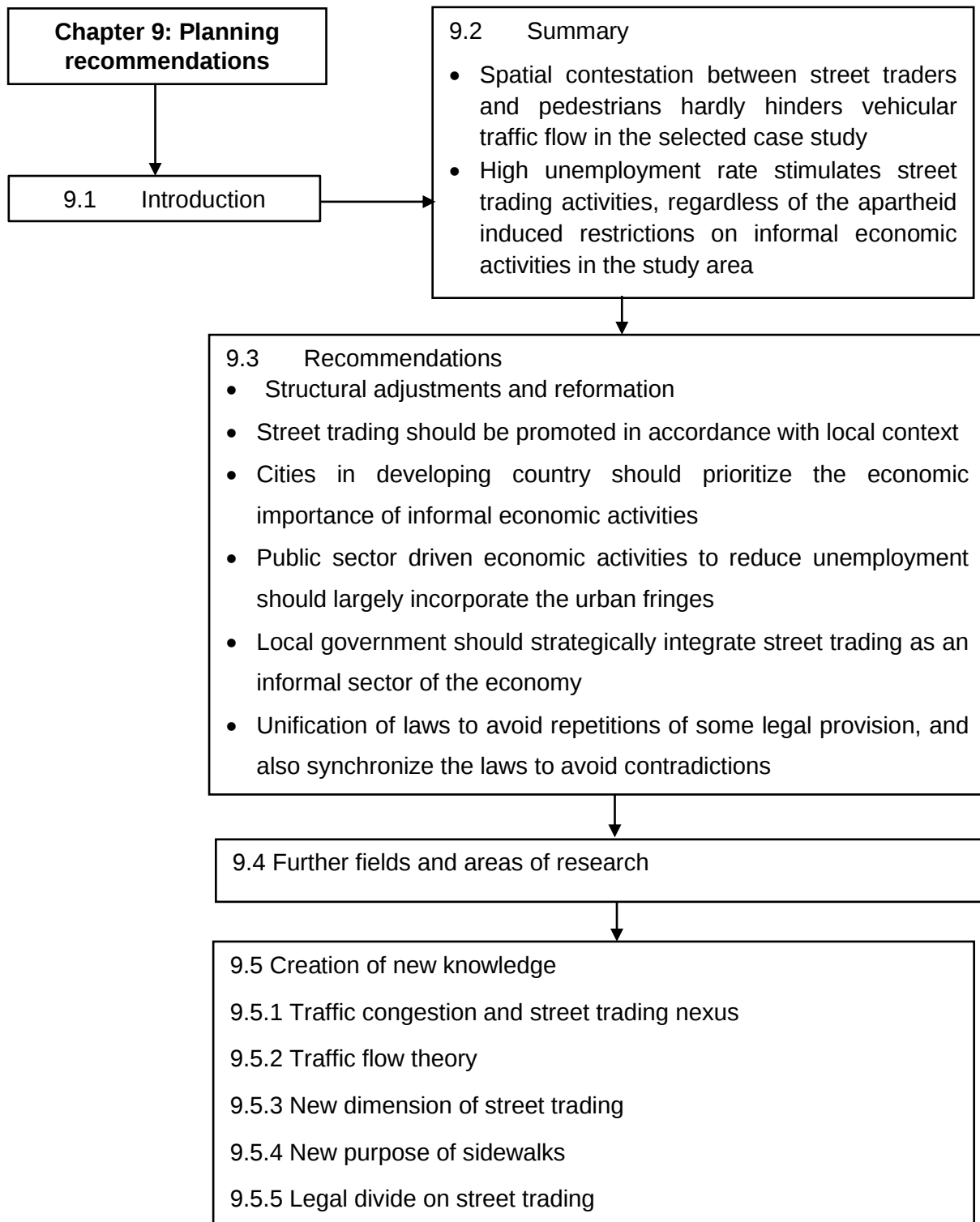


Figure 9-1: Layout and footprint of chapter 9

Author's construction (2019)

9.1 Introduction

This chapter is the last section of the study. The objective of this section is to provide a summary of the study and recommend ways of dealing with the issue of street trading. Again, the section proposes further fields and areas of research. Hence, the chapter is divided into five main sections, including introduction, summary, recommendations and further fields and creation of new knowledge.

