# THE CHALLENGES OF DEVELOPMENT CONTROL OF INFORMAL SETTLEMENTS IN ARUSHA CITY: A CASE OF NGARANARO WARD

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**ABSTRACT:** The general objective of this study was to assess the challenges of controlling the development of informal settlements in Arusha city council. Ngarenaro Ward an informal settlements was used as a study area. Both primary and secondary data were collected. Primary data were collected through household survey, key informant interview and field observation. Descriptive statistical and content analysis were employed in data analysis. The results showed that there are various driving causes of informal settlements as scarcity of land resource, long government process of providing planned and survey urban land or plots, level of education and income level differences. Other driving factors were poverty, ineffective housing policy, trusted local institutions and urbanization. Plot survey, regularization progammes, tittle deed provisions and squatter upgrading projects are strategies initiated by government planning authorities to reduce informal settlement and economically empower the poor. Upgrading of informal settlement is part of the national housing programme, which aims to address the country's housing challenges. In minimizing these challenges like change of land use values and uses, rapid urbanization, high planning standards, land laws and regulation and lack of resources, Arusha city council has been taking different measures to reduce informal settlements as ongoing preparation of Arusha Master Plan, Poverty reduction and Business Formalization projects.

**KEYWORDS:** Informal settlement, Land titling, Development permit.

## 1 INTRODUCTION

The literature on informal settlements has developed significantly in the last decade, this includes work by Michelutti, & Smith, (2014), UN-HABITAT, (2015), Chambers & Myers (2016), and many more. Informal settlements are a term used in explaining urban phenomenon (UN-HABITAT, 2015). According to Chambers and Myers (2016), informal settlements are occurring around the world on a scale never known before. Both public and private lands are invaded. For example in developing countries about 32% of population lives in informal areas and in developed countries 6% of its population stay in poor housing condition (UN-Habitat, 2015). The UN Habitat defined; informal settlements using their characteristics that include settlements constructed on lands where occupants are illegally occupy and have no legal claim (UN-Habitat, 2008). Usually people in informal settlements lack choice to access or not to access to basic environmental health services like water, electricity, sanitation, roads, play grounds and houses (Cairncrsoss & Polsky, nd; Sivaramakrishnan, 2011; Hossain, 2011; McFarlane, 2012; Michelutti, & Smith, 2014). Informal settlements exist because urbanization has grown faster than the ability of government to provide planned land, infrastructure and homes (Chikoto, 2009; Michelutti, & Smith, 2014).

Tanzania is the one of the countries in sub- Saharan Africa that has highest proportion of her urban population living in informal settlements (URT, 2009; Mnyone, 2015). According to Abebe, (2011) informal settlements covers most of Tanzania's urban landscape and have been increasing both in terms of density and expansion.

Arusha City is the fourth largest city in Tanzania, which has 416,442 people (URT, 2014; Wikipedia, n.d.). The city council has full fledged department that deals with land development matters including land development control (Wikipedia, n.d.). Currently Arusha City Council has 140,509 households (URT, 2015). Shortage of enough planned land, lack of basic services in few planned areas and inability to control land speculation have created land scarcity (Cairncross & Kolsky, n.d.; Abebe, 2011;

Sulaiman, 2015). Likewise the conventional spatial planning approaches have not resulted in the desired outcomes in terms of orderly growth of human settlements and pre-empt of the informal settlement (Kombe, 2010; UN-HABITAT, 2015). The basic problems with these planning approaches have been inappropriate conception of space as somehow separable from other dimensions of society, economy and politics (Sivaramakrishnan, 2011; Hossain, 2011; Michelutti, & Smith, 2014). Indeed, the Central Government and Arusha City Council have been doing several efforts to reduce the growth of informal settlements, to ensure developments in accordance to the land laws (McFarlane, & Desai, 2015), yet majority of urban dwellers are still trapped in informal settlements. As noted;

> Representatives from Local Government, Private Sector and Civil Society met in Arusha recently for the second Stakeholders Meeting on the Arusha Masterplan 2035. So far more than 70 percent of Arusha City area falls under unplanned settlements (Arusha Times, 2015).

