

THE CAPACITY OF URBAN LOCAL AUTHORITIES IN REGULARIZING INFORMAL SETTLEMENTS IN TANZANIA

Lupala John Modestus

*School of Spatial Planning and Social Sciences, Ardhi University, Dar es
Salaam, Tanzania
lupalajohn[at]yahoo.com*

Abstract

Informal urbanization is one of the phenomenon that continue to shape the emergent city spatial patterns in the developing world. Informality is not only prevalent in human settlements but also in livelihood activities in which the majority of the urban residents earn their living. In the Tanzanian context, it has been established that large cities are predominantly informal at an average rate of 50 per cent of their built up areas. Although studies have shown the potential of unplanned settlements to provide housing for the poor, the unguided nature of informal land development in most peri-urban areas undermines the achievement of sustainable development. This is attributed to the fact that informality limits the possibilities of service provision and future settlement upgrading. In some cities, housing densities have reached prohibitive levels making access to, and provision of roads and sanitation very difficult. In many countries, urban local government authorities have been entrusted among other duties to regularize informal settlements. However, these authorities have capacity limitation to effectively regularize and prevent further consolidation of informal settlements. This paper examines the capacity of urban local authorities in regularizing settlements in Tanzania. Six urban authorities are being examined based on official interviews and physical observations that were carried between September and October 2016. Results show that only 39 percent of the requisite human resources, 42 percent of the equipment and an average of 4.2 square meter per person office space were available. Most of the authorities did not have equipment for opening up roads and only 42 percent of the survey and ICT equipment were available. This paper recommends the use of private planning and surveying firms to complement government efforts and hasten the speed of regularizing informal settlements in Tanzania.

Keywords: Capacity; Urban Local Authorities; Regularization; Tanzania.

1. INTRODUCTION

1.1 Shifting paradigm towards informal settlements

There has been a paradigm shift in addressing issues and management of informal settlements worldwide. In the 1950s and 1960s informal settlements were perceived as unwanted settlements that provided homes to urban misfits and were therefore considered as hotspots for crime, marginal settlements [1, 2, 3]. This notion was largely embraced by colonial governments which discouraged indigenous migrants to cities. The approach towards informal settlements was demolition of all dwellings that were emerging from these areas. This involved annihilation of buildings constructed without following procedures and acceptable building materials [4]. When most of the countries got independence, starting from the 1960s, this approach was criticized and challenged widely. These settlements were recognized and included in the master plans. The approach shifted from annihilation to *upgrading*. The latter involved re-planning and provision of rudimentary services such as access roads, drainage and water supply networks. Upgrading was largely supported by the World Bank (1960s-1970s). However, this approach could not be sustained because of a number of reasons including limited participation of key stakeholders in the process of upgrading and poor cost recovery for the improvements made [4]. The failure of squatter upgrading paved way for the *participatory upgrading approach* that prevailed in the 1980s and 1990s. In Tanzania, the latter prevailed in the decade of 1990s where several Community Based Organizations (CBOs) and Non-Governmental Organizations (NGOs) joined hands with local communities to upgrade informal settlements. Even though the approach remained, more or less, the same that is upgrading, local community participation was given more impetus and priority. In both upgrading and participatory approaches, issues of property rights were not given emphasis and therefore surveying and titling of individual plots in upgrading areas was not done. In some instances, block surveying culminated into conflicts among neighbours and the same could not provide opportunity for individual plot owners to use titles for mortgaging. In view of these shortfalls, a new approach of *regularization* was adopted starting from the year 2000 (Figure 1). This followed the enactment of the Land Act of 1999 [5]. Regularization as a paradigm in settlement improvement involves the physical restructuring (planning) with minimum demolition, relocation and compensation. It involves land parcels identification and registration, surveying, titling, and provision of basic services. Such services include roads, drainage channels, waste collection, water supply and waste water collection or treatment. These processes are usually preceded with recognition of the settlement as viable residential areas and not prone to disaster related hazards and risks [5]. The key principles in regularization include engagement, negotiation and agreement among land owners to pool land that will be used for public services such as roads, open spaces and utilities. This can largely be achieved if effective participation of all stakeholders is ensured.