9.2 Summary

The primary purpose of the research was to investigate the impact of spatial conflict between street hawkers and pedestrians on vehicular traffic flow in the Durban CBD. Also, to identify the regulatory approach towards the management of street trading. Lastly, to evaluate the strategies used to integrate street traders in the Durban CBD, and to propose new and additional strategies to integrate street traders drawing lessons from international, continental and local cases.

To accomplish the objectives of the research, primary and secondary information on factors relevant to street trading, both locally and internationally, ranging from spatial features to policy and legal documents, academic and government publications were obtained using mixed research method. In addition, theories and concepts linking to street trading were evaluated and ascertained. Based on the research findings, recommendations were made, conclusions were drawn and further studies were proposed.

The research revealed that spatial contestation between street traders and pedestrians did not necessarily hinder vehicular traffic flow since pedestrian/street trader spill over onto the main carriageway was not significant in most of the streets selected for the study from the Durban CBD. The reason being that there was proper spatial arrangement coupled with wider sidewalks and streets with proper parking delineation on the road shoulders in the Durban CBD. Moreover, the number of people in the informal sector, including street trading was comparatively less in South Africa due to the restrictions placed on the informal sector during the apartheid regime. Again, social intervention programmes including child support grant, foster care grant and old age grants enhanced the livelihood of many people, mostly the unemployed, to seek street trading as an alternative form of livelihood, unlike in other developing countries.

The researcher acknowledged the overwhelming benefits as well the challenges characterizing street trading activities. Therefore, the challenge rests on city authorities to realize that efforts made to eliminate street trading had yielded poor results due to the high unemployment rate.

Hence, street trading will continue unabatedly as long as unemployment gains ascendancy. In light of this situation, in the short term, harnessing the benefits of street trading is paramount while the search for a lasting solution to curb the high unemployment rate continues.

9.3 Recommendations

In a developing country such as South Africa, it is imperative to create more formal jobs and to enhance the livelihoods in the informal economy to alleviate poverty. Thus, recognizing and supporting the efforts of the informal sector through community initiatives and local, non-governmental organizations is very critical. Against this backdrop, there is the need for urban governance to integrate the livelihoods of street traders to make their urban economic growth more productive and inclusive, by limiting the structures obstructing their productivity. This can be achieved by reforming the regulations and codes that limit their access to urban services, infrastructure, credit, and markets.

Moreover, there is the need for local government to put up support measures to meet the divergent needs of the informal sector; as well as providing incentives towards the formalization of informal businesses. Soft procedural approach to formalizing street trading must be encouraged. However, instead of formalizing the street trading business in its entirety, street trading should be semi-formalized by blending the characteristics of both formal and informal businesses to reduce the formalizing processes involved in integrating street trading into the urban environment. In essence, local government must realize that there is an existing economic sector other than the formal economic sector, so street trading will continue to have characteristics of informal sector economy and as such cannot be formalized entirely.

Despite local government policies recognising street trading as a livelihood support, the current street trading By-laws continue to project the interest of other public space users, mainly pedestrians and motorists over street trading as demonstrated by all the street trading By-laws governing the City of Durban, Johannesburg and Cape town. Similarly, the research acknowledged that there has been theoretical shift, from rational planning theory to advocacy planning theory, participatory planning theory and systems theory to embrace street trading activities. However, the interest of investors and the want to achieve a world class city status are often projected to the detriment of street trading in all the major cities of South Africa. African cities, including Durban must embrace the reality of street trading in the urban setup and develop policies and laws in line with it rather than imitating the planning standards of western countries, where street trading barely exists. A paradigm shift from the policy and legal narratives as well as planning schemes of the colonial perspectives which discount street

trading is imperative. More so debates surrounding street trading in African cities must be viewed from the African perspective rather than the Western perspective by adopting restorative laws instead of retributive laws towards street trading.

More so, city authorities must espouse the economic benefits of street trading over the negativities. In essence, benefits that accrued from street trading must be at the forefront and must override the notion of world class cities that often prefer aesthetic importance to economic importance during city planning. This will assist local governments to demystify the myth surrounding street trading and enable them to easily assimilate street trading into the urban realm.

Again, records must be kept on the number of street traders to assist local government in planning the provision of street trading facilities. In addition, programmes designed by local authorities with the aim of bridging the economic disparities between the poor and the rich are mostly focused on the CBD of large cities, which were privileged to have witnessed development compared to areas on the fringes of the city where the black majority lives. Such discourse must be changed to curb urbanization in South Africa. Development, particularly job creation must be focused on the rural areas and on the fringes of the cities as well. Again, new approaches where a street trading environment similar to a pedestrian friendly environment must be encouraged or a pedestrian/street trading friendly environment must be created.

