

**MINISTRY OF LANDS,
HOUSING AND HUMAN SETTLEMENTS
DEVELOPMENT**



**GUIDELINES FOR THE PREPARATION
OF GENERAL PLANNING SCHEMES
AND
DETAILED SCHEMES FOR NEW AREAS,
URBAN RENEWAL AND
REGULARIZATION**

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GUIDELINES FOR THE PREPARATION OF GENERAL PLANNING SCHEMES AND DETAILED SCHEMES FOR NEW AREAS, URBAN RENEWAL AND REGULARIZATION.

1.0 INTRODUCTION.

1.1 BACKGROUND.

This document contains guidelines for the preparation and implementation of general planning schemes and detailed schemes for new areas, urban renewal and regularization. They have been formulated as tools to guide professional Urban Planners and Managers and other related Practitioners in the preparation, implementation, monitoring and review of these schemes. It is important to note that these guidelines have been prepared in close observation of relevant legislation and policies governing urban development planning DEVELOPMENT and management such as the Urban Planning Act (2007), the Human Settlements Development Policy (2000) and the Land Act (1999).

1.2 THE NEED FOR THE GUIDELINES.

Formulation of these guidelines is an outcome of a need to guide urban growth and development in the country. It is held in common that our towns and cities are in an appalling developmental, aesthetical and environmental situation. This includes mushrooming of unplanned and un-serviced settlements, planned areas with poor services and infrastructure, pollution and general disorderliness. All these threaten the health and welfare of the urban residents and hence social and economic development and therefore underscore the need for improving Town planning.

The specific need for these guidelines emanates from the following reasons:

- The apparent gap between Strategic Urban Development Plans (SUDPs) and Master Plans as tools for guiding urban growth and development. Introduced in early 1990s, SUDPs have been used as tools for managing urban development and their strength has particularly been commended in terms of the preparation process i.e. adopting a participatory process bringing in key stakeholders. But unlike Master plans, SUDPs fall short of explicitness in terms of future land use proposals to guide future urban growth. SUDPs have also been noted to take a relatively longer time to prepare with considerable input of financial resources as compared to master plans. This state of affairs created confusion as to which urban planning paradigm should be used in managing rapidly growing towns and cities. It called for urgent evolvement of guidelines that will guide the Ministry, practicing Urban Planners and other stakeholders to plan, approve, implement and monitor development in their respective areas of jurisdiction. These guidelines have therefore been formulated to harmonise the good qualities and practices emerging from Master Plans and SUDPs

in terms of the preparation process, time frames, contents, implementation, monitoring and review.

- The absence of urban planning guidelines for general planning schemes, new detailed planning schemes, urban renewal schemes and regularization schemes amidst rapid urban growth, has contributed to the observed unguided expansive informally developed urban areas and uncoordinated transformation of houses in the inner city/urban centres. The lack of guidelines constrained the Ministry and other urban development actors to institute effective urban development control measures especially in areas ripe for urban renewal and more so in the inner city/urban centres.
- These guidelines also stem from the requisite need of having handy and easy to interpret guidelines for practicing Town Planners in urban local authorities, Regional Secretariat and the Ministry to guide the preparation and facilitate approval monitoring evaluation, and reviews. They have also been developed with the view to harmonizing existing laws and policies such as the recently enacted Urban Planning Act (2007), the National Human Settlements Development Policy (2000) and the Land Act (1999) and the Regularization of Schemes Regulations 2001.
- Resolutions of the Ministry of Lands, Housing and Human Settlements Development's Annual General meeting 2006. The Ministry's annual general meeting held in Mbeya from 23 to 24 February 2006 resolved that Master plans should be the official urban planning and management tool and that guidelines for their preparation should urgently be put in place. The meeting, however, noted and emphasized the requisite importance of anchoring the Master plan preparation approach on stakeholder participation. These guidelines are therefore a product of the resolution from this meeting.

1.3 OVERVIEW OF PLANNING PRACTICE IN TANZANIA

Spatial/planning in Tanzania is a statutory function practiced in accordance to the Town and Country Planning Ordinance (Cap 378) of 1956, revised in 1961 and recently reviewed to give way to two legislations including Urban Planning and Land Use Planning. The main guiding policy in this endeavor is the National Human Settlements Development Policy of 2000. This provides legal responsibility for preparing general plans as well as detailed plans in advance of development.

1.3.1 General Planning Schemes

The first General Planning Scheme in Tanzania was prepared by Sir Alexander Gibbs and Partners for Dar es salaam in 1948. This was followed by a similar one for Mtwara urban centre during the same time and in 1968 a General planning scheme (Master Plan) for Dar es Salaam was prepared by a Canadian Consultant firm, Project Planning Associates Ltd.

Over the years General planning schemes in Tanzania have variably been referred to as General schemes (1940's to 1950's), Master Plans and Interim Land Use Plans (1960's to 1990's) and Strategic Urban Development Plans SUDPs (1990's to 2006).

Between 1970 and mid 1990s, the Ministry of Lands had facilitated preparation of 15 regional towns' master plans and about half of the district towns' headquarters Interim land use plans. At the moment, most of these plans are outdated. Criticisms that have been raised against master planning approach include master plans being viewed as a prerogative of the government with little involvement of other government departments, private sector and popular sector (Community Based Organisations(CBOs) and Non Governmental Organisations(NGOs)), who are also responsible for implementing these plans. Master plans have also been criticised for being mainly concerned with desired – end state rather than the process of achieving it.

From mid 1990s, Strategic Urban Development Plans (SUDPs) were introduced with a pilot project in Dar es Salaam under the Sustainable Dar es Salaam Project (SDP). The preparation process was anchored on Environmental Planning and Management (EPM). The hallmark of this approach was its emphasis on the use of broad based sectors and stakeholder participation in the planning and implementation processes. It is imperative to note that the EPM approach was also enshrined in the National Human Settlements Development Policy (NHSDP), 2000. There was however no Cabinet Paper prepared or discussed to support its approval and adoption by the Government.