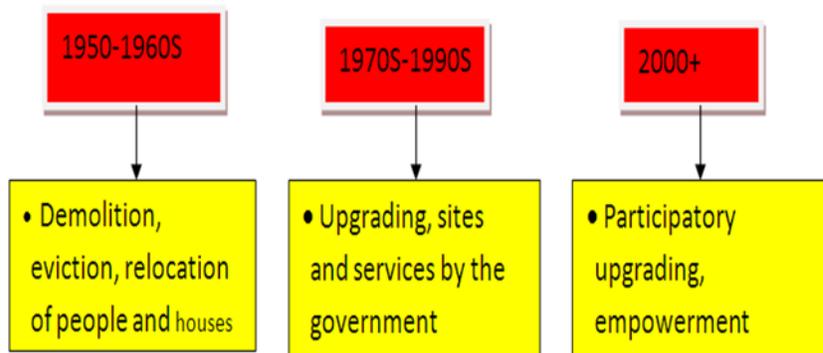


Figure 1: Shifting paradigm towards informal settlements upgrading

1.2 Regularization as a concept

Regularization as a concept may be viewed as an intervention in an unplanned or informally developed area to affect some land use changes, ascertain land parcel boundaries and land ownership and issue land ownership documents [6]. This is opposed to land use planning which is done on a greenfield or over minimally occupied area, usually in peri-urban areas, where existing residents can be removed through compensation. The land use plan contains all essential land use requirements and (eventually) landowners are given a certificate of title to land. Regularization may also be differentiated from upgrading. The latter is a concept used in the 1960s through to the late 1990s to denote improvement undertaken in an unplanned neighborhood, such as improving roads and drains. Regularization may involve the elements of upgrading, but ending up with land adjudication, titling and/or registration. Regularization is seen in terms of facilitating the recording, adjudication, classification and registration of the occupation and use of land by those persons living and working in an area [5]. In Tanzanian context, regularization schemes should include a planning scheme [7]. This therefore, refers to a land use plan. However, regularizing an area once it has been developed informally is usually difficult. There may be a need to acquire land for roads and other social infrastructure. This will be expensive for public authorities, in terms of compensation, but also difficult to implement if land owners will put up resistance.

The key attributes of regularization as a concept include citizen participation, planning and implementation, legalization of tenure, physical improvement, home improvements and mitigation of risks [6]. While citizen participation entails community organization and identification of leaders to facilitate citizen participation, negotiate with, and involve the community in project development and establishing mechanisms of citizen awareness; planning focuses on determining and prioritizing needs with the community. Planning also entails improving the area's mapping, negotiating acquisition of public lands such as open and public spaces, street layout and community facilities. Implementation will largely focus on coordinating development of public utilities with the entity in charge and developing and implementing projects of physical, social and environmental improvement. Legalization of tenure entails surveying, titling and

registration of parcels of lands [5]. Home improvement focuses on promoting households access to proper credits, training of participating subcontractors and facilitating establishment of agreements that ultimately promote home improvements [7].

1.3 Capacity as a concept

Since the late 1980s, capacity as an outcome and capacity development as a process have been recurrent in the realm of international debate and cooperation [8]. As a process, capacity can be viewed as the ability of individuals, organizations and societies to perform functions, solve problems and set and achieve goals [9]. Capacity can also be viewed as the values, contacts, organizations and technical skills enabling countries, institutions, organizations and individuals to perform their tasks or manage their affairs and achieve their development objectives [10]. In development parlance, capacity has been viewed as an overall concept for the conditions that must be in place (such as knowledge, competence and effective development-oriented organizations and institutional frameworks) in order to make development possible [11]. Capacity has been classified into three main groups of micro (individual and project team), meso (organization) and macro (national institutions) [12].