Moreover, local government must unify the legislations and policies governing street trading to avoid fragmentation and duplication of legislations and policies, as well as repetitions of some provisions in the laws. Municipal laws governing street trading must be in line with the national street trading legislations such as the Business Act, and other departmental laws and By-laws to avoid contradictions. For instance, even though a licence is not a requirement to trade under the Business Act, a person who trade without a permit contravenes the street trading By-laws in the EMA. Moreover, the municipal By-laws should conform to other national legislations, and municipal By-laws including the road safety act. Laws governing street trading must be specific on the areas and under which conditions trading may take place in such areas.

Furthermore, the department charged with responsibility of managing street trading should demonstrate significant level of sustainability, adequate staffing, and efficient sector management. Again, a defined assignment of responsibilities regarding licensing management and monitoring of operations would help informal sector to augment its organizational setup and improve the effectiveness of permit administration.

9.4 Further fields and areas of research

Further research studies should be conducted into the pedestrian/street trader friendly environment since street trading is now an entrenched component in the spatial fabric of Durban. Also, traffic design theories should be encouraged in the context of street trading, particularly in the CBD of developing countries.

9.5 Creation of new knowledge

9.5.1. Traffic congestion and street trading nexus

From observation, the study revealed that the impact of street trading on vehicular traffic flow was dependent on the spatial arrangement, land use activity type and intensity, pedestrian attitude and route choice as well as the number of traders in the area. Hence, the research partially rejected the notion that street trading impedes on vehicular congestion.

9.5.2. Traffic flow theory

The study encourages traffic studies and flow theories to be conducted in the context of street trading, particularly in the CBDs of developing countries like South Africa to establish the true impact of street trading on vehicular traffic flow.

9.5.3. New dimension of street trading

Internationally, informal trading is assuming some of the characteristics of formal businesses in the sense that the traders operate in the context of regulatory laws and policies which require them to be registered, be issued with a permit; be a member of an organized body and have access to loans. As such, it appears the concept 'informal' has outlived its usefulness and it is about time street trading was discussed in a semi-formal business context.

9.5.4. New purpose for sidewalks

Historically, sidewalks originated from the delineation of transportation within the urban environment. Sidewalks demarcated appropriate places for people to walk, and at the same time, provided space for ease of other forms of transportation. Sidewalks throughout time have been primarily used as spaces for circulation, but in time they have become spaces for informal economic activities, particularly spaces for street trading. While street traders conceptualize the sidewalks as business making avenue although such concepts are often termed as urban informality, city authorities see sidewalks to be areas of pedestrian circulation.

From the literature review, street traders face exclusion unlike plush restaurants who use the sidewalk for similar economic purposes, including eateries. Similarly, such situation may also compel pedestrians to use the street instead. Thus, there is the need to conceptualise the sidewalks as economic spaces, including recognizing as assets for the livelihoods of the poor and as resources for the urban economy. The research acknowledged that street trading has been integrated into some pedestrian walkways; however, few attempts have been made to develop a new planning term or concept for such an exercise. The need to redefine the objective of creating sidewalks to accommodate street trading operation is paramount. Therefore, a new planning term/concept that ensures pedestrian/street trading friendliness to be coded into the academic discourse and planning schemes is needed, since the phenomenon of harmonious space-sharing between pedestrians and street traders is already taking place in cities like Durban, where street traders continue to be integrated into pedestrian walkways.

9.5.5. Legal divide on street trading

The study shed light on the legal dichotomy of street trading. The research revealed two main debates surrounding the legality or the illegality of street trading. Despite the fact that in some countries and cities such as India, the legitimacy or the illegitimacy of street trading is situated in the trading space, in other countries and cities such as Durban, it depends on trading with or without a required permit. Nonetheless, this assumption goes contrary to the 1991 Business Act 71. Under the Act, besides hawkers who were into the sale of food and perishable products, a licence was not a requirement to operate as a street trader.