Rapid urbanization has also overwhelmed the local authorities' ability to register property transactions and land development, as well as to collect taxes, which in turns constrains their ability to improve and expand services.

The question is what makes people decide to make a living in unplanned settlements? For any human being to make a living and to have a shelter are important aspect for surviving in a city (Robinson, *et al*, 2016).

## 2 METHOD AND MATERIALS

This study was conducted at Ngarenaro Ward in Arusha City Council, Arusha Region. The ward is among the biggest informal settlement in Arusha city with 3016 households. Both primary data and secondary data were collected for this study. Primary data were collected through numerous qualitative and quantitative techniques particularly observation, structured interview and telephone survey. The tools used, were questionnaires, checklists and digital camera. The secondary data were gathered through document review technique/method with the use of checklist as its tool.

Sampling frame involved 3,061 households at Ngarenaro ward as obtained from 2012 national population Census (URT, 2013). Household was used as sampling unit for this study where the focus was to get information from head of household wherever possible. In some few cases where the head of the household was not around any adult person found during data collection was interviewed to represent the head of the household. Using formula developed by Cochran (1963) the proportional sample size of 93 households and 6 key informants were used to collect data for the study.

## 3 DATA ANALYSIS

The collected data were processed and analysed by the use of statistical package for social science (SPSS) Version 20. The descriptive data (numerical data) were analyzed to get frequencies and percentage distributions for various categories of variable under consideration. For the qualitative data, content analysis was used. This technique of data analysis made inferences from the data that has been developed into transcriptions (Grix, 2002; Trochim, 2006; Bhattacherjee, 2012). For this study, it was about inferences on how informal settlements sustain. In this case different conversations and the intensive notes made during fieldwork were used for qualitative data analysis.

## 4 RESULTS AND DISCUSSIONS

This section present results and discussions of the findings, which includes respondents' characteristics, driving causes of the informal settlements sustenance and government efforts to control informal settlements development.

The respondents' characteristics, which were examined in the study, were age, marital status, education, household size and occupation. The study interviewed 93 people among which 70 were male and 23 were female. The age of respondents ranged between19 to 75 years with average of 36 years. This is the age group that depends on land for their livelihood. It was also noted that most of household had an average of 3 male and 4 female members in the household. According to African culture, which is true to the majority of Tanzanians family, land is inherited basing on sex (Kombe & Kreibich, 2001). That could mean more subdivision of family land to each male child.  This was noted where houses of the people from the same family clustered together in the same area. Half of the respondents had primary education; this indicated that most of the respondents had basic understanding of land matters. As it was noted that education is perceived as among the factors that influence an individual's perception of an intervention before making decision to take part (Sachs, 2010).

## THE DRIVING CAUSES OF INFORMAL SETTLEMENTS

Informal settlements are characterized by the low quality of houses and the lack of, or inadequate infrastructure and social services (Caincross, n.d). Informal settlement has been perceived, both as a problem and solution to housing needs in speedily growing cities of many developing countries (Kombe, 2010). There are various major causes of informal settlements as scarcity of formal land resource, government delay in providing planned land or plots, level of education, income level differences, migration and trusted local institutions as shown in Table 1.

*Table 1: The driving causes of Informal settlement*

| Causes | Responses | |
|---|---|---|
| | **N** | **Percent (%)** |
| **Main causes** | | |
| Scarcity of formal land resources | 43 | 24.7 |
| Government delay in providing planned urban plots | 62 | 35.6 |
| Level of education | 39 | 22.4 |
| Income level differences | 30 | 17.3 |
| **Other sources** | | |
| Poverty | 76 | 45.2 |
| Ineffective housing policy | 57 | 33.9 |
| Population growth | 30 | 17.9 |
| Trusted local institutions | 5 | 3.0 |

*Data were based on multiple responses*

Results from Table 1 indicate that the formal land scarcity was one of the cause of informal settlements in a study area. Other reason given was existing of trusted local institutions such as local leaders and community groups that overseer informal land development including verifying and registering informal land rights, arbitrating land disputes, and sometimes organizing people for contribution for environmental health services accessibility (Kombe, & Kreibich, 2001). These local leaders command great respect from community members because they are readily available and they offer quick solutions to problems than the formal government institutions (Etzold, et al., 2009; Kombe, 2010; Etzold, 2013). Although it was reported by 3% of respondents, the following quote shows how strong it is;

> We prefer to take our problems including land problems to local leaders for solution because they are quick to respond and they have reasonable penalty compared to police and other government officials. So far our problems are their problems because they stay with us we suffer together, (Ngarenaro ward; John Akyoo, on 14th August 2016).