A consistent discussion on capacity as a concept was put forward by Morgan in 2006 in his report; "*Study on Capacity: Change and Performance*". Morgan suggests five key variables that characterize capacity as a concept. First is *empowerment and identity* which refers to properties that allow an organization or system to survive, to grow, diversify and become more complex. Second is *collective ability*; that is a combination of attributes that enables a system to perform, deliver value, establish relationships and to renew itself. In other words, it refers to abilities that allow systems namely; individuals, groups, organizations, groups of organizations - to be able to do something with some sort of intention and with some sort of effectiveness and at some sort of scale over time. Third is *systems phenomenon* where capacity is viewed as an outcome of dynamics involving a complex combination of attitudes, resources, strategies and skills, both tangible and intangible. Fourth is a *potential state* that require the use of different approaches to trigger its development, management, assessment and monitoring. Fifth is the *creation of public value* which refers to the ability of a group or system to make a positive contribution to public life [13] (Figure 2).

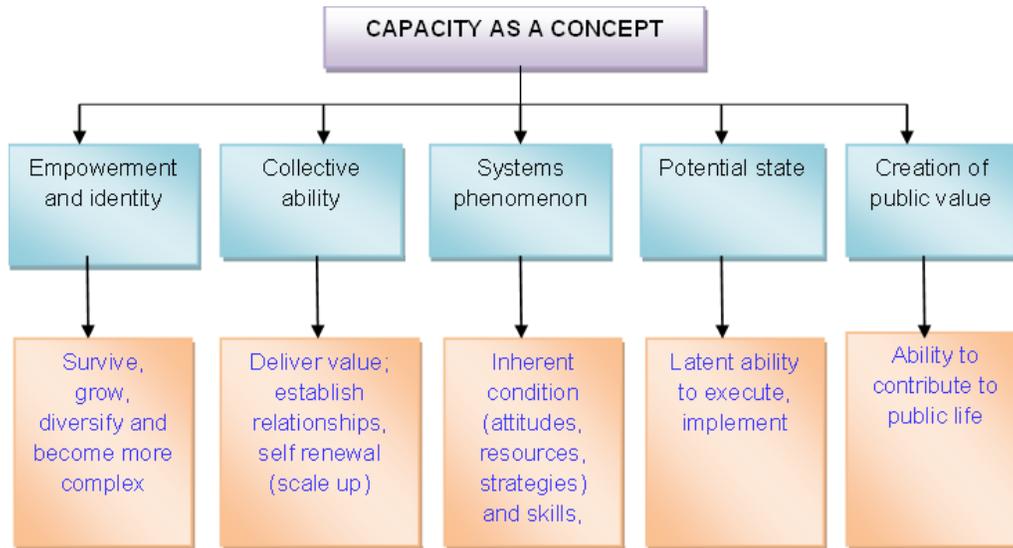


Figure 2: Capacity as a concept [13]

2. METHODOLOGY

This paper is based on a study that was conducted by the Ministry of Lands, Housing and Human Settlements Development in the months of September and October 2016. It utilizes data obtained from six urban local authorities of Musoma, Kigoma/Ujiji, Tabora, Singida, Sumbawanga and Lindi. The key methods employed in gathering data included interview with Local Government Officials who were familiar with the localities and potential areas for regularization. A total of 86 staff were interviewed using a standardized checklist. The checklist was formulated to facilitate collection of data on capacity focusing on the magnitude of informality in each municipality against availability of human resource (land-based professionals to carry out regularization exercises); availability of equipment and machinery especially survey equipment, machinery for opening and grading roads and vehicles to facilitate movement and transport of regularization teams. Further enquiry was made on municipal-specific initiatives to curb further growth of informal settlements including attempts to prepare urban master plans as tools to guide urban development in these municipalities. The interviews were supplemented with site visits and observations to potential areas identified for regularization. Discussion with local staff on potentiality and ranking of settlements in terms of peoples' readiness to contribute to regularization projects provided further information on the state of the art and settlements characteristics.

