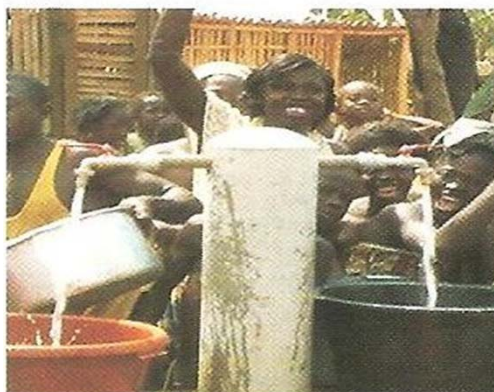


Land for Peri-urban Infrastructure in Customary Areas



E O Akrofi

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Outline of Presentation

- Introduction
- Peri-urban areas and land for infrastructural services
- Role of National and Local government
- Land Rights in Ghana – Customary tenure
- Options for land availability
- Traditional leaders and land delivery
- Appeadu Case Study
- Conclusion

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Introduction

- Organized access to land essential for basic urban infrastructure
- Access to water and sanitation problematic in slums and peri-urban areas.
- Clean water and sanitation a fundamental human rights
- National and local government to provide infrastructure
- Traditional leaders have important roles to play

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Peri-urban areas

- Peri-urban areas are outside formal urban boundaries and urban jurisdictions
- Some characteristics:
 - Fast and unplanned growth
 - Increasing **land value** and **land conflicts**
 - Land tenure insecurity
 - Planning and building guidelines and regulations not applied
 - Service infrastructure unavailable or inadequate.
 - A significant proportion of residents are in lower income categories yet pay more for services eg. Water

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The Role of Local government

- Most urban infrastructure in Africa are provided by government or para-state organizations. This work where :
 - government have control over land.
 - planning laws and regulations are operational
 - planning authority is well resourced
 - availability of funds

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Local Government

- In Ghana, the Local Government Act of 1993, the District assemblies are empowered to:
 - Develop /improve and manage human settlement
 - Grant permits for all physical development
 - Provide infrastructure and services .
 - Enforce development plans

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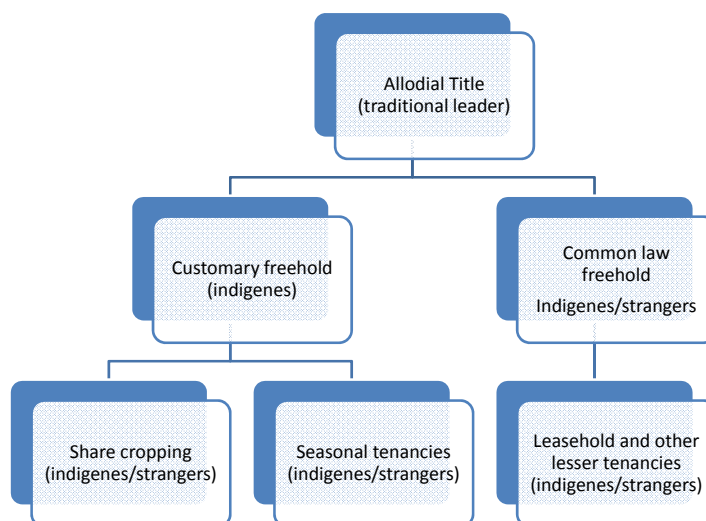
Community water and sanitation Agency (CWSA)

- Mandated to provide technical support to District Assemblies (DA) to promote
 - safe water supply and
 - related sanitation services
- CWSA criteria of selection of communities among other things are:
 - Availability of land and transfer of ownership of the land to the community
 - Absence of conflicts: land, chieftaincy and ethnic disputes
 - Community contribution to investment cost (5%)
 - Operation and maintenance of facility