Other cities/municipalities which have used this approach include Mwanza, Moshi, Iringa, Mbeya, Morogoro, Tanga and Arusha. Between 1998 and 2006, the Ministry of Lands in collaboration with respective Local Government Authorities prepared SUDPs for Shinyanga, Karatu, Makambako, Songea, Vwawa, Tunduma, Kibaha and Lushoto.

Despite the many advantages of SUDPs over Master plans many inherent shortfalls and weaknesses have been observed. These include delay in the completion of SUDPs preparation (e.g. for Dar es Salaam it has taken more than seven years), dependence on external organisations and funding, thereby limiting true bottom-up participatory approaches and the lack of long-term vision of the City/Municipal/Town spatial structure, which is the mainstay of general planning schemes.

The general assessment shows that both Master plans and SUDPs have positive and negative qualities. These guidelines take on board the good qualities of SUDPs and master plans. The best option for the way forward is thus to combine emerging opportunities from SUDPs and Master Plans. These qualities include; effective participation of key stakeholders in the planning and implementation processes, production of land use plans as a product of the planning process, ensuring that all provisions of the Urban Planning Act (2007) are taken into consideration in particular the integration of participatory groups into the activities of the local governments institutional framework from the planning, implementation and management of sustainable urban development.

1.3.2 DETAILED PLANNING SCHEMES

Currently, there are many approved detailed planning schemes, some of which have been implemented but there are many more planning schemes which have not been adopted for implementation. Consequently spatial growth proceeds unguided with conspicuous negative implications to people and the urban environment. This situation is a result of the following reasons, among others:

- Inadequate involvement of stakeholders in plan making
- Disregard of land rights and other interests in land during plan preparation
- Planning schemes are not displayed in affected localities
- Lack of awareness about existence of a planning scheme
- Schemes are not prepared in a form that display the expected spatial outlook (image)
- Schemes are not accompanied by infrastructure investment plans and budgets
- Lack of resources for settlement of third party interests to secure public land and carry out cadastral survey
- Poor coordination among developers and utility agencies
- Poor enforcement of development control measures

There are however potentials that could be harnessed to redress the situation such as the high demand for building land and the existence of resources among potential developers.

The aim and objectives of these guidelines are thus to facilitate preparation and implementation of detailed planning schemes for new areas which will create conducive environment for human habitation and contribute to sustainable development.

1.3.3 URBAN RENEWAL SCHEMES

The central area urban renewal schemes in most Tanzania's urban centres, especially redevelopment programmes have gained significance due to the inherent complexities of land market, gross deterioration of housing and infrastructure services and the ever increasing land values versus user competition of various uses in the inner urban areas. The change in the country's policy in housing investment (waiving of 1971 Acquisition of houses), adoption of trade liberalisation, encouragement of private sector investment in housing and real estate development are responsible for the rapid transformations and house reconstruction activities taking place in most inner cities of the country.

While these development trends remain factual to almost all urban regional centres, they are uncoordinated characterised by piecemeal plot-by-plot redevelopment of houses with limited consideration for consequent infrastructure and service requirements. The lack of participatory mechanisms to involve the public-private and other sector parties in the process particularly the utility agencies. Investments are

mostly made on ad hoc basis without adequate resources and proper mechanism for infrastructure upgrading and waste disposal mechanisms and overall maintenance programmes. Other shortfalls include; limited mechanisms for development control, inadequacies in urban planning standards to guide vertical development of inner city/urban areas inadequate integration of landscape aspects in the design, inadequate integration of the private sector which is becoming the key player in redevelopment of inner city and investment in housing, untapped potential of the business and commercial sector to stimulate infrastructure investment in the inner city/urban areas, imperfection of the land market operations in the inner city areas and limited approaches in implementing inner city/urban redevelopment plans.

Over the years, urban renewal plans for inner urban areas of cities and towns have constituted only two dimensional plans with limited guidelines on the vertical development of these centres. These plans lack appropriate implementation, monitoring and development control guidelines. These guidelines are therefore meant to provide a framework for preparation, approval, implementation and monitoring and evaluation of renewal plans with the view to assisting Urban Planners and Managers in preparing, controlling and coordinating urban renewal processes in the inner city areas in Tanzania.

1.3.4 REGULARIZATION SCHEMES

Development of informal settlements is a process that follows complex growth paths, actions and decisions of different actors especially the urban poor. Experience shows that the growth trajectory of informal settlements comprise three inter-linked developmental stages of *infancy* i.e. starting stage, usually characterized by a sparsely built settlement, *consolidation* i.e. booming stage, which often depicts a moderately built settlement and *saturation* i.e. usually crowded and highly densely built.

In the past decades, and more specifically in the 1960s, the government approach towards informal settlements development was through slum and squatter clearance that involved annihilation of dilapidated informally built settlements. Starting in the 1970s, the government pursued squatter upgrading, a humane approach that involved in-situ provision of basic services to these settlements with modest demolition of houses. Even though these initiatives registered some positive results, they were accompanied with a number of shortfalls such as massive displacement of people and their livelihood activities (especially the slum clearance), limited government resources to service all the settlements, dependence on external funding, lack of stakeholder participation, lack of maintenance and lack of effective cost recovery mechanisms.

Recent initiatives by the government to regularize and issue licenses to properties in informal settlements are commendable efforts towards the right direction. However, one of the key lessons we have learnt from the project's execution so far is that impacts and outputs from this program would be much higher and more sustainable if land use planning preceded adjudication and registration of private properties. This would

facilitate and make it easier to negotiate and secure land for improvement of public services and facilities before individual property boundaries are adjudicated and registered. Besides an intervention before an informal settlement consolidates would be a better and an effective strategy to secure land for basic infrastructure such as roads, social and recreational facilities before private interests on land overshadow public requirements. Regularization therefore, becomes a key tool towards effective management of informal settlement development in urban areas.