3. RESULTS

3.1 State of informal settlements in Tanzania

The percentage land coverage of informal settlements in Tanzania is considerably high. This phenomenon is more notable in large urban centres of Arusha, Tanga, Dar es Salaam (Ilala, Temeke and Kinondoni), Zanzibar Mbeya. The least is noticeable in smaller urban centres of Singida, Babati, Shinyanga, Mtwara, Kigoma Ujiji and Tabora (Figure 3). An average of these statistics give a 50 percent coverage. It is from this state situation that Local Government Authorities in collaboration with the Ministry of Lands have been regularizing informal settlements first; to provide security of tenure and enliven the dead capital and second; to provide basic infrastructure services and amenities.

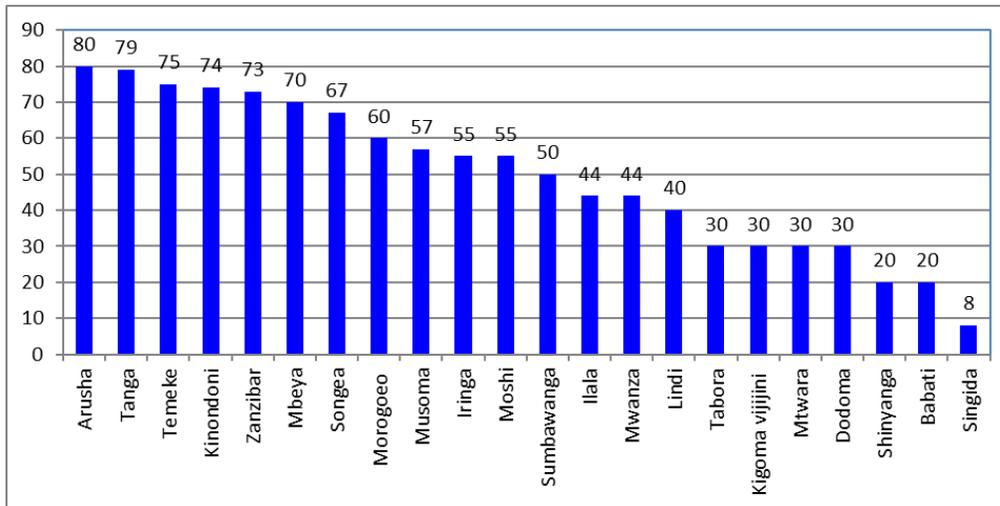


Figure 3: Percentage coverage of informal settlements for Tanzania major urban centres (2016)

3.2 Percentage coverage of informal settlements in the six municipalities

Although the six municipalities constitute those areas with higher growth rates, the magnitude of informality in terms of settlements was relatively low. The average level of land covered by informal settlements was observed to be 36 percent. This is below the national average of about 50 percent. Higher levels of informality were observed in the municipalities of Musoma (57 percent) followed by Sumbawanga (50 percent), Lindi (40 percent), 30 percent each in Tabora and Kigoma/Ujiji and the least was observed in Singida that had only 8 percent (Figure 4). When these figures are compared with those of larger towns and cities of say Arusha (80 percent), Mwanza (44 percent), Tanga (79 percent), Mbeya (70 percent), Ilala (44 percent), Temeke (75 percent) and Kinondoni (74 percent); there are hopes that initiative towards regularization will have a considerable impact on reducing the level of informality in these municipalities. It was

revealed in Singida for example, if the regularization exercise will be successfully carried out, informality will be totally eradicated. What will remain is surveillance of on-going development to see to it that further emergence and development of such settlements is contained.