Table 9-1: Key knowledge contributed

Empirical contribution	Theoretical contribution	Methodological contribution
Impact on transport systems: The study assessed the impact of street trading on motorised and non-motorised transport systems	- Opportunity cost theory: The study adopted the Opportunity cost theory to develop new street trading integrating strategies and model for the Durban CBD - Urban economic themes: The study adopted urban economic themes to develop new street trading integrating	- Cost/benefit analysis: The study adopted cost/benefit analysis to evaluate and analyse the advantages and disadvantages of street trading - Street trading management scorecard: The study developed and used scorecard to determine and assess the management criterion towards street trading

	strategies and model for the Durban CBD Planning theories: The study situated street trading in the context of rational planning theory, advocacy planning theory, participatory planning theory and systems planning theory, in order to determine their behaviour towards street trading	- Street trading integrating strategies: The research proposed strategies to integrate street trading in the Durban CBD - Proposed model: The study proposed a model to integrate street trading in the Durban CBD
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Source: Author's construction (2021)

Table 9-2: Summary chapter remarks and contribution to knowledge

Chapter	Demonstration
Chapter one: Introduction	The chapter introduced the research in its entirety by identifying the benefits associated with street trading; and the challenges posed by street trading in relation to urban space. The chapter acknowledged the enormous challenges characterising street trading, however, employing exclusionary approach towards street trading is economically inexpedient. Moreover, the chapter made empirical contribution by discussing the impact of street trading on non-motorised transport, and eventually motorised transport systems.
Chapter two: Theoretical and conceptual founding	The chapter demonstrated theoretical and methodological contributions by discussing planning theories, including rational planning theory, advocacy planning theory, participatory planning theory and systems planning in relation to street trading. The chapter revealed the theoretical shift towards street trading, from inclusionary to exclusionary approach. However, the chapter revealed that in the context of street trading, less effort has been made to link the theoretical shift to practice, due to the challenges associated with street trading. Hence, the chapter argued for street trading to be studied within the context of economic principles, that is opportunity cost theory. The chapter identified various theories, including rational planning, advocacy planning, participatory planning and systems theory, and its application to street trading.

Chapter three: International and local street trading experience	The chapter revealed that comparatively, exclusionary management approach towards street trading has been less successful as street traders often return to prohibited precincts, due to the impact of relocation on their income. Again, the chapter demonstrated that besides the CBD, informal trading can be successful on the outskirts of the city, and residential areas. Hence, the chapter argued for the need to establish the relationship between location, space typology, type of goods on sale and income generation in the context of informal trading business. The chapter linked theory to practice by using precedential cases to demonstrate the relationship between inclusionary street trading management measures and advocacy planning theory, participatory planning theory and systems theory. Again, the chapter revealed the link between exclusionary street trading management practices and rational planning theory.
Chapter four: Applicable policy and legislative frameworks	The chapter identified the existing gaps in the legal and policy frameworks by demonstrating that although there has been policy shift from exclusive to inclusive, the current legislations and policies favour other urban space users, including motorist and pedestrians over street traders. The reason being that legislations and policies have failed to acknowledge that traditional urban space type, including sidewalks have evolved in terms of function and use. Hence, the chapter argued for legislations and policies to evolve to meet the current trends of space evolution.
Chapter five: Existing knowledge of the study area	The chapter revealed that urban regeneration is not exclusive to private led housing projects or spatial relocation of informal trading operators, often intended to maximize profit, but also it includes the redevelopment of a purpose-built municipal informal trading projects to accommodate traditionally marginalized group. More so, the chapter demonstrated that besides, market and transport hubs, street trading can be successful in other urban space typologies, including road junctions, parking lots, lanes, parks and incidental spaces. Hence, the chapter advocated for such spaces to be considered as centres for economic trade, production and consumption, especially. Public spaces with high pedestrian gravity during high occupancy periods may be utilized to facilitate small scale economic opportunities.