Sections 56-60 of the Land Act No. 4 of 1999 outline specific provisions to direct regularization of informal settlements. The Act spells out the key steps including actors and procedures for preparing schemes of regularization. According to the Act the powers to prepare, approve and declare schemes of regularization (S58 (3), and S 59, are vested in the Minister responsible for Lands, Housing and Human Settlements Development. These guidelines take cognizance of the Land Regularization of Schemes Regulations 2001 and have been developed to complement these legal provisions but also taking into consideration experiences in some of the regularization projects so far carried out in the country.

1.4 STRUCTURE OF THE REPORT.

In order to address comprehensively the problems and challenges inherent in most of the Tanzania's urban areas, it was agreed that the guidelines should capture the four main areas of general planning schemes and detailed planning schemes for; new areas, urban renewal and regularization areas. This report is therefore structured alongside these four main areas. Thus, while section one provides for the general introduction to these guidelines, section two provides for guidelines for the preparation of general planning schemes. Section three dwells on guidelines for new detailed planning schemes. Section four spells out guidelines for urban renewal schemes. Section five provides for guidelines for schemes of regularization.

In each of these guidelines, detailed explanation on the planning process, form and content of outputs, implementation, monitoring, evaluation and review have been provided.

2.0 GUIDELINES FOR PREPARING GENERAL PLANNING SCHEMES.

The preparation of a General Planning Scheme shall be undertaken by Preparatory/Planning Authorities which include the Minister responsible for Town Planning and responsible Local Government Authority (City Council, Municipal Council, Town Council, District Council and Township Authority). In the course of preparing a General Planning Scheme (Master Plan/Interim Land Use Plan), the following tasks shall be carried out:

2.1 PREPARATION PROCESS

2.1.1. Preliminary.

i) Consultations:

- The Minister responsible for Town Planning shall consult with the Local Government Authority (LGA).
- The LGA shall pass a resolution for preparation of a general planning scheme.
- The Minister responsible for Town Planning shall declare the planning area and gazette it.

ii) Administration:

- **Establishment of a General Planning Scheme (Master Plan) Steering Committee.** The Council Management Team (CMT) shall be the General Planning Scheme (Master Plan) Steering Committee of a respective LGA whereby the LGA Town planner shall be the Secretary.
- **Establishment of a Technical Committee.** The LGA shall establish a Technical Committee (TC) chaired by the Secretary to the Steering Committee (Town Planner). Members of the Technical Committee shall include Heads of Departments/Sections in a respective LGA who are also coordinators of theme-specific issues.
- **Establishment of Technical Sub-Committees.** The LGA shall establish Technical Sub-Committees to be chaired by the Technical committee members (coordinators). The Technical Sub-Committee members shall not exceed 10 but not be less than 6. These are mainly departmental/sections members of staff and themes' key stakeholders.

2.1.2. Initiation and mobilization.

- i) The Steering Committee shall mobilize and sensitise stakeholders through Consultative meeting(s) with the view to create or raise awareness, solicit commitment and elaborate on roles, mandates and ownership of each stakeholder.

- ii) Stakeholders shall identify planning problems and define goals and objectives geared towards realizing the envisaged plan.

2.2.3. Data collection and processing.

The Technical Committee shall:

- Review existing data and literature concerning the planning area,
- Obtain and Prepare Base Map,
- Make reconnaissance surveys of the planning area,
- Conduct social and economic Surveys or Interviews on population and housing,
- Collect sectors data and information inventory,
- Conduct Land use surveys: Physical surveys in updating the base map and preparing the existing land use map,
- conduct traffic surveys,
- collect any other data depending on the themes and sub-themes.

2.2.4 Data analysis and synthesis.

- The collected and processed physical and social-economic data and information shall thereafter be analysed and synthesised by the Technical Committee.,
- The Technical Committee will also make both physical and non physical problem identification.

2.2.5 Plan conceptualization.

The Technical Committee shall furthermore:

- Make identification of potential development areas.
- Prepare projections: Future projections shall be made for short, medium and long term periods, that is, 5, 10 and 20 years which shall cover;
 - Future population estimates,
 - Housing Demands,
 - Social facilities,
 - Infrastructure provision,
 - Land Requirements.
- Formulate alternative concepts.

2.2.6 Draft plan preparation.

The Technical Committee shall:

- Prepare a detailed alternative conceptual plan,
- Make Project Identification,
- Prepare a Draft report.

2.2.7. Plan adoption and acceptance.

- The Planning Authority shall deposit notice of the Plan under preparation,
- Local Government Authority shall convene the second stakeholders' consultative meeting and ask the Planning Authority to present to them the draft plan for discussion, scrutiny and improvement.

2.2.8. Refinement of accepted plan.

The Preparatory Authority shall incorporate comments, opinions and recommendations from stakeholders and specified authorities in the draft plan.

2.2.9 Plan approval.

The LGA shall carry out the following tasks:

- Submit the plan to the Minister responsible for Town Planning for scrutiny and subsequent approval. The submission shall be through RAS office as provided for in the laws,
- Make Public Notification by having the Plan Gazetted in the Government Gazette and two other widely circulated daily papers,
- Plan publication and distribution.

2.3 OUTPUTS OF THE PROCESS.

The outputs of this process shall be:

- Planning Document
- Text and Graphics.

