

An exploration of the informal backyard rental sector in South Africa's Western Cape Province

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Abstract

South African low-cost housing development is extremely complex. The post-Apartheid government struggles with a fragmented and segregated urban inheritance and also with a housing demand which far exceeds delivery capacity. In response to inadequate delivery South Africa's otherwise destitute have turned to informal backyard renting as a last resort. Backyard structures can house a multitude of tenants in single one or two roomed wood or corrugated iron structures, which are traditionally constructed by tenants in the backyards of homes provided by government under such housing programmes as the RDP (Reconstruction and Development Programme).

This paper examined the state of the backyard sector in the Western Cape Province (South Africa) and investigated if and how the province attempts to address the plight of backyarders who live in dire conditions. It was found that the prevalence of backyard accommodation dramatically increases densities and reduces urban sprawl, but simultaneously increases pressure on infrastructure and public facilities. Backyarders are also dependant on their landlords for access to basic services and the informal nature of lease agreements leave them vulnerable to eviction at any time.

The main research question to answer was: 'What is the scope of the backyard sector in the Western Cape and what is being done to address the complexities of the sector in order to improve living conditions?' This paper found that the Western Cape Province tolerates the backyard sector as a 'necessary evil', but also that, except in the City of Cape Town, very little has been done to address the issue. Although the sector has been on the radar for some time as an integral component of the country's housing stock, a provincial and national policy which attempts to regulate the sector remains absent.

The research for this paper included the results of surveys conducted in low-income areas in the province, interviews with municipal and provincial officials and private stakeholders, national and provincial policy reviews and an evaluation of existing literature sources from a variety of disciplines.

The conclusions drawn in this paper and the subsequent recommendations made, may inform the formulation of provincial and national policies on the backyard sector, which may improve the lives of millions of South Africa's previously disadvantaged by enhancing a sustainable planning approach.

Backyard housing
Informal renting
Sustainable development

1. Introduction: Setting the scene, the Apartheid city of today

There has never been a greater influence on urban South Africa, than the policy of Apartheid which forced segregated and uneven development; ultimately producing the fragmented cities inhabited today. Apartheid not only influenced urban development during its oppressive reign, between 1948 and 1994, but left a legacy of segregation which has proven difficult to thwart. Ever since, South African planners have faced a continuous increase in the demand for low-cost housing, restricted resources to meet needs and an urban structure which protects the real-estate assets of the wealthy, but continues to segregate communities according to income level and subsequently, race.

The high cost related to well-located land which would provide access to socio-economic opportunities and the facilities located in urban centres, has continued to force low-cost housing projects to the urban periphery and beyond. Apartheid produced a wasteful urban structure which generated a disseminated settlement arrangement, which still hinders service provision and access to socio-economic and cultural amenities in the modern-day South African city (Makamu, 2010:39). According to Goebel (2007:291), since 1994, low-cost housing provision has mostly involved developing serviced townships on urban peripheries, inferring numerous economic, social, environmental and political concerns.

The shortage in housing and the unsuitable locations generally sourced for the development of low-income projects, have forced 712,956 South Africans into the backyards of their subsidy-housed compatriots (STATSSA, 2011:68).

1.1 The backyard shack, a temporary residence with permanent problems

The informal backyard rental sector was established and gained momentum in the 1980's, when the sector responded to shortages in sufficient accommodation in proximity to economic opportunity nodes such as central business districts (CBD's) (Ebrahim, 2011). According to Crankshaw et al. (2000:3) the pre-1994 South African government tolerated the extensive establishment of informal structures in order to compensate for the shortage of housing units delivered. Government's tolerance soon cultivated a culture of unofficial and unintended acceptance, which made land invasions a common part of the South African development culture by the mid-1980's. Morange (1999:6) corroborates that municipalities were too tolerant of squatting and invasion in the past. The tolerance granted to informal squatting on invaded land, paired with the neglect to establish and support a resilient formal rental market, provided the perfect conditions for the establishment and continued growth of the informal backyard rental sector.