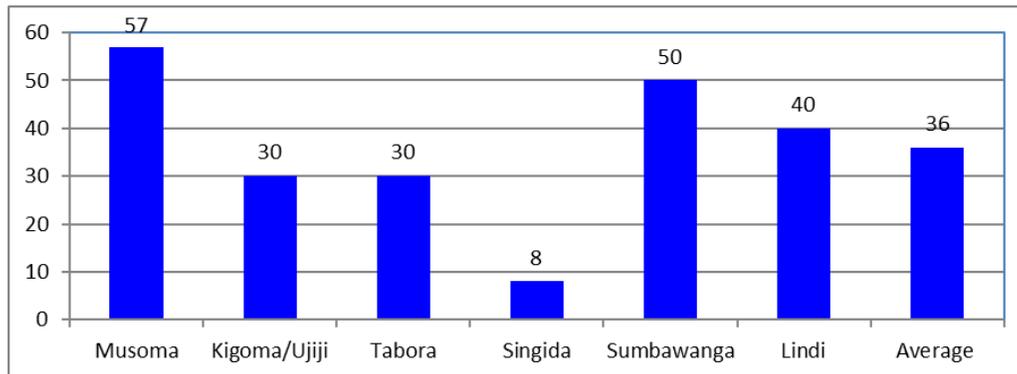


Figure 4: The level of land coverage by informal settlements

3.3 Potential number of parcels for regularization

The focus of this study was also to identify potential areas for regularization taking into consideration peoples' ability and awareness of the regularization exercise. Therefore, the number of plots/parcels of land worth regularizing does not truly reflect the total number of units in informal settlements. These are figures that were discussed and agreed upon with the local staff in each municipality. Based on this criterion, there were a total of 50,200 parcels that were recommended for regularization. Sumbawanga had the largest number of parcels amounting to 19,100 plots. This accounted for 38 percent of all parcels across the municipalities. This was followed by Tabora with a total of 7,063 parcels. The least was again noted in Singida with only 4,900 parcels (Figure 5).

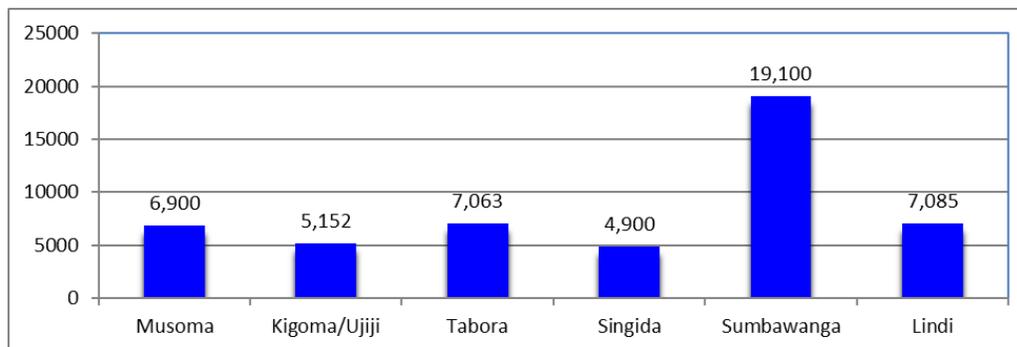


Figure 5: Number of plots recommended for regularization from each Municipality

3.4 Capacity in terms of availability of human resources

One of the factors contributing to proliferation and growth of informal settlements is capacity limitations in terms of availability of requisite human resources to manage the emergence, growth and consolidation of these settlements. It has been estimated that throughout the country, current availability of land-based professionals (town planner, land surveyors, land managers, architects and environmental engineers) is only a quarter of the actual requirements. This study also enquired the number of staff available as compared to the actual requirements. While there were a total of 74 staff across the six municipalities, the actual requirement was revealed to be 191. The ratio of available staff is only 39 percent of the requirement. The average availability for all the six municipalities was revealed to be 12 staff. There were however variation across the six municipalities. While Tabora was slightly well staffed with 18 staff or 58 percent of the requirement, Kigoma/Ujiji had the least number of staff with only 5 staff or 15 percent of the required number (Figure 6). This situation has not only stalled effective management of urban growth but has been contributing to the rapid growth of informal settlements.