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Land Rights in Ghana



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Customary Tenure

- Land under customary tenure has:
 - no written records/survey plans/registration
 - Publicity/oral tradition/occupancy – main records.
 - no defined boundaries within (same) family holdings.
 - Fuzzy boundaries between different families holdings.
- Security of tenure
 - Problematic in peri-urban areas
 - Security can be enhanced survey and updated land records

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Options for Peri-urban land for Infrastructure

- Approved layouts
 - Functional customary systems
- Group allocation
 - Group application for a block of land
 - Redesign layout and assign parcels for Water and sanitation
- Purchase of land by community
- Gift: individual or family donation
 - Transfer of land to community
- Community land provided by allodial owners

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Traditional authority land delivery

- Distribution of customary land in peri-urban Kumasi- (Functional systems)
 - The Golden Stool 5/15
 - Chief 2/15
 - Stool 2/15
 - Community 2/15
 - Land users(original) 2/15
 - Traditional authority 2/15

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Security of land for infrastructure

- Basic ingredients of secure for customary tenure are:
 - Publicity
 - Demarcation
 - Possession

Documentation serves as documentary evidence of the transaction – major role for surveyors.

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Appeadu Water supply

- [Guinea worm](#) was a problem
- Community mobilization
- Connected to the mains at KNUST.
- Irregular supply
- Mechanized bole hole
- Bole hole area declared sacred area

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Appeadu Water supply



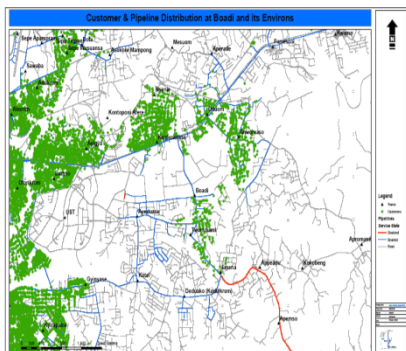
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Water in Appeadu

Appeadu GWCL



Community Initiative



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Conclusions

- Land is crucial for the development of urban infrastructure
- The community has customary right to land
- Land for community infrastructure should be appropriately transferred to community
- A functional customary systems would ensure land availability for urban infrastructure.
- Documentation is crucial for sustainability.

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Acknowledgement

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 - KNUST
 - ACC , UCT
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 - Prof. Kassim Kasanga, KNUST.

Thank you.