The backyard sector can be observed in every settlement found within the boundaries of South Africa, in urban centres and even in more rural locations where formal housing has been provided. The sector provides much needed shelter to those waiting to be housed by the South African government's Reconstruction and Development Programme (RDP). Eglin (2011:1) states that South Africans waiting for the keys to their RDP homes may be forced to continue living in rural areas, the homes of relatives or overcrowded backyard rentals for quite some time. Given the housing delivery backlog, rapid urbanisation, restricted funding, limited institutional capacity and wide-spread corruption, South Africa's otherwise destitute have turned to the informal rental market as a temporary residence. However, SDMS (2006:35) states that a quarter of backyard renters believe that they are destined to call backyard shacks home for the rest of their lives.

According to Lemanski (2009:474) backyard dwellings differ from other formal and informal housing options in that they share a demarcated stand with a formally developed unit in a formal housing area which is fully serviced. Watson (2009:3) states that two categories of backyard dwellings can be distinguished. Referring firstly to structures built by landlords with intent to rent to tenants. Secondly referring to structures built by tenants on spaces rented from landlords, mainly in the informal sector. The latter is a uniquely South African manifestation which distinguishes the local backyard sector from others in other developing countries (Crankshaw et al., 2000:1).

The shelter provided by backyard structures has largely been described as insufficient, unsustainable and detrimental to overall well-being. Morange (1999:6) states that backyard structures mainly consist of one or two rooms and are generally crudely constructed from wood, corrugated iron and even cardboard. These rooms are utilised for day-to-day living activities which include all culinary, hygiene and sleeping needs (Lemanski, 2009:473). Poor construction, limited space and the unhealthy conditions associated with the backyard sector make backyard habitation comparable to living in shacks in informal settlements. However even the restricted access to basic services enjoyed by backyard tenants, elevate their living standards above those of their counterparts in the shantytown townships, who are forced to survive on limited access to services, if any at all. According to Poulsen & Silverman (2005:4) backyard rooms increase residential densities, thereby combatting urban sprawl and may make more effective use of existing infrastructure investments. However the excessive establishment of backyard accommodation and the sector's dense proliferation throughout South Africa has placed an immense burden on the infrastructure networks already established.

1.2 The South African legislative and policy context

The existence and scope of the backyard sector has never been denied. Post-apartheid policies have continued to reference this segment of the market, but only to a limited extent. To date there has been no national policy aimed at addressing the management of current backyard stock, nor the regulation of future development in the sector. According to Watson (2009:6) past South African housing policies and policy makers regarded informal rentals as a transitory state, providing temporary shelter to those on their way to formal RDP projects. However Bank (2008:2) counteracts this notion; arguing that it has been wrongly assumed that backyard residents will naturally move to new RDP estates outside townships. In actual fact renters often remain in backyard structures, even when RDP estates are provided as alternatives, given the poor location of these projects, the transportation costs and the deficiency of economic opportunities associated with these new developments.

The sovereignty of the South African Constitution is obsolete. It is also one of only thirty (30) constitutions in the world which includes a right to adequate housing (Arenas, 2002:21). It thus follows that it is the Constitutional responsibility of the South African government to address the plight of those renting structures in the backyards of formal dwellings.

The most prominent housing policy to emerge after the advent of democracy was the White Paper: A New Housing Policy and Strategy for South Africa, released in 1994. The White Paper acknowledged the existence of the backyard sector and promoted concepts which could be reconciled with addressing the needs of the backyard segment. These concepts included: serving all segments of the housing market, enhancing the initiative of individuals to improve their housing circumstances, promoting access to socio-economic opportunities and basic services, promoting freedom of housing choice and removing past discriminatory mechanisms (RSA, 1994:8-29). However the White Paper did not independently influence or improve the regulation of the backyard sector at national or provincial level, nor did it contribute to the formulation of policies in this regard.