2.4 Form and Content Of Outputs.

2.4.1 General.

The form of outputs of a general planning scheme shall consist of but not limited to the following:

- A technical report on the conditions, resources and facilities in the area;
- A statement of policies and proposals with regard to the allocation of resources and the locations for development within the area;
- Description and analysis of the conditions of development in the area as may be necessary to explain and justify the statement of policies and proposals;
- Relevant studies, data and reports concerning physical development of the area;
- Maps and plans showing present and future land uses and development in the area; and
- Any information as the Director of Human Settlements may deem necessary

2.4.2 Text.

The basic parts or contents of a General Planning Scheme Report shall include:

i) Introduction.

Location, Physiography, Climate, Historical Developments, Existing Plans, Development patterns and Administrative set up.

ii) Demography.

Regional and District Population, Planning area Population, Household Size, Ethnic Composition, Religion, Migration Trends and Population Growth Trends.

iii) Economy and employment.

Economic Activities; Industries, Commerce and Trade, Agriculture, Livestock Keeping, Fishing etc; Employment Structure, Income Distribution and Composition.

iv) Existing land use.

Residential; Planned and Unplanned, Commercial Use, Industrial Use, Institutional Use, Open spaces and Recreational Areas, Transportation Links/Circulation System, Others.

v) Housing and residential development.

Housing Types, Quantity, quality, Building Materials, Building Conditions, Occupancy Characteristics, House Ownerships, Squatter Development, Housing Requirement (Demand and Supply).

vi) Social and community facilities.

Educational Facilities: Nursery Education, Primary Education, Secondary Education, Post Secondary Education/Colleges, Adult Education and others.

Health: Dispensaries, Health Centres, Hospitals, Pharmacy shops. Other community facilities such as: administrative facilities, Religions and Others including NGOs, CBOs, etc.

vii) Public utilities.

Water supply, Water Sources, their capacities, Water Consumption, Water Demand, Solid Waste Management, Sanitation, Electricity and Storm Water Drainage.

viii) Transport, transportation and communication.

Road Transport, Present Road Network/Pattern, Road Condition, Traffic, Public Transport, Travel Characteristics/Modal Analysis, Parking, Rail Transport, Air Transport, Water Transport, Communication: Postal services, Phone services (Land lines, Wireless/Mobile phone services), Internet, Radio and Television Programmed Services.

ix) Summary of problems, goals, objectives and the urban concept.

Summary of Problems (per sector or issue), Planning Goals and Objectives, Population Projections, Land Use Requirements, the Urban Concept.

x) Planning proposals, policies and recommendations.

These should cover all the sectors discussed in the analysis part.

xi) Plan implementation, costing and development phasing.

General, Plan Implementation, Costing, Urban Development Staging and Work Program

2.4.3 Maps, plans and figures.

National, Regional, District and Local Setting Map(s); Township Administrative Boundary Map, Population Density Map, Existing Land Use Map: indicating Land Uses including

Residential, Commercial, Industrial, Institutional, Community Facilities, Open Spaces and Recreational Facilities, etc.

Existing Thematic Maps Depicting: Water Distribution System, Solid Waste Collection and Dumping Sites, Areas Served by Various Types of Sewerage Systems, Electricity Distribution System, Road Circulation System and/or Road Condition, Proposed Thematic Maps; Proposed General Land Use Plan.

2.5 Time Frame.

The usual planning period of a General Planning Scheme is two years. However, the planning period can be cut short if the necessary resources including man power, finances and technical equipment are availed promptly and in time. Therefore the timeframe for the plan preparation process shall not exceed two years.

2.6 Implementation.

Although the sections 40-43 of the Urban Planning Act (2007) stipulate that Planning Authorities are responsible for execution of plans and development control, its practice leaves a lot to be desired. This dismal situation needs to be revamped through appropriate implementation strategies which include:

2.6.1 Implementation Modalities.

- Mobilization of stakeholders through participatory consultative meetings/workshops) prior to actual implementation.
- Soliciting commitment from implementing agencies such as Utility Agencies, the Private Sector, Internal and External Development Partners.
- Preparation and execution of detailed planning schemes]
- Establishing coalitions and partnerships such as Public Private Partnership (PPP), Sub-Leasing, Joint Ventures and others.

2.6.2 Mobilization of resources.

- Mainstreaming schemes in planning and budgetary systems of respective LGAs such as Medium Term Expenditure Framework (MTEF).
- Mobilize resources from external sources (outside respective LGA)

2.6.3 Land access.

Procedures for access to land have been laid down in the Land Act 1999 as well as in the Urban Planning Act 2007. Land access can be

- Through community members' committing some parts of their land for public use,
- Through acquisition or purchase by Central or Local government Authorities,
- The government has to pay fair and prompt compensation,
- For urban renewal 'displacees' the resettlement policy must be applied.

2.7 Monitoring and Evaluation.

The Steering Committee shall play a key role in the monitoring and evaluation process.

2.7.1 Mechanisms of monitoring process and outputs.

The Steering Committee shall adopt Stakeholders Participatory Monitoring whose main features are as follows;

- Preparation: deciding on the need for an assessment, determining the cost and time available, identifying a lead participatory monitoring/evaluation facilitator, definition of Terms of Reference for the monitoring/evaluation and training the team of monitoring/evaluation facilitators,
- Participatory Assessments, Self-evaluations and analysis
- Action planning,
- Dissemination of the results.

The main interventions that are being monitored and evaluated include the following issues:

- *Progress:* Implementation progress by Implementing Agency
- *Impact:* Achievements, Implementation costs, Limitations and Difficulties in achieving plan objectives and goals
- *Long term impact:* In terms of long term impacts stipulated in policies and long term impacts of the plan.

2.7.2 Monitoring indicators.

i) Plan preparation process.