Water in Boadi

Dry stand pipe in Boadi



Some households in Boadi

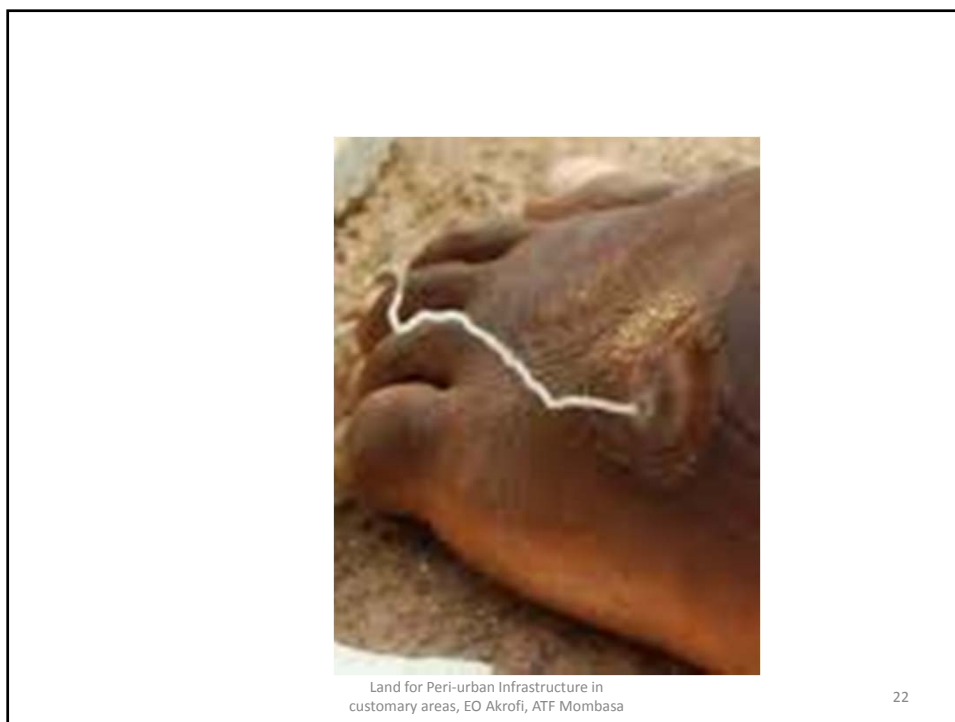
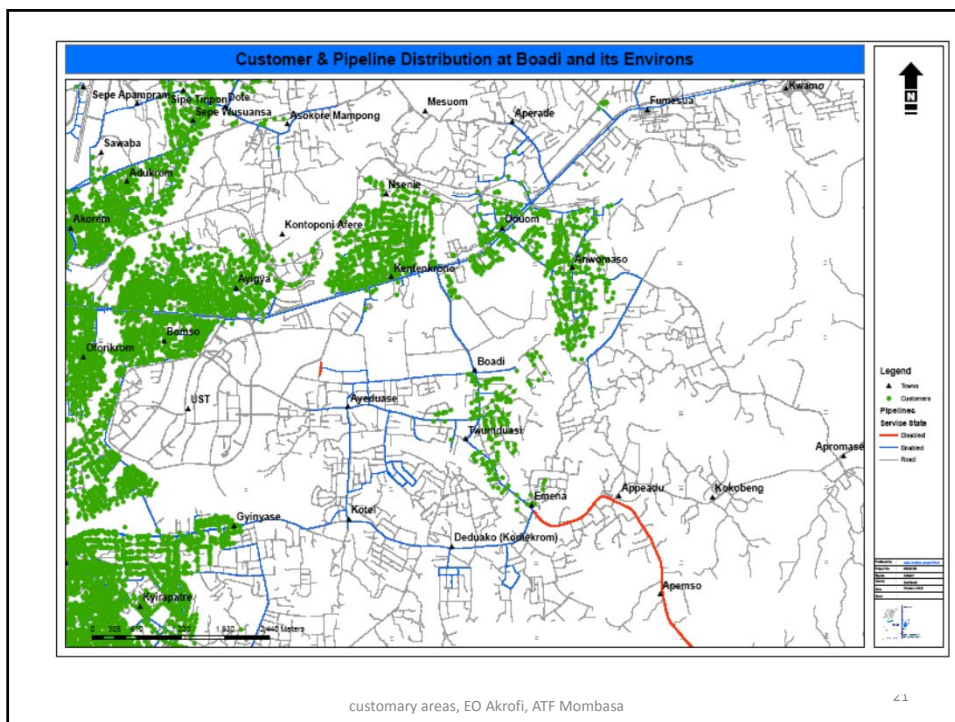


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Traditional Leaders- Good governance

- "governance" means: **the process of decision-making and the process by which decisions are implemented (or not implemented).**
- Major characteristics of Good governance
 - It is participatory,
 - consensus oriented,
 - accountable,
 - transparent,
 - responsive,
 - effective and efficient,
 - equitable and inclusive and
 - follows the rule of law



Land disputes and title registration in Kumasi HC and Title Registry

Judicial Year	No. of Pending cases c/f	Newly field cases	Cases heard within the year	Concluded cases	Appeals	Outstanding cases	Year	Male		Female	
								Received	Completed	Received	Completed
2007	751	592	-	89	28	1267	2004	70	102	19	51
2008	1267	510	-	113	32	1306	2005	44	148	11	37
2009	1306	51	134	29	7	1510	2006	52	160	9	39
June 2010	1510	14	-	35	4	1488	2007	106	80	30	24
							2008	162	103	36	21
							2009	113	64	35	17
							2010 (NOV)	79	18	36	8

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