In response to escalating housing backlogs and the inferior quality of the units and neighbourhoods delivered, the South African government released *Breaking New Ground: A Comprehensive Plan for the Development of Sustainable Human Settlements (BNG)*, in 2004. The only direct reference to the backyard sector cited in BNG denotes the fact that more information on the 'scale, conditions, rental charges and facilities which are provided within this sector and the linkages between this sector and the broader residential property market', is required (RSA, 2004:8). The BNG continues the established trend of recognising the sector without providing guidelines for regulation and management.

Other key principles captured by BNG, which would be strengthened by a policy on sustainable backyard development, include: the establishment of new systems to address the housing backlog, shifting from product uniformity to demand responsiveness, informal settlement (and therefore informal unit) eradication, promoting densification and integration, enhancing housing and settlement design and quality and redefining the concept of social housing (RSA, 2004:7-19).

From a Provincial perspective there has also been little progress in addressing the plight of backyarders, in part due a lack of support by national government. The most notable attempts to address the sector can be found in South Africa's economic powerhouse, the Gauteng Province as well as in Western Cape. For the purpose of this study, the Western Cape's attempts will be considered.

2. The Backyards of the Western Cape

South Africa's Western Cape Province is located on the southern tip of the African continent. It houses 11.3% of South Africa's population and covers 10.6% of the country's land area (STATSSA, 2011:14). The Western Cape is also hailed as the most developed province in the country and is therefore widely recognised as a leader in innovative policy formulation and strategic planning. However the backyard sector in the Province has, just as in lesser developed areas of South Africa, remained largely underdeveloped. The Western Cape Department of Human Settlements (2010:7) states that in 2010 approximately 25% (375 000 across the Western Cape) lived in inadequate housing conditions which included shacks, backyard dwellings, overcrowded formal dwellings and formal dwellings with no sanitation.

Past provincial attempts to address the backyard sector have not been very successful and could not be effectively implemented. According to Wheelen (2013) the Western Cape Province's stance on the informal backyard sector is not officially represented in any policies or provincial frameworks. This does not however imply that the Province has no stance on the subject. The Western Cape Province's standpoint can be best synthesised as one of tolerance without much intervention. The Province has not attempted to address the sector, because it is a difficult problem to solve. Many of the most logical interventions could impose several unintended consequences, in effect cultivating more prospective problems. Only policies which can be introduced in an effective and sustainable manner will be considered by the Western Cape Province and to date no such backyard policy could be formulated. This is specifically related to the fact that policies need to be kept as simple as possible, whilst the backyard sector may require an overcomplicated approach, which would be difficult to implement at local municipal level.

According to Wheelen (2013) in the past the Western Cape Province considered a landlord subsidy. These subsidies would enable landlords to upgrade their backyards in order to improve the living conditions of their tenants. This initiative was formalised into an advanced policy, as words on paper, but was never piloted or introduced; largely due to the experience of the City of Johannesburg in Gauteng, where a similar programme inferred many unintended consequences.

Through these incentives landlords who already received housing subsidies were now further endowed with an improved housing product which inevitably increased backyard rent rates. This led to the displacement of tenants.

There are many pressing issues facing South Africa and the Western Cape Province in relation to housing delivery, with the backyard sector amongst the most in need of regulation. Wheelen (2013) states that it is recognised, especially from a health and safety perspective, that the backyard sector requires serious attention. However articulating this acknowledgment and formulating a policy based there upon, is a challenging prospect which the Western Cape government has not yet met.