- a) *Preliminary:* Correspondences and consultations made, Resolution on preparation of General Planning Scheme is made, Government Notice declaring a planning area in a Government Gazette, Established General Planning Scheme Steering Committee
- b) *Initiation and Mobilization:* Held mobilization and sensitization consultations/meetings, Preliminary base maps
- c) *Data Collection:* Collected baseline/row data and information, Updated base maps
- d) *Data Analysis and Synthesis:* Analyzed and synthesized data
- e) *Plan Conceptualization:* Projected requirements for various sectors, utilities and facilities, Formulated (Proposed) Development Alternatives
- f) *Draft Plan Preparation:* Draft (Report) Plans and drawings.
- g) *Plan Adoption and Acceptance:* Deposited Plan, Held Consultative Meeting, Stakeholders' comments/recommendations (Inputs), Accepted Plan by Stakeholders
- h) *Refinement of Accepted Plan:* Final (Report) Plan

i) *Plan Approval*: Approved Plan

ii) Implementation process (Performance indicators).

- a) *Modalities*: Establishment of the stakeholders' commitment, their roles and mandates, execution of planning scheme, compliance to the planning scheme.
- b) *Mobilisation of resources*: Allocating adequate budget and funds disbursements for prioritised projects
- c) *Making land available/ acquisition*: Clearance of third party interest (compensation arrangements)
- d) Land banks created.

2.7.3 Evaluation.

- Making an overall assessment of the implementation
- Evaluation report produced

2.8 Review of the Plan.

Section 14 of the Urban Planning Act 2007 requires that a general planning scheme be reviewed by the Planning Authority anytime where the need arises. The Director for Town Planning may also direct a review of a general planning scheme to be made at any time within ten years of its publication in the Gazette. Moreover an LGA shall, at regular intervals of twelve months, submit to the Director of Town Planning progress reports and evaluation of the operation and implementation of the general planning scheme.

3.0 GUIDELINES FOR DETAILED PLANNING SCHEMES FOR NEW AREAS.

The plan preparatory and implementation authority for all detailed planning schemes are the central government, local authorities and/or private institutions. The law provides that landholders may also prepare detailed planning schemes. The planning process to be adhered to for new detailed planning schemes is as follows:

3.1 PREPARATION PROCESS.

- The LGA shall justify a need for a detailed planning scheme, and declare the area a planning area.
- The LGA shall pass a resolution of intention to prepare a detailed planning scheme
- The Steering Committee (Council Management Team-CMT) shall let the Minister responsible for town planning, publish intent by a notice in a Government Gazette and news paper circulating in the local area, and put a notice in a local government-Mtaa and Ward offices.
- The Preparatory Authority shall convene a meeting of all stakeholders in the area to be affected by the scheme, to allow participation in the preparation of the scheme as well as allowing landholders to submit their proposals/schemes.
- Following a positive resolution from the above meeting the Council Management Team (CMT) and LGA shall endorse the idea.
- The Technical Committee (TC) shall identify actors and stakeholders, their roles, mandates, capacity for implementation
- The CMT shall consult with the actors and stakeholders who include service providers and seek their development proposals and views in the planning area.
- The TC shall prepare a planning program indicating population, uses and land use budget, standards and conceptual plan.
- The TC shall prepare draft detailed planning scheme for the area and a 3 dimensional illustration of a part or whole scheme.
- The CMT shall prepare corresponding infrastructure layout proposals in collaboration with utility agencies and solid waste collection and disposal sites.
- The TC shall prepare action plans and budget.
- The Preparatory Authority (PA/CMT) shall present the scheme to stakeholders and the Council for acceptance and endorsement.
- The Local Government Authority (LGA) shall submit the scheme to the Director of Town Planning through the RAS.

3.2 Time Frame.

Preparation of a detailed plan shall not exceed 6 months.

3.3 CONTENT AND FORM OF OUTPUTS.

3.3.1 The outputs of a detailed planning process shall include:

- A report of existing situation and planning program;
- Location plan in appropriate scale,
- Conceptual plan,
- A plan/scheme in scale 1:2500,
- Infrastructure supplement plans in appropriate scale
- Cluster plan in scale 1:1000/1:500,
- Illustrative 3D-model of a part or whole scheme in appropriate scale, where applicable a plot site plan in scale 1:200/1:100,
- Action plan and budget (implementation schedule/plan).

3.3.2 Detailed contents of the outputs.

- A report containing an analysis of land terrain, soils, climate, vegetation, existing land uses, land tenure, existing development, surveyed plots/farms, pattern of all development within and surrounding areas, land requirements for various uses (to include utility services, community facilities, and solid waste collection and disposal sites) needed by a targeted population within a given planning period. The report shall also contain identification of authorities/actors responsible for providing service and/or developing the various land uses and their plans/any commitments for the area.
- Indicative report summarizing possible strategies for clearing third party interests in the area.
- Land use plan (drawings) providing for reservation of areas, zones, and sites for dwelling units, shopping facilities, community facilities, landscaping, conservation and preservation areas, agricultural and other purposes.
- Layouts of physical infrastructure and public services to include sites for liquid and solid wastes collection and disposal/treatment.

3.4. Implementation Process.

- The TC shall send copies of approved scheme to the Regional Secretariat and planning authority for custody.
- The CMT shall present approved scheme to Ward/Mtaa Offices and avail copies for display and custody of Mtaa/Ward Leaders.
- The CMT shall mobilize resources for effecting cadastral survey and infrastructure provision.
- The CMT shall convene a consultation meeting with actors and stakeholders to agree on implementation, operation and maintenance modalities to include sharing of roles and responsibilities; timeframe; and commitment.
- The CMT shall establish a committee comprising stakeholder's representative to mobilize resources needed for implementation.

- The TC shall coordinate the carrying out of cadastral surveying by local authority or private surveyor.
- The TC shall get the survey plan approved by the Ministry.
- The CMT shall collaborate with basic utility agencies to ensure provision of infrastructure, community facilities as well as solid waste collection and disposal sites.
- The LGA shall dispose plots to prospective developers and facilitate processing of certificate of occupancy.
- The LGA shall facilitate issuing of building permits.
- The TC shall enforce and ensure adherence to development conditions
- The TC shall ensure developers have obtained building permits or planning consents.
- The TC in collaboration with Ward/Mtaa Offices shall ensure that development conforms to development conditions.