The inability of the responsible government institutions to provide residential plots to the ever-increasing urban population and poverty were noted to be the leading causes. The shortage of supply of planned plots caused high price on the planned urban plots, which in most cases located far from basic services contrary to Ngarenaro ward, which is located at the central business district of Arusha city as one of the respondent note;

> Yes, I have a house at Kisongo area, which is in planned area, but it is far from my working place. I used the house to get loan for my businesses- a shop and a butcher here at Ngarenaro. Here we enjoy freedom of land use changes, no one question you when you decide to change the use; something, which is difficult at Kisongo planned area (Ngarenaro ward; Juma Kimbuu, 20th August 2016).

## STRATEGIES OF ARUSHA CITY COUNCIL TO REDUCE THE OCCURRENCE OF INFORMAL SETTLEMENTS

The Government of Tanzania has over the years developed various policies and programmes to address the problem of informal settlements.

As shown in Table 2, in Arusha city council there were various strategies that were performed in order to reduce the occurrence of informal settlements.

*Table 2: Strategies to reduce occurrence of informal settlements*

| Mechanisms | Frequency | Percent |
|---|---|---|
| Plot survey | 20 | 21.5 |
| Formalization | 9 | 9.7 |
| Title deed provision | 3 | 3.2 |
| Building permits | 18 | 19.4 |
| Squatter upgrading | 31 | 33.4 |
| Provision of open spaces | 12 | 12.9 |
| Total | 93 | 100.0 |

## PLOT SURVEY

Findings from Table 2 show that plot –survey was one of the strategies taken to reduce occurrence of informal settlements in Arusha city. It was revealed that 12.9% of the households had surveyed plots. The study revealed that though important to have a surveyed plot but many people consider it expensive and they don't see why they have to survey their plots as one respondent note;

> Why should I survey my land? Everybody here knows it is mine. If I survey it, I have to pay for survey fees which are expensive, not less than one million shillings apart from that you will be required to pay land rent each year and you have to apply for building permit and follow standard when you want to make any development. But if there anyone who needs to mortgage his/her land let him/her survey it, but experience is that those who mortgaged their land ended up loosing their property. It is dangerous to mortgage land because mortgage conditions are stringent (Ngarenaro; Kihara Kisakeni on 25 August 2016).

## BUILDING PERMIT

Building permit is the one of the instrument of development control addressed by Tanzania Land Act no 4 of 1999, as it was stated in section 34(2);

> It shall be a condition in every grant of a right of occupancy where the purpose for which the grant has been made is to construct buildings on the land that the grantee of such right shall, in any case where any consents and permissions are required, apply for planning consent under the Town and Country Planning Act, and apply for a building permit under the Township (Building) Rules within six months of the grant of the right of occupancy (URT, 1999. p 2).

The study shows that only 30.1% of the respondents in a study area had processed for the building permit during the constructions of their buildings. However further probing revealed that, the remaining 69.9% of the respondents had informal building permit from local leaders as it was noted;

> It is not possible to construct a house without asking permission from local leaders. This was agreed by all members of the area to avoid unnecessary land conflicts, (Ngarenaro ward, Kimaro Amani on 21st August 2016).

## SQUATTER UPGRADING

The process of squatter upgrading is taken to be one of the government strategies to improve informal settlements. However in some instances it has been taken as a catalyst for more informal settlements development. For Ngarenaro ward, people preferred squatter upgrading as the strategy to reduce informal settlements. The findings from Table 3 shows that 79.5% of the respondent had no road connection. These people live in areas where accessibility was only by footpath though they would like to have roads connecting to their houses as noted by one of the respondent;

> We are not happy with this situation where you can own a car and park it away from your house. Many people own car but they park them at CCM office because there are no road to their houses. They told us that they will upgrade our area but so far nothing has been done, (Ngarenaro ward; Malembeka Saria on 24th August 2016).