The backyard rental sector has however been referenced in more recent provincial policies, including the Western Cape Province's Social Housing Strategy for 2010-2014. This strategy intends to increase the supply and effective administration of affordable rental accommodation as well as to unify the informal and formal rental markets. The Western Cape Department of Human Settlements (2010:19) states that the highest demand for rental accommodation is often found in the lowest income category, which is also the bracket in which backyard rentals are predominate. The strategy proposes to develop policies to support the expansion and formalisation of the supply in the backyard rental market (Western Cape Department of Human Settlements, 2010:7). However the broader success of this strategy in addressing both the formal and informal rental market is difficult to establish. The Social Housing Strategy 2010-2014 proposed initial implementation in eight leader towns, identified according to specific criteria. The general concept was to then expand the scope of the strategy to smaller towns in the Province. Yet, in 2013 the strategy had not yet made much headway in the eight leader towns identified and much less so in other smaller Western Cape towns. This may mainly be attributed to the fact that according to restrictions imposed by financing legislation and policies, municipalities may only use funding to improve property in ownership of the authority in question. This paired with the minimal (if any) number of rental units in the ownership of smaller local municipalities in the Province, may explain the lack of effectiveness. Restricted Division of Revenue Allocation (DORA) funding and the increased cost of developing rental units further burdens the expansion of rental stock and subsequently the regulation and improvement of the backyard structures which will inevitably be erected on these properties. The development of rental accommodation requires up to R200 000 (approximately \$20 000 USD) per unit. When this is compared to the development cost of a freestanding home for private ownership, with an average development cost of R100 000 (approximately \$10 000 USD) per unit, the latter is generally favoured by municipalities (De Beer, 2013).

Thus it follows that policies geared towards addressing the backyard sector, can only be effective where substantial formal rental stock in low-income areas exists. The City of Cape Town manages the largest rental stock in the Western Cape Province and as such has taken the lead in addressing the plight of its backyard subletters.

3. The City of Cape Town - Leading the cause

Cape Town is a metropolis which is called home by 3,74 million people, all from very different socio-economic backgrounds. It is a city which mirrors the inequalities and lack of integration seen in the rest of South Africa, even at the low-income level, where backyarders continue their hidden struggle in the yards of their fellow Capetonians.

In 2010 it was estimated that more than 41 000 backyard structures were located in the backyards of the city's 43 500 rental units, inferring a ratio of almost 1:1 (Mitchell, 2013). However the exact numbers of backyard tenants are in many cases based on estimations and outdated databases. According to HPC (2011:8) Cape Town's backyard settlers deserve targeted interventions which address the exposed, relegated and financially vulnerable state of their circumstances. In this regard the Metro needs to fulfil its Constitutional obligations by responding to the plight and basic rights of backyarders as Capetonians and South Africans.

Measures which attempt to address the plight of Cape Town's backyard tenants can be traced to as late as 2010, when the city's department of housing policy and research was mandated to further investigate the sector and identify possible measures for improvement (Mitchell, 2013). Following these instructions, three pilot areas were identified within the Metro. These pilot areas were Factreton, Hanover Park and Langa.

At the outset door-to-door surveys were conducted in order to establish the scope of the sector with regard to the number of backyard settlers and structures housed in the yards of properties which were part of the City of Cape Town's rental stock. Following these surveys the City approved an initiative to provide backyard residents in the pilot areas with additional basic services. These services include an additional enclosed flush toilet, running water, a prepaid electricity meter for up to three backyard families and one additional refuse bin (Mitchell, 2013). The City of Cape Town specifically targeted service provision as a primary initiative, because even where backyarders are on the housing waiting list, for many their backyard residences will remain home for a long time to come. In addition it was found that wherever there was any disagreement between backyard tenants and their landlords in main dwellings, disputes resulted in the refutation of access to services by the renters of main dwellings. In addition many backyard families were exploited by main dwelling renters, who charged exuberant fees for the use of services which they themselves receive for free or at a minimal service charge.