3.5. MONITORING AND EVALUATION.

A systematic monitoring and evaluation of plan implementation by the CMT should adhere to the following procedure:

- The TC in collaboration with Ward/Mtaa Offices shall monitor implementation of the approved detailed schemes at regular intervals of three months.
- The TC shall prepare annual detailed plan implementation report indicating achievements of targets, constraints and recommendations.
- The TC shall submit the report to the local authority for forwarding to the Regional Secretariat and Director of Human Settlements Development.

3.6. REVIEW OF THE PLAN.

As per section 22 of the Urban Planning Act 2007, the Planning Authority shall review a new detailed planning scheme within five years or at an extended time as the Director may determine. The Planning Authority shall also at regular intervals of twelve months, submit to the Director a progress report and evaluation of the operation and implementation of the detailed planning scheme. In reporting, progress reports should highlight status of implementation with regard to set targets, bottlenecks and initiatives to address them.

4.0. GUIDELINES FOR URBAN RENEWAL SCHEMES.

The key processes in the preparation of urban renewal schemes are as follows:

4.1. PREPARATION PROCESS.

- The Technical Committee (TC) shall identify areas ripe for urban renewal by using (but not limited to) the following criteria:
Location of the site in relation to the city/municipal/town centre, change in the key functions of the area from typical residential to commercial or institutional uses, expiry of leases periods, number of application for change of use, densification of buildings and intensity of activities in the area, degree of obsolescence of buildings and infrastructure, requirements of open spaces, traffic congestion and increased environmental pollution.
- The TC shall prepare a Town Planning drawing (Locational Map) indicating boundaries of areas ripe for urban renewal.
- The TC shall present the Town Planning Drawing (Locational Map) to the Urban Planning Committee for approval.
- The LGA shall request the Minister to declare the area as ripe for Renewal and publish the notice in the Government Gazette.
- The LGA shall mobilize resources for the preparation of the renewal scheme.
- The Minister responsible for Town Planning shall send a notification letter to the LGA as to the government notice publication.
- The LGA shall designate a Preparatory Authority for the renewal plan and identify key stakeholders and main actors (Utility Agencies such as Electricity, Water, Sewerage and Sanitation, Roads and drainage; representatives of the community (property owners and tenants); CBOs and NGOs, private entrepreneurs, local authority leaders, faith based organizations, influential people and political institutions operating in the renewal area. The Preparation process shall involve the following stages:
- Initiating the process by creating awareness of intention to prepare an urban renewal scheme;
- Convening a meeting of all stakeholders, including landholders, public and private institutions, Community Based Organizations and Non-Governmental Organizations in the area to be affected, to seek their comments and contributions;
- In the event of acceptance by the said meeting, the Planning Authority shall proceed to prepare an urban renewal scheme. Among the main activities to be included the following are crucial:
- Site location studies thereby characterising the location of the site in relation to the overall town and other important features
- Physical inventories/ studies of buildings. These should include the following: building condition surveys; such as building types, building ownership, building heights, building uses and land use and land tenure. Other inventories shall include infrastructure services, transport and traffic, community facilities,

recreational facilities, landscape qualities, townscape characteristics, socio-economic studies and summarising key issues emerging from the study

- The TC shall prepare an Urban Renewal area existing land use and future land use proposal.
- The CMT shall present the proposal to the LGA and then to Stakeholders.
- The TC shall identify priority areas for urban renewal.
- The Steering Committee shall establish a Sub-Committee to further examine,
- Identification of priority areas and preparation of strategies for redevelopment approaches.
- The CMT shall organize Mini-consultations to solicit comments on the strategies.
- The TC shall prepare action plans for Sub-Committee specific areas.
- The TC shall compile Sub-Committee-specific action plans to prepare the urban renewal plan.
- The CMT shall present the renewal plan to LGA consultative meeting.
- The TC shall incorporate comments from the consultative meeting and prepare a final plan for submission to the respective LGA.
- Within three months of the making of the scheme the Planning Authority shall conduct a public hearing or hearings in the planning area; and
- The TC shall make alterations or modifications, if any, by taking into account the results of public hearings before submitting the scheme for its approval.
- After preparation of the urban renewal scheme the CMT shall forward it to the planning authority for scrutiny, approval and adoption.
- The scheme shall then be forwarded to the Director in the Ministry (MLHSD) for scrutiny, approval and adoption.
- The LGA shall present and discuss a draft detailed urban renewal scheme with all stakeholders in the affected area and incorporate stakeholders' views within three months of making the scheme and submit it to the RAS who will submit the same to the Minister for approval.
- The Minister shall cause approved scheme to be published in the Government Gazette.
- The Local authority shall place the approved scheme for inspection by the general public at its offices, ward and sub-ward office in the planning area.

4.2. Time Frame.

The time frame for the preparation of the scheme shall be 12 months, from scheme preparation to approval by the Ministry.

4.3 Content and Form of Outputs.

The content and form of outputs of an Urban Renewal Scheme shall have regard to a General Planning Scheme. The content and form of outputs of an Urban Renewal Plan shall include the following:

- A report, maps, drawings and plans showing; declared renewal area boundary Map, site location characteristics in relation to the Central Business District (CBD)

and other functional areas of the settlement. They should also show; building conditions, building types including formal properties, land tenure and building ownership, building height, building uses and existing broad land uses of the area.