	Again, the chapter provided understanding of the use of inclusive management indicators, ranging from issuing of trading permits, site demarcation, types of trading facilities, training and workshop programmes employed by the Durban city authorities using illustrations and real case scenarios, supported with pictorial evidence as lessons for other municipalities.
Chapter six: Survey of the study area	The chapter demonstrated a theoretical and methodological contributions by applying the Opportunity Cost theory to the study of street trading to generate a new theoretical insight. In fact, the chapter demonstrated how street trading can be evaluated using cost benefit analysis. In essence, it provided a scientific and economic based approach in selecting street trading management approach using cost benefit analysis theory. Moreover, the chapter provided an institutional scorecard to assess the performance of the eThekweni Municipality in terms of management practices towards street trading. The relevance of the institutional scoresheet is that it will ensure checks and balances in relation to street trading management, and ultimately promote inclusive planning governance in the city. More so, the chapter identified the shortfalls in the inclusive management approach employed by the Durban city authorities, particularly on street traders use and possession of trading permit in relation to appointment of trading assistance in event of absence of a lead street trader. In addition, the chapter demonstrated the relationship between theory and practice by applying the opportunity cost theory to analyse the benefits and challenges associated with street trading.
Chapter seven: Findings and conclusions	Through the findings of the research, the chapter presented a relational framework to substantiate and demonstrate the wide-ranging understanding of street trading integrating strategies in relation to legislations and policies using evidence-based approach. The essence of this chapter in terms of contributing to knowledge is that it summarised and simplified the existing street trading integrating strategies into themes or principles to provide guidance and for their easy application for other municipalities. In essence, the chapter presented an empirical contribution on the subject of street trading by identifying the existing street trading integrating strategies, and also the street trading management approach adopted in the Durban CBD.

Chapter eight: Integrated sustainability assessment	The essence of this chapter in terms of contribution to knowledge is that it identified the existing gaps in the street trading strategies employed in Durban, and thereby proposing new strategies and a model to integrate street trading. Moreover, the chapter demonstrated mastery and contributed to knowledge by linking urban economic themes, street trading and open public space typologies relationship to practice. The chapter deviated from the normal path of merely formulating street trading legal, policy and theories to implementation by demonstrating a pragmatic approach of linking street trading legislations, policies and theory to space with other space users, particularly pedestrians and motorists in a harmonious fashion. Moreover, the chapter demonstrated a theoretical and methodological contributions by incorporating locational theory and urban economic themes to the proposed street trading integrating strategies and model, as a demonstration of linking theory to practice.
Chapter nine: Planning recommendations	The chapter contributed to knowledge by creating new knowledge, making recommendations and proposing further studies to fill in the knowledge and content gaps in the context of street trading. In addition, the chapter summarised the entire research.

Source: Author's construction (2021)

ANNEXURE 1A: ETHICAL CONSIDERATION TOOLS





Zertifikat Certificat

Certificado Certificate

Promouvoir les plus hauts standards éthiques dans la protection des participants à la recherche biomédicale
Promoting the highest ethical standards in the protection of biomedical research participants



Certificat de formation - Training Certificate

Ce document atteste que - this document certifies that

Fredua Agyemang

a complété avec succès - has successfully completed

Informed Consent

du programme de formation TRREE en évaluation éthique de la recherche
of the TRREE training programme in research ethics evaluation

April 7, 2018
CID: FVQ8bTMGdy

Professeur Dominique Sprumont
Coordinateur TRREE Coordinator



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Swiss Academy of Medical Sciences (SAMS/ASSMAMW) (www.sams.ch) - Commission for Research Partnerships with Developing Countries (www.crp.ch)

ANNEXURE 1B: GATE KEEPERS LETTER



For attention:
Chair of Research Ethics Review Committee
Faculty of Natural and Agricultural Sciences
North-West University
Private bag x 6001
Potchefstroom
2520

6 August 2020

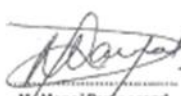
RE: LETTER OF SUPPORT TO F.AGYEMANG, STUDENT NO. 29763959 - GRANTING PERMISSION TO USE ETHEKWINI MUNICIPALITY AS A STUDY SITE FOR A DOCTORAL RESEARCH

The Business Support Unit, eThekweni Transport Authority and Municipal Institute of Learning (MILE) in eThekweni Municipality, have considered a request from Fredua Agymang to use eThekweni Municipality as a research study site in fulfillment of a doctoral research in Science with Urban and Regional Planning. The study is entitled "The impact of spatial contestation between street hawkers/traders and pedestrians on vehicular traffic flow: Investigating the Durban Central Business District."

We wish to inform the committee of the APPROVAL of this request and hereby assure the student of our utmost cooperation towards achieving his/her research goals; the outcome which we believe will help this municipality improve on its services using the research outputs. The student is reminded of the ethical considerations as well as the current COVID-19 related regulations as per the Disaster Management Act (2020) when conducting the research. In return, we stipulate as conditional that the student presents the preliminary results and recommendations of this study to the related units to MILE and other related units within eThekweni Municipality as soon as possible.