Programmes aimed at upgrading infrastructure, are however inevitably associated with a number of challenges and requirements which need to be met, including:

- Upgrading bulk capacity in order to meet increased pressure on infrastructure networks brought about by additional service connections.
- Preventing main dwelling landlords from demanding increased rents in return for the use of the services provided to their yards by the City.
- Effectively communicating that infrastructure upgrades are not implemented in order to convert backyard structures into permanent homes, but rather as a means to enhance temporary living conditions before relocation to formal units can be facilitated.
- Regulating and restricting the volume of water and electricity which can be accessed by backyard renters.
- Introducing minimal interference with established and fragile landlord-tenant relationships.
- Preventing the displacement of backyard renters in favour of the family members of main dwelling renters, who wish to take advantage of improved services.

Many of Cape Town's backyard structures in 2011 did not comply with the provisions of the National Building Regulations and Building Standards Act 103 of 1977. In compliance with Act 103 of 1977 provisions, the Housing Directorate is required to ensure that backyard structures in the backyards of the city's rental properties are safe and up to standard (HPC, 2011:9). The draft backyard policy currently under formulation does not prioritise the physical quality of the backyard structures to which services are being provided.

The policy may however require new backyard structures to be registered in order for tenants to apply for the extension of services to their dwellings.

At the time this research was conducted, it was not yet clear when the new backyard policy would be completed and implemented. However where basic services had been upgraded in the pilot areas identified, the initiative was very successful and provided valuable insight into best practice principles to be introduced across the Metro and beyond. However the manner in which the ultimate policy could be introduced across the Province remains uncertain, especially given the lack of rental housing in smaller towns. Thus the effects of an unregulated backyard rental sector will continue to be felt throughout the province, especially in smaller towns.

4. Oudtshoorn and the consequences of an unregulated backyard rental sector

The town of Oudtshoorn is located in the Garden Route, a picturesque part of the Western Cape, known for its diverse landscape and agriculture- and tourism based economy. Oudtshoorn is home to 95,933 people and covers a total area of 29,24km². Until as late as 2010, housing in the town was largely provided in the form of formal dwellings, backyard rentals and a small number of shacks, sporadically located throughout the extensions of Bongulethu and Bridgeton. However the status quo was irrevocably altered by the end of 2010, when large scale land invasion took place on the town's southern border. Now for the first time Oudtshoorn faced the prospect of housing and managing a sprawling informal settlement. This settlement was originally dubbed 'Riemvasmaak' by locals, but is now known as Rose Valley.

The origin of Rose Valley's settlers can for the most part be traced from migrations which took place from within Oudtshoorn's borders. It can be synthesised that Rose Valley was established not from the centrifugal forces exerted by the town on the surrounding area, but rather as a result of the centripetal forces within the town's borders; namely the unsustainable nature of its backyard rental sector. A survey conducted in 2012 found that 68% of the 100 participants engaged, migrated to Rose Valley from the backyards of formal units elsewhere in Oudtshoorn (Lategan, 2012: 189). According to Bruce (2012) these settlers were either asked to leave by landlords or chose to move to an area which offered some hope for individual home ownership in the future which improved on their backyard circumstances.

As is the case in the rest of the Western Cape Province and South Africa as a whole, Oudtshoorn's backyard sector was allowed to function autonomously, without much interference or guidance from the local authority; this in spite of the fact that the backyard sector continued to thrive and expand. According to Nortje (2013) it is very common to find up to five unattached backyard structures on stands located in the lower-income areas of Bridgeton. These structures may house family, friends or unrelated tenants of various ages. Although it seems that in Oudtshoorn most backyard tenants rent from family members who have extended a helping hand to their kin who would otherwise be destitute (Bruitjies, 2013; Julies, 2013).

In Oudtshoorn backyard living brings with it several social concerns, specifically related to crime and violent behaviour. According to Nortje (2013), although the South African Police Service cannot release official figures, a definite increase in crime levels can be observed in areas with a high concentration of backyard tenants. However this could relate to the low-income and unemployment levels also found here and not specifically to the prevalence of backyard structures.

