

Bromwell Street & The Struggle for Well-Located Accommodation for Evictees

Over the past decade, property prices have risen dramatically in and around the Cape Town inner city. Working class families, who have lived in these communities for generations, face unaffordable rent increases which makes them vulnerable to eviction. At the same time, the national government has offered tax incentives to developers to encourage density in the inner city, and the City has removed zoning restrictions allowing developers to go up to ten floors. Now, old homes, whole terraces and even city blocks are being developed, mostly into exclusive apartments.

As a result, poor families are often intimidated, evicted, or left homeless from the changes in the neighbourhood and the response from the City, when joined in eviction proceedings, is to offer to move families to relocation camps. On the periphery, families face an uncertain future which compounds their vulnerability falling victim to crime, substance abuse and joblessness.

#STANDWITHBROMWELL

In 2013, the Woodstock Hub, property developers who specialise in rental housing, purchased all the homes in a terrace in Bromwell Street. The Directors started proceedings to evict the families immediately and in July 2015 secured an order.

By September 2016, with days to go before the eviction could be executed, supporters from Reclaim the City rallied to stand with the families. We marched with the tenants and occupied the central square of the Old Biscuit Mill for a day. The occupation caught the attention of the media and helped to make the issue a city-wide talking point.



Under increasing pressure, Mayor Patricia de Lille called at their homes but refused to acknowledge that her government has an obligation to help provide temporary alternative accommodation, despite a Constitutional Court judgment clarifying this.

And so in late September 2016, the Bromwell Street families, represented by the NU Law Centre, brought an urgent application before the Western Cape High Court, to stall the eviction and rule on the City's obligation to provide the evicted families with emergency accommodation.

Having taken legal advice, the City admitted its obligation and the point of contention became about where families would be relocated. The City opposed the request to rehouse families in Woodstock, stating that the only place available is a relocation camp at Wolwerivier, some 30km outside of the city.

The case was heard in early 2017 but in a separate application NU Law Centre asked the judge to rescuse himself based on comments he made during proceedings which were insensitive to the experiences of tenants. A new judge has since been appointed and the matter will be reheard in the last quarter of 2017.

The NU Law Centre argues that the City had not reasonably engaged with the needs of the residents and investigated the possibility of providing alternative accommodation in the area. We argued this was feasible considering the vast tracts of public land, the funding instruments available and the precedent set elsewhere. We argued that the move to Wolwerivier would infringe the families' rights considering the lack of employment, lack of transport and access to basic services.

Woodstock and Salt River are two of the few neighbourhoods where black and coloured people were not forcibly removed. With every displacement of a family from the city, we come one step closer through economic means to what the apartheid government attempted to do through force – a segregated city where the best located neighbourhoods are reserved for wealthy, mostly white people.

The Constitutional Court has already ruled that it is the City's obligation to provide alternative accommodation to evictees and this is not disputed. The ruling however stated that this should be as near as is feasibly possible to where the evictees currently live. The City holds that, as they have no emergency housing in the inner city, they cannot feasibly house evictees here and the only location available is in a relocation camp on the outskirts of the city. We argue that the city did not reasonably consider if they could be rehoused nearby.

The Bromwell matter cannot directly challenge the lawfulness of the current policy. So we used the momentum from the public outcry around the case to find a political solution. In June 2017 we completed a [policy report](#) called "I used to live there" calling for transitional housing for tenants made homeless by eviction. We explore how relocation camps on the periphery isolate residents from community networks and affect their ability to access good services and income. We argue that transitional housing to temporarily accommodate evictees in the inner city and central suburbs must be developed and set out principles to inform progressive policy and present a number of models develop new and refurbished transitional housing buildings. Transitional housing is a small but necessary intervention to support evictees, but is little more than supporting policy to mitigate against the worst effects of the property price surge.

The report immediately gained traction within Council. The MAYCO member for Transport and Urban Development, Brett Herron responded: "Thank you for your mail and the report. I have read the report and I largely agree with it. For your information, I had already instructed the department to identify additional transitional housing sites and that work is currently underway. I have also asked for a Transitional Housing Plan and Policy – which will take longer to draft and complete. In the next few weeks I hope to be able to make public the proposals we have around affordable inner-city housing, transitional housing and inclusionary housing."

In July, Brett Herron announced a ground-breaking new direction for the City which recognised that "**where** people live matters." More specifically he announced that he would release ten parcels of city owned public land for affordable housing. He also announced plans to establish a transitional housing programme in Woodstock and Salt River for evictees – this would be the first of its kind in Cape Town and if successful could be rolled out in other well-located areas across the city. While ground has not been broken, and we will need to watch development and continue to apply pressure, the direction is a significant achievement after 18 months of campaigning.

We are also beginning to look forward. Ultimately, if the City is pressured to rehouse evictees then it must look to the causes of the problem and consider regulating the private sector, who stand to make large profits from displacing people, while government picks up the costs.