Wishing the student all the best.


Mr. Oswald Khamu
Head, Bus. Support Unit


Mr. Manoj Ramprasad
Senior Manager: ETA


Dr. Collin Pillay
Program Manager: MILE

I, FREDUA AGYEMANG, hereby accept as conditional that I will comply fully as per the conditions stipulated above.

Signed:  Date: 12-08-2020

ANNEXURE 1C: INTERVIEW SCHEDULE FOR BSU AND ACHIB/EMIEF OFFICIALS

A. Demographic characteristics

Feature	Interpretation			
1.1. Gender	a) Male	b) Female		
1.2. Age	a) Below 20 years	b) 20-24 years	c) 25- 29 years	d) Above 30 years
1.3. Educational Level	a) Primary	b) Secondary	c) Tertiary	
1.4. Place of Residence	a) Durban	b) Outside of Durban		
1.5. Experience as	a) Municipal official	b) ACHIB/EMIEF official		

B. BSU official

1. What is the main function of the BSU in relation with street trading?

2. What are some of the factors considered prior to site demarcation for street trading?

3. How are street and market committees constituted?

4. What factors may lead to a revocation of a trading permit?

5. Why do some traders operate without a trading permit?

6. Are street/informal traders required to pay rent for the use of trading facilities?

7. Besides trading facilities, what other facilities (may include storage facilities, ablution facilities) are provided for street/informal traders?

8. Are foreign nationals allowed to be involved in street/informal trading?

9. Do street traders pose threats, in terms of competition to formal retail businesses?

10. What is your view on street trading involvement in crime, including sale of counterfeit goods; and littering the street?

C. ACHIB/EMIEF official

1. What informed the formation of your organization?

2. How does one become a member of your organization?

3. In your view, why do traders prefer to be a member of a trading organization?

4. In your view, how do you think the issue of harassment of traders, particularly people trading without trading permits, could be resolved?

ANNEXURE 1D: QUESTIONNAIRE FOR STREET TRADRES

A. Demographic characteristics

Feature	Interpretation			
1.1. Gender	a) Male	b) Female		
1.2. Age	a) Below 20 years	b) 20-24 years	c) 25- 29 years	d) Above 30 years
1.3. Educational Level	a) Primary	b) Secondary	c) Tertiary	
1.4. Place of Residence	a) Durban	b) Outside of Durban		
1.5. Experience as	a) Permit holder	b) Non-permit holder		

B. Questions

1. Why did you choose this business?

2. No alternative job	
3. Self-employed	
4. Less skill requirement	
5. Less capital requirement	

2. How long have you been into street trading business?

1. Less than 6 months	
2. 6 months; 12 months	
3. 12 months; 24 months	
4. 2 years; 5 years	
5. 5 years; 10 years	
6. More than 10 years	