## Change of land use

Results from Table 3 shows that change of land use was a leading challenge in Ngarenaro ward where it was freely done. This is in contrary with situation in planned settlements where any development must get permission from government authorities as noted in section 30(1) of Urban Planning Act, 2007;

> … any person being a holder of a granted right of occupancy who intends to change or vary the use of any land shall comply with the provisions of the Land Act, (URT, 2007. p-5).

The freedom to change land uses is what attracts people to informal settlements as noted by Juma Kimbuu, on 20th August 2016. Kimbuu own a shop and a butcher at Ngarenaro unplanned area and a house at Kisongo planned area.

The ever-increasing number of urban dwellers who wanted land for shelter overwhelmed the land authority. Many of the people did not even bother to look for planned plot, as the open alternative existed with little or no development control.

As showing in Table 3, lack of resources was one among the problems hindered Arusha city council to upgrade informal settlement at Ngarenaro ward because most of government planning authorities have been experiencing severe shortage of financial resources to compensate people in order to acquire land for urban development. Likewise, the land authority has very limited technical capacity in terms of qualified urban planners and surveyors. This problem is compounded by the adoption of sophisticated and rigid planning and surveying methods. Consequently, an informal land market is in force giving rise to the spontaneous developments.

There are various laws that address informal settlements which include; Land Act no. 4 of 1999, Town and Country Planning Act Chapter 378 as amended 1961, Urban Planning Act 2007, Land Acquisition Act of 1967 and Village Land Act no. 5 of 1999 (Mnyone, 2015). According to Kironde, (2009) the Urban Planning Act No. 8 of 2007 was intended to govern land use planning and management in urban areas. The law provides for public consultation in the preparation of land use schemes and the making available to the public, all approved schemes. Public consultation is a hidden resource, but it needs skills to tape and utilize, otherwise it may turn to failure (Chambers and Myers, 2016). As noted earlier Arusha city council has shortage of skilled staff, which is a very important resource for any development including land use planning.

*Table 3: Challenges facing Arusha city council to upgrade informal settlements*

| Challenges facing informal settlements control | Responses | |
|---|---|---|
| Challenges | N | Percent |
| Change of land use | 61 | 22.9 |
| Rapid urbanization | 59 | 22.2 |
| Planning standards | 48 | 18.0 |
| Land laws and regulation | 48 | 18.0 |
| Lack of resources | 50 | 18.8 |

*Data were based on multiple responses*

## 5   CONCLUSIONS AND RECOMMENDATIONS

### CONCLUSIONS

There are various driving causes of informal settlements as scarcity of planned land resource, and level of education. The other causes of driving factors are ineffective housing policy, freedom of change of land use, existing trusted local institutions and urbanization. The freedom of land use changes in informal settlements and trusted local institutions have attracted many users despite the lack of resources. Plot survey, formalization progammes, tittle deed provisions and squatter upgrading projects were strategies initiated by government planning authorities to reduce informal settlement and economically empower the poor. In minimizing informal settlements challenges, Arusha city council has been taking different measures like the ongoing preparation of Arusha Master Plan and Poverty and Business Formalization Programme. However some of these strategies became catalyst to informal development instead of controlling the same.

## RECOMMENDATIONS

- There should be open and well-conceived land titling programs, environmental and resource management planning of informal settlements regularization to enable land occupiers' full involvement. Review of policy and legislations to support the local Community to initiate land use planning and implement their outputs. In this case the government role of facilitation should be clearly defined so that the local leaders to have ways to pave in the event of conflict arising from land use implementation.
- The Arusha city initiatives will necessarily need to go together with education to impart knowledge to people who enjoy life in informal settlements because of little control they get especially in land use change.
- There is need for the government to use all available resources to influence civil societies, CBOs, NGOs for long-term institutional arrangement to enable sustainable Community Involvement in land regularization projects. That should involve training and knowledge sharing programs for capacity building, resource mobilization and projects management.
- It should be necessary to shift from the culture of top-down planning approach towards bottom-up community involvement in informal settlement activities. It is through this avenue that the structure and capacity of existing local institutions will be taken on board for any development initiations.

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