- Maps showing infrastructure services, text and statistical figures; existing water reticulation network and level of service, existing sewerage and sanitation systems and level of service, solid waste management system existing and proposed, road network, parking, street lights and their condition, existing and proposed storm water drainage system and its condition, electricity supply and level of service, telecommunication, internet systems and their level of services.
- Text, maps, drawings and plans on transport and traffic; prevailing Mode of transport, modal split, disaggregated data on existing modes of transport, pedestrian traffic characteristics, public transport types, routes and level of service, non-motorized traffic characteristics.
- Text maps drawings and plans showing location and level of service of community facilities; community commercial centres, nursery, primary, secondary schools and colleges, pharmaceutical shops, dispensaries, health centres and hospitals, faith based facilities, sports grounds, open spaces, sanctuary and their uses, restaurants, pubs, clubs, social halls, indoor sports centres.
- Text maps, plans, drawings showing landscape qualities; soft landscape elements such as trees, shrubs, grasses and water bodies, hard landscape elements such as; surfaces, ramps, fences, steps and railings.
- Text, plans, drawings and maps showing townscape qualities; skyline, streetscapes including three dimensional perspectives of streets, voids and solids, street facades including cross section of streets, massing of buildings, block densities indicating land coverage and floor area ratios.
- Text, drawings, plans and maps of conservation areas, sites and monuments with historic, architectural, aesthetic, or commercial values.
- Text, drawings, plans and maps analyzing socio-economic characteristics of the area namely; demographic characteristics including total population, structure, density and distribution, economic base and employment pattern such as formal and informal economic activities, employment sectors, income distribution and expenditure patterns.
- Text drawings, plans and maps analyzing security and safety of the area; level of crime and crime incidences, black spots, natural surveillance mechanisms,

individual/group initiatives to curb crime incidences, day and night safety and security conditions.

- Concept development; formulation of goals and objectives, projections on future requirements versus population, conceptual proposals on infrastructure, conceptual proposals on clustering of buildings, conceptual proposals on land uses, conceptual zoning proposals for building heights, conceptual proposals on conservation of areas, sites and monuments with historic, architectural, aesthetic, or commercial values in collaboration with the Antiquities department.
- Redevelopment proposals on; future land uses, improvement plan proposal, building conditions improvement, building types including formal properties, land tenure and building ownership arrangements, building height, building uses, building coverage, floor area ratios, density variation, conservation of areas, sites and monuments with historic, architectural, aesthetic, or commercial values in consultation with The Antiquities Department.
- Public utilities proposals; water reticulation network, sewerage and sanitation systems, solid waste management system, road network, parking, street lights, storm water drainage system, electricity supply (electricity, network systems street lights and location of substations), telecommunication and internet systems, pedestrian movement and traffic routes, public transport routes implementation, non-motorised traffic.
- Proposals on community facilities; community facilities, sports grounds, open spaces and sanctuary, restaurants, pubs, clubs, social halls, indoor sports centres, landscape qualities improvement, streetscapes and three dimensional (3-D) perspectives of streets, voids and solids, street facades and cross section of streets, massing of buildings, block densities indicating land coverage and floor area ratios.
- Security and safety measures; security and safety measures, natural surveillance mechanisms, day and night safety and security measures.
- Plan Implementation; phased implementation plan proposals, implementation modalities, cost estimates for phased proposals including key actors, their roles and responsibilities.
- Monitoring and evaluation; monitoring process and outputs, monitoring indicators, evaluation of the scheme and scheme implementation, feedback and amendment of scheme proposals, review of the scheme.

4.4. Implementation Process.

- The LGA shall send copies of approved scheme to the Regional Secretariat and Planning Authority for custody.
- The LGA shall present approved scheme to Ward/Mtaa Offices and avail copies for display and custody of Mtaa/Ward Leaders.
- The LGA shall mobilize resources for effecting cadastral survey and infrastructure provision including access to land and resettlement modalities.
- The CMT shall convene a consultation meeting with actors and stakeholders to prepare action plans, setting priorities, and institutional framework. The meeting should also agree on implementation, operation and maintenance and any other modalities to include spelling out of roles and responsibilities; prepare cost estimates, bankable projects and ensuring commitment of everyone.
- The Sub-Committees shall prepare Action Plans with the view to operationalise the general and broad redevelopment proposals.
- The Steering Committee shall establish a Committee comprising stakeholders representative to mobilize resources (Human, financial and equipment) needed for implementation of the scheme.
- The TC shall coordinate cadastral surveying to be carried out by Local Authority or private Surveyor.
- The TC shall get the survey plan approved by the Ministry.
- The LGA shall collaborate with the Conservation Authorities and basic utility agencies to ensure provision and adherence to conservation and preservation requirements, provision of infrastructure, community facilities as well as solid waste collection and disposal sites.
- The LGA shall facilitate processing of certificates of occupancy.
- The LGA shall facilitate issuance of building permits.
- The LGA shall enforce and ensure adherence to development control by putting in place a Development Control Unit.
- The LGAs shall ensure developers have obtained planning consents and building permits.
- The LGA in collaboration with Ward/Mtaa Office ensures that development conforms to development conditions.
- LGA in collaboration with Ward/Mtaa Office ensure regular monitoring of all activities.
- The LGA in collaboration with Ward/Mtaa Office ensure regular evaluation of performance of all activities.
- The LGA in collaboration with Ward/Mtaa Office ensure regular reviews are done resulting from the monitoring, evaluation and where necessary even auditing of performance of all activities not less than once in three years.
- Resettlement of the affected persons shall be done within or outside the planning area.

4.5. Monitoring and Evaluation.

In order to ensure systematic monitoring and evaluation of the scheme CMT shall adhere to the following guidelines:

- The TC and the Development Control Unit in collaboration with Ward/Mtaa Offices shall monitor implementation of the approved detailed schemes at regular intervals and document development on monthly bases.
- The TC and the Development Control Unit shall prepare annual detailed plan implementation report indicating achievements of targets, constraints and recommendations.
- The TC shall submit the report to the Local Authority for forwarding to the Regional Secretariat and Director of Human Settlements Development.