3. What type of goods or services do you sell/provide?

1. Clothings	
2. Electrical products	
3. Rubber products	
4. Food products	
5. Services	

4. Where do you get supply/stock from?

1. Manufacturers	
2. Wholesalers	
3. Retailers	
4. Imports	

5. Which people purchase/patronize your goods or services?

1. Pedestrians	
2. Motorists	
3. Passengers	

6. How much do you earn as a salary from trading?

1. Less than R1 000	
2. R1 000; R2 000	
3. R2 000; R3 000	
4. R3 000; R4 000	
5. R4 000; R5 000	
6. More than R5 000	

7. What form of harassment do often encounter from municipal officials?

1. Arrest	
2. Fine	
3. Goods confiscation	
4. Extortion of money	
5. No any form of intimidation	

8. Why do you prefer to trade with a permit? (permit holders only)

1. A requirement	
2. Cheap	
3. Easily accessible	
4. Job protection	

9. Why do you operate without a permit? (non-permit holders)

1. Not a requirement	
2. Expensive	
3. Not easily accessible	
4. Irrelevant	
5. Avoid restrictions	

10. What are the reasons for operating from a permanent site?

1. Cheaper	
2. Nature of goods	
3. Safety and security	
4. Loyal customers	
5. Convenience	

11. What are the reasons for operating from a non-permanent site?

1. Cheaper	
2. Nature of goods	
3. Itinerant trader	
4. No loyal customers	
5. No space	
6. No restrictions	

12. What are the reasons for joining a street trading organization?

1. For security and protection	
2. Negotiation	
3. Financial support	
4. Sense of belongingness	

ANNEXURE 1E: QUESTIONNAIRE FOR EXPERTS AND ROAD USERS

A. Demographic characteristics

Feature	Interpretation			
1.1. Gender	a) Male	b) Female		
1.2. Age	a) Below 20 years	b) 20-24 years	c) 25- 29 years	d) Above 30 years
1.3. Educational Level	a) Primary	b) Secondary	c) Tertiary	
1.4. Place of Residence	a) Durban	b) Outside of Durban		
1.5. Experience as	a) Municipal official	b) ACHIB/EMIEF official	c) Pedestrian	d) Motorist

B. Perception about street trading

		Indicator	Response									
			Road users (Pedestrians and motorists)					Experts (eThekweni Municipal officials and ACHIB/EMIEF officials)				
			1	2	3	4	5	1	2	3	4	5
Advantages of street trading	1	Street vending serves as source of employment to many people										
	2	Concentration of street vendors attracts potential purchasers into an area which ultimately leads to an increase in sales in other businesses in the area										
	3	Street vendors contribute to the general level of economic activity through the sale of goods and service provision										
	4	Street traders contribute to government tax revenue										
	5	Street trading provides a safety-net for the marginalised group										
	6	Street vending provides a platform for entrepreneurial development										
	7	Street traders assist in distribution of goods and services to remote areas and other areas where there are no large, merchandised shops										
	8	Street vendors bring life to dull streets										
Disadvantages of street trading	1	Concentration of street vendors in areas with a high successful business rate contributes to vehicular congestion										
	2	Concentration of street vendors in areas with a high successful business rate contributes to pedestrian congestion										
	3	Street trading contributes to pedestrian crash										
	4	Street vendors sometimes impede the flow of emergency service vehicles as they may create access problems for emergency vehicles and service points such as water hydrants										
	5	Street vendors may block the right of way of some places and buildings which may increase the level of tragedy in the case of an eventuality such as a fire outbreak or gas explosion										
	6	Street traders compete with registered formalized businesses for limited customers										
	7	Street vendors may cause school dropout as children of school going age often participate in street trading activities										
	8	Concentration of street vendors in a limited space provides grounds for petty crimes such as pick-pocketing and snatch thefts to thrive										
	9	Street vendors may cause noise pollution in the process of shouting to announce their products										
	10	Street traders are involved in the sale of counterfeit and illegal goods										
	11	Street traders may cause littering where they ply their trade										

[1] Strongly disagree

[2] Disagree

[3] Neutral

[4] Agree

[5] Strongly agree

C. Spatial management of street trading based on public perception

No	Indicator	Response									
		Road users (Pedestrians and motorists)					Experts (eThekweni municipal officials and ACHIB/EMIEF officials)				
		1	2	3	4	5	1	2	3	4	5
1	Space availability										
	Limited space for street traders in the Durban CBD										
	No space for street traders in the Durban CBD										
2	Control approach to street trading										
	Street traders should be relocated from the sidewalk										
	Street trading should be banned outright										

[1] Strongly disagree

[2] Disagree

[3] Neutral

[4] Agree

[5] Strongly agree

ANNEXURE 1F: PERCEPTION SCORE OF STREET TRADING MANAGEMENT APPROACH

		Indicator	Score		
			High [3]	Moderate [2]	Low [1]
Inclusionary street trading management approach	1	Existing policy and legal provisions regulating street trading			
	2	Existing policy and legal provisions regulating street trading			
	3	Development of trading market			
	4	On-site trading space upgrade and open-end design			
	5	Permit/licence provision			
	6	Flexible and mixed zoning ordinance			
	7	Low and flexible rental payments			
	8	Stakeholder consultation i.e., involving street traders in decision making			
	9	Wide infrastructural range			
	10	Provision of infrastructural services, including toilet and storage facilities			
	11	Rendering of training and skills development services to street traders			
Exclusionary street trading management approach	1	Relocation without adequate consultation			
	2	Long procedure and process to obtain a permit			
	3	High registration and rental fee			
	4	The use of hostile laws and policies			
	5	The use of ambiguous laws and policies			
	6	Forceful confiscation of merchandise			
	7	The use of media to demonise the activity of street trading activities			
	8	The use of public to demonise the activity of street trading activities			
	9	The use of force eviction and criminalization			

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