Conversely, where backyard tenants are employed, a substantial percentage of their income is left to spend on alcohol and narcotics. The misuse of alcohol and cheap narcotics such as tik (similar to methamphetamine) then causes increased crime levels and worrying conditions for children to be raised under. As an outcome children become easy targets for sexual abuse, given the small spaces shared with family and unrelated neighbours who are constantly under the influence.

The relationships formed between landlords and backyard tenants are a further point of contention. The sheer number of Rose Valley sellers who moved to the area as a result of tainted landlord-tenant relationships, attests to this fact. As a result of the tension and conflict often associated with the backyard landlord-tenant relationship, 60% of the Rose Valley settlers who participated in the survey stated that they would not consider opening their yards to backyard settlers once they received their formal housing units (Lategan, 2012:195). In Oudtshoorn backyard renters generally pay anything from R50 to R400 (± \$5 to \$40 (USD)) to landlords for the spaces they occupy. Conflict frequently ensues because backyarders do not always comprehend the extent of the services and privileges included in their informal lease agreements. It seems that oral contracts are mainly negotiated, leaving great room for altercations. The majority of these conflicts can be attributed to disagreements regarding rents payable, access to services, including sanitation, and the volume of electricity and water (from the main house) to which backyard renters are entitled (Julies, 2013). In Oudtshoorn infrastructure provisions do not extend to backyard settlers and in this regard backyarders are dependent on the access granted by main dwelling landlords for their basic service needs. Thus, as seen in the initiatives underway in Cape Town, it seems as though providing backyarders with access to services may relieve the pressure on both infrastructure networks and landlord/tenant relationships. Improving access to basic sanitation may singlehandedly improve the health and overall wellbeing of backyard tenants. Sanitation is singled out, because most backyarders will still have access to water on the yards they occupy or at least within a 200m radius of their dwellings. However the lavatories currently provided and the infrastructure put in place to service them, are overburdened by the addition of countless backyard tenants who share facilities (Crouse, 2013; Andries, 2013). Conversely, upgrading infrastructure provisions may infer certain unintended consequences. Both the Brintjies and Julies families stated that they would feel entitled to an increase in rental income once their backyarders enjoyed improved access to services. Increased rent rates would render the backyard sector too expensive for many tenants who are unemployed or generate a minimal income, which may lead to eviction and displacement. In addition the problems related to the backyard sector are not limited to the level services enjoyed by renters, but also extend to the physical structures inhabited.

At present the construction of backyard units continues to infer legal and health problems. According to Crouse (2013) respiratory ailments such as tuberculosis is worsened by the lack of cross ventilation and the cold and wet conditions so often related to backyard living. According to Andries (2013) should other highly contagious diseases such as meningitis break out, the proximity in which many backyarders live in one yard, may have epidemic consequences. Where building plans are not submitted and structures not inspected, as experienced in the informal backyard sector in Oudtshoorn and beyond, basic building practices to ensure good health cannot be enforced (Andries, 2013). Crouse (2013) states that it is imperative that the current system of unregulated and mismanaged backyard settlement is addressed. Accordingly standards need to be established and enforced by formulating a set of guidelines for minimum construction standards which extend to location decisions, construction techniques and material choices.

With regard to choice of materials, Oudtshoorn's backyarders mostly shy away from the use of corrugated iron sheets given the immense temperatures experienced here in the summer. Backyard structures are more commonly constructed from wood fragments which are discarded by local timber yards and insulated with cardboard. Conflict often ensues over the best scraps of wood, which are used by some in the community for cooking and heating and by others for the construction of their backyard units. These clashes often end in violence. The use of recycled materials such as discarded wood may furthermore bode well from an environmental perspective, but also infers certain risks. For example wood structures are often not watertight and more importantly are fire hazards. According to the Julies family (2013) house fires are a common sight in Oudtshoorn's backyards, mostly as a result of a lack of electricity and the unsupervised use of candles; and secondly as a result of informal electricity connections which are exposed to extreme weather conditions. According to Crouse (2013) in some cases electrical wire barely suitable for indoor use is used to connect backyard structures with main dwelling units, mainly to overloaded sockets indoors. The resulting fires spread rapidly from yard to yard, leaving children especially vulnerable. As a result many backyarders sever their connections and choose to live without electricity rather than risk their own or the lives of their children.