4.6 Review of the Plan.

An Urban Renewal scheme shall be reviewed by the Planning Authority as required by section 22 of the Urban Planning Act 2007, every five years and where the need arises. The Planning Authority shall also at regular intervals of twelve months, submit to the Director a progress report and evaluation of the operation and implementation of the Urban Renewal scheme. The reports should highlight status of implementation with regard to set targets, bottlenecks and initiatives to address them.

5.0 GUIDELINES FOR PREPARING SCHEMES OF REGULARISATION.

The preparation process of schemes of regularisation shall be as follows:

5.1 The Preparation Process.

- The Local Government Authority shall justify the need for a detailed planning scheme of regularisation and declare the area to be an area for Regularisation.
- The LGA shall pass a resolution of intention to prepare a planning scheme of regularization.
- The LGA shall publish a notice in a Government Gazette and news paper circulating in the local area, and/or put notices in local government offices (Mtaa, Ward etc)-
- The TC shall convene a meeting of all stakeholders in the area to be affected by the scheme to give them opportunity to participate in the preparation of the scheme, landholders be encouraged to present their own proposals/schemes.
- Following a positive resolution from the above meeting The LGA shall endorse the idea and establish a Regularization Committee (RC) comprising representative stakeholders to seek their views and development proposals in the planning area.
- The RC shall prepare an inventory of property ownership, existing services, land suitability, land use and land tenure, infrastructure such as road network, electricity, water supply etc.
- The LGA shall determine and agree on Regularisation standards in consultation with the Ministry, Utility Agencies and any others.
- The TC shall prepare a conceptual/ general land use plan showing different land use zones including infrastructure way leaves/community services.
- The TC shall present the conceptual /general land use plan to the community and secure their approval.
- The TC shall negotiate with land owners to acquire land for infrastructure way leaves and community facilities and agree on and demarcate property boundaries.
- The TC shall assess compensation bills/schedules for settling third party interests and identify area for resettlement of displaces.
- The TC shall prepare a scheme of Regularisation and have it ratified by Urban Planning Committee (UPC).
- The LGA shall submit it to the Minister for approval.
- The RC shall mobilize resources for cadastral surveying and infrastructure provision.
- The LGA shall submit the survey plan to the Director of Surveys and Mapping for Approval.
- The TC shall facilitate issuance of certificate of title deeds.
- The LGA shall mobilize resources for provision of infrastructures and services-

5.2. Out Puts of the Process.

- Text (Records/Documentation on land adjudication, land/property rights, valuation rolls and compensation schedules).
- Graphics (maps, drawings and plans) showing plot boundaries, property rights, infrastructure community facilities etc.
- Models

5.3. Form and Content of Out Puts.

The content and form of outputs of the Scheme of regularisation shall include the following:

- A report, maps, drawings and plans showing; declared regularisation area boundary Map, site location characteristics with respect to other functional areas of the town. They should also show; building location, boundaries of plots, land tenure and building ownership, building uses and existing broad land uses of the area.
- Maps showing infrastructure services, text and statistical figures; existing water reticulation network and level of service, existing sewerage and sanitation systems and level of service, solid waste management system existing and proposed, road network, parking, street lights and their condition, existing and proposed storm water drainage system and its condition, electricity supply and level of service, telecommunication, internet systems and their level of services.
- Text maps drawings and plans showing location and level of service of community facilities; community commercial centres, nursery, primary, secondary schools and colleges, pharmaceutical shops, dispensaries, health centres and hospitals, faith based facilities, cemeteries, restaurants, pubs, clubs, social halls etc.
- Text (report), drawings, plans and maps analyzing socio-economic characteristics of the area namely; demographic characteristics including total population, structure, density and distribution, economic base and employment pattern such as formal and informal economic activities, employment sectors, income distribution and expenditure patterns.
- Text drawings, plans and maps analyzing security and safety of the area; level of crime and crime incidences, black spots, individual/group initiatives to curb crime incidences, day and night safety and security conditions.
- Concept development; formulation of goals and objectives, projections on future requirements versus population, conceptual proposals on infrastructure, conceptual proposals on proposals on land uses.

- Regularization proposals on; future land uses, regularisation layout plan (1:2500 or 1:1000 scale). It should also show improvement plan proposals for: acquired lands for public uses such as road network, water reticulation network, sewerage and sanitation, solid waste management, parking, street lights, storm water drainage system, electricity supply (electricity, network and location of substations), telecommunication, pedestrian movement and traffic routes, public transport routes. Others include; community facilities such as sports grounds, open spaces schools and health facilities.
- Regularization proposals to ensure security and safety measures; security and safety measures.
- Plan Implementation; phased implementation plan proposals, implementation modalities, cost estimates for phased proposals including key actors, their roles and responsibilities.
- Monitoring process and outputs, monitoring indicators, evaluation of the scheme and scheme implementation, feedback, amendment of scheme and review of the scheme.

5.4. Implementation.

- The MLHSD retains the overall role and mandates as provided in the Land Act 113 of 1999 and those provided for in the Urban Planning Act 2007. The Urban Planning Act has spelt out roles of different authorities all of which have to collaborate with LGAs.
- The LGA shall annually report to the Ministry in qualitative and quantitative terms, on Regularisation Schemes undertaken in their areas of jurisdiction.
- On land use requirement for public use such as roads, access paths, waste management etc. the respective LGA shall be required to facilitate negotiations in order to secure the same.
- The LGA shall prescribe permissible land uses, size for various public land requirements including access roads, footpath, open spaces etc. Designation of these areas shall be done in a manner that minimizes demolition of private properties.
- The LGA shall bring together fragmented institutions involved in projects