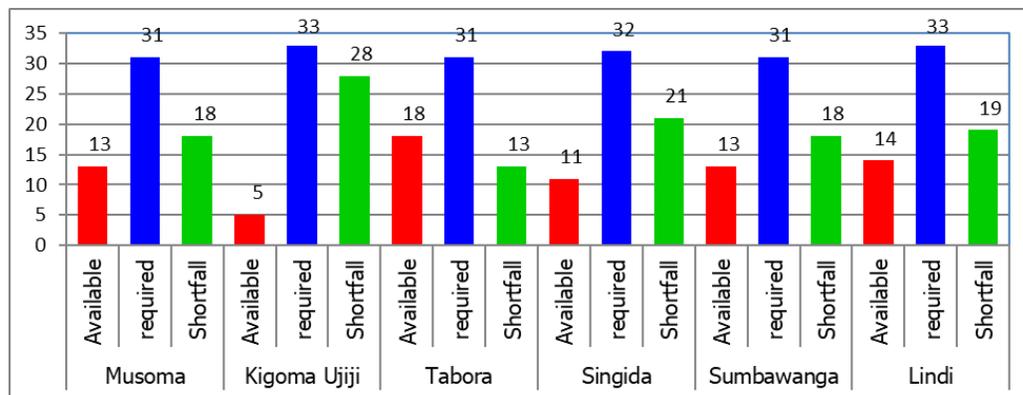


Figure 6: Availability of land-based professionals

3.5 Availability of survey equipment and machinery

Besides human resources, availability of survey and ICT equipment to facilitate timely planning and surveying is another key attribute of municipality's capacity to manage growth and further development of informal settlements. In assessing capacity of Local Governments' capacity in terms of availability of working equipment, a checklist of basic surveying and ICT tools was administered. The minimum requirement was established to include RTK (1), Total Station (2), GPS (4), Computers (variable), Printers (variable), Photocopiers (1) and Plotters (1). The total requirement in terms of numbers ranged between 32 and 23. In regularizing informal settlements, one of the key attributes is paving of roads and provision of basic infrastructure including drainage systems. Therefore, availability of machinery such as bulldozers, graders and vehicles to facilitate introduction of these basic infrastructure services was crucial. When these attributes were examined across the six municipalities, the availability was revealed to be 42

percent of the requirement as summarized in Table 1. Singida had the least number of equipment. Out of 23 list of equipment items that were required, they had only 4 (1 total station, 2 computers and one printer).

Table 1: Availability of survey and ICT equipment

LGA	Required	Available	Shortfall	Availability (%)
Musoma	27	13	14	48
Kigoma/Ujiji	29	13	16	45
Tabora	32	18	14	56
Singida	23	4	19	17
Sumbawanga	25	14	11	56
Lindi	27	10	17	37
Average	27	12	15	43

Source: Interview with Officials in the six Municipalities (29th September to 15th October 2016)

Most of the municipalities were lacking equipment and vehicles as key equipment for regularization. Only two Municipalities of Kigoma/Ujiji and Tabora that had bulldozers and graders for road constructions. There were also few municipalities that had vehicles namely Musoma, Kigoma/Ujiji and Tabora that had one vehicle each.

3.6 Availability and adequacy of office accommodation

Office accommodation was also analyzed as one of the attributes of Local Authorities capacity to regularize informal settlements. The analysis focused on adequacy and condition of office spaces as used by staff in their respective areas. The unit of analysis being square metres per person. On average, office space availability was observed to be 4.3 square metres per person across the six municipalities (Figure 7). This amount of space is too small compared to the standard unit of at least 9 square metres per person. Variation was noted across cases yet there was no municipality that had reached this standard. A qualitative assessment also revealed some shortfalls in office accommodation including for example; congestion, faulty windows and doors jeopardizing security issues, lack of fire safety gadgets to prevent loss from fire accidents, lack of proper storage space for survey equipments and maps and poor ventilation and air conditioning.

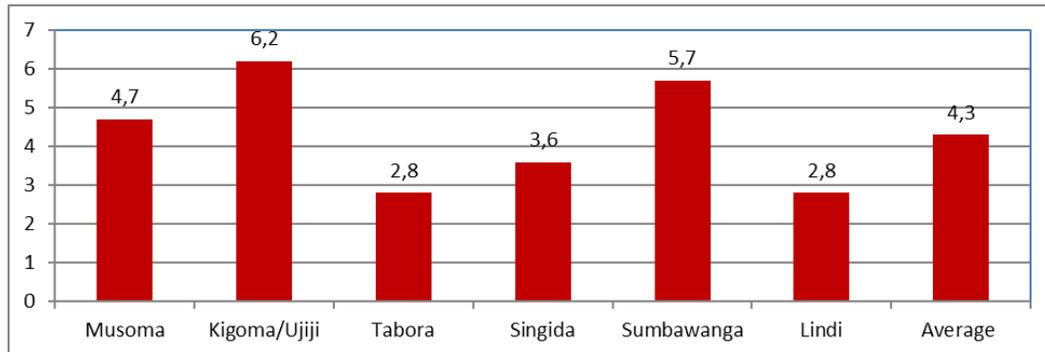


Figure 7: Availability and adequacy of office accommodation

4. DISCUSSION

Although indices for capacity may vary from one context to the other, an attempt was made to facilitate a comparative analysis based on findings from these localities. It was however necessary to manipulate these results to develop some criteria that would make comparison across cases possible. These variables included; the proportion of informality in the municipality as an indicators of the local government capacity to manage settlement growth. This attribute was given a negative sign to connote that the higher the percentage the lower the score. Percentage availability of human resources, equipment available, availability of machinery and equipment, motor vehicles and office space availability (Table 2). Tabora seemed to have better position in terms of capacity with a total score of 88.8 points. This is apparently because of the number human resources and equipment availability as compared to the requirements. They also had an added advantage of having motor vehicles and machinery for regularization activities. The rest of other municipalities reveal a similar pattern of less than 50 points albeit there were some minor variations. Kigoma Ujiji was the least (38.2 points) because of the limited number of human resources.

Table 2: Indices for capacity assessment

SN	Criterion	Local Government Authority					
		Musoma	Kigoma/ Ujiji	Tabora	Singida	Sumbaw anga	Lindi
1.	Proportion of informally built up area (%)	-57	-30	-30	-8	-50	-40
2.	Human resources available versus requirement (%)	42	15	58	34	42	42
3.	Proportion of equipment available (%)	48	44	56	17	48	37
4.	Availability of machinery and other equipment	0	2	1	0	0	0
5.	Motor vehicles	1	1	1	0	0	0
6.	Office accommodation (m ² /per person)	4.7	6.2	2.8	3.6	5.7	2.8
	TOTAL SCORE	38.7	38.2	88.8	46.6	45.7	41.8
	RANKING	5	6	1	2	3	4

Source: Interview with Officials in the six Municipalities (29th September to 15th October 2016)

Although the indices indicated in Table 2 reveal inherent capacities in the six municipalities, should picture should not be viewed as a static situation. There were several processes that were going on in each municipality in attempt to address the challenges identified. For example, while Musoma revealed to have the highest proportion of informal settlements, they had already started creating awareness among residents to regularize areas that were growing rapidly and unplanned. They had also finalized preparation of a master plan that will guide the overall future growth of the municipality including the question of regularizing informal settlements. Similar initiatives were happening in Kigoma Ujiji, Tabora, Singida and Lindi by surveying plots and making planned land available for housing development. As discussed by Morgan (2008), several institutional frameworks are being instituted in each municipality to improve their capacity. These include the institutional reforms that aim at strengthening the qualifications of staff in local government authorities, use of ICT facilities especially in revenue management and improvement of urban infrastructure including informal settlements through the Local Government Strengthening Programme (ULGSP). The Ministry of Lands in collaboration with Local Government Authorities had developed a ten year programme (2013-2023) for regularization of informal settlements. One of the component of this programme was to develop the capacity of urban local authorities to effectively manage informal settlements but also work with private planning and surveying forms to hasten the processes of regularization of informal settlements. The Ministry of Lands was also working closely with the Programme for the Formalization of

Businesses and Properties in Tanzania (locally known as MKURABITA) that aims at empowering people to formalize their businesses and enliven their dead capital (untitled properties) to access loans from financial institutions.

A combination of these programmes and initiatives, to the large extent blends well with Morgan's idealization of capacity as empowerment and identity creation. This is revealed in the government's attention to regularize these settlements; collective facilitation by combining efforts of both public and private firms to make systems to operate, system phenomenon as a process that is complex and involves many attributes of attitudes, resources, strategies and skills, both public and private; a potential state that need external support to make it moving and creation of public value which refers to positive contribution to public life. Regularization of informal settlements has, in the current debate been viewed as a strategy for minimizing social exclusion in cities.

5. CONCLUSION AND RECOMMENDATIONS

This paper has attempted to reveal inherent capacities and potential of urban local governments to regularize informal settlements. It has been apparent that many of the urban authorities have limited capacity in many aspects including inadequacies in human resources, surveying and office equipment, ICT facilities, machinery and office accommodation. With the exception of Tabora that revealed higher scores in most of the indices that were developed to assess capacity, the rest of the other municipalities had limitations of capacity of less than fifty points. Regularization requires that capacity development is an inbuilt component in all projects and across time frames. It is from this understanding that the Ministry of Lands has been collaborating with other institutions to built capacity of local government authorities to regularize and effectively manage urban growth in their respective areas of jurisdiction. It is from this shared understanding it is strongly recommended to use the private firms to contribute in regularizing informal settlements and control further growth of these areas.

References

- [1] Abrams C., (1964), *Man's Struggle for Shelter in Urbanizing World*, MIT, Massachusetts.
- [2] Rosser, C., (1971), *Housing for the Lowest Income Groups; The Calcutta Experience*, *Ekistics*, Vol. 3, No. 183, 126-131.
- [3] Huque, A., (1982), *The Myth of Self-Help Housing; A Critical Analysis of the Conventional Depiction of Shanty Towns*, Department for Building Function Analysis, The Royal Institute of Technology, Stockholm, Sweden.
- [4] Lupala J.M., (1995), *Potentials of Community Based Organizations for Sustainable Informal Housing Upgrading in Tanzania; The Case of Hanna Nassif Pilot Project, Dar es Salaam City*. Masters Dissertation Report. Katholiek University of Leuven, Belgium.
- [5] United Republic of Tanzania, (1999), *The Land Act, Principle Legislation*. Chapter 113 of the Laws, Government Printers, Dar es Salaam, Tanzania.
- [6] Hoppe M., MCGranahan G., Kyessi A.G., Kombe W.J.; (2020), *Informal Land Investment and Wealth Accumulation in the Context of Regularization: Case Studies*

from Dar es Salaam and Mwanza, *Environment and Urbanization*. Vol. 32 No. 1. 89-108.

[7] United Republic of Tanzania, (2007), The Urban Planning Act. Chapter 355 of the Laws, Number 8, Government Printers, Dar es Salaam, Tanzania.

[8] Baser H., Morgan P., (2008), Capacity, Change and Performance, Study Report, European Centre for Development Policy Management (ECDPM); Discussion Paper Number 59B, Synthesis. Brussels, Belgium.

[9] United Nations Development Programme (UNDP)., (2008), Capacity Development Practice Note, United Nations Development Programme, 304 East 45th Street New York

[10] Land T., Hauck V., Baser H., (2007), Aid Effectiveness and the Provision of TA Personnel: Improving Practice, Policy Management Brief, No. 20, European Centre for Development Policy Management (ECDPM), Brussels, Belgium, Maastricht B, The Netherlands.

[11] Swedish International Development Agency (Sida), (2000), Sida's Policy for Capacity Development as a Strategic Question in Development Cooperation, Sida, Methods Development Unit, November 2000, Stockholm, Sweden.

[12] Lusthaus C., Adrien M., Perstinger M., (1999), Capacity Development: Definitions, Issues and Implications for Planning, Monitoring and Evaluation, Universalia Occasional Paper No. 35, Montreal, Quebec, Retrieved December 9th 2008 from www.universalia.com/site/files/occas35.pdf.

[13] Morgan, P., (2006), Study on Capacity, Change and Performance: Capacity as Concept, European Centre for Development Policy Management (ECDPM), Maastricht B, The Netherlands.

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