Where corrugated sheeting is used, these materials are almost exclusively obtained illegally. In fact backyard residents often report their building materials stolen. After investigation these materials can frequently be found as components of backyard structures in close proximity from where they were taken. Especially in impoverished areas where individuals are not able to afford new or even used materials, the origin of their building supplies is always suspect (Nortje, 2013).

In spite of the hazards and harms so intertwined with backyard habitation, little has been done in Oudtshoorn to address the sector. Housing the settlers of Rose Valley will be the most significant step in support of backyard dwellers ever undertaken. This speaks volumes when one considers that the needs of these backyarders were only addressed once they took matters into their own hands, invaded land and exerted pressure on the local authority. However the Oudtshoorn Municipality is not to blame. The local authority can only function within the frameworks and funding allocations granted by Province and National government. In this regard Bruce (2012) states that there is no definitive policy which will manage illegal backyard structures in the Rose Valley development once housing delivery has taken place, as no such strategy exists, or is planned for the broader Oudtshoorn area. Housing recipients are however informed of the fact that the erection of temporary structures will be deemed illegal, but the enforcement of this principle has not proven to be effective in the past and did not deter the establishment of new backyard structures. Thus in Oudtshoorn the backyard sector will continue much as it has for the last thirty years, even when the new Rose Valley extension has been completed and new tenants inevitably welcomed into its backyards.

5. Conclusion

The apartheid city structure, past recklessness, restricted capacity and funding, current policy and legislative restrictions and housing backlogs which stretch into the millions, have all contributed to the unsustainable nature of present day backyard habitation in South Africa. The challenges faced in the Western Cape Province are echoed across the Republic, but the interventions recently attempted by the capital of Cape Town, may provide valuable best practice principles to be duplicated and more importantly, adapted to fit both local and national circumstances. As such, numerous conclusions can be drawn, which may influence future interventions at a national level.

In this regard it was found that the City of Cape Town's attempts at delivering basic services are admirable, but may only improve the lives of those renting backyard structures in the yards of properties owned by the City as part of its low-income rental stock. Broader implementation may be hampered by a lack of rental stock in smaller settlements and current legislation which prevents municipalities from administering municipal funds to develop properties not owned by the authority in question. Broader implementation of any strategy is discouraged by the fact that the Western Cape Province has not completed, piloted, or implemented any form of backyard policy, thereby implying, although not accurately, a lack of commitment and compassion. This has clearly impacted at both a Provincial and local level. In the small town of Oudtshoorn the impacts of a lack of policy and regulation can be noticeably observed. Here the conditions which resonate across the Western Cape Province and South Africa in general, convey the harsh and dire circumstances brought about by a completely autonomous informal backyard sector. In reaction to these conclusions, it becomes clear that policy interventions need to be sought which prioritise the regulation and management of the backyard sector at national level. Policies aimed at improving the lives of backyard tenants must prioritise both service provision and the physical quality of the structures inhabited, which can only be facilitated by policies aimed at upgrading existing stock and planning for the inevitable growth of the sector in the future. Any intervention will however need to address the restrictions imposed by current legislation and policies, and must most importantly empower local authorities to effectively manage and improve their backyard stock. Once some measure of control and improvement can be administered, the backyard sector may provide adequate shelter to those who will eventually be housed by subsidised housing schemes. For those destined to live out their days in the backyards of the Republic, effective policy intervention may not only provide dignity and the fulfilment of Constitutional rights, but may save the lives of South Africans who continue to struggle with both past and present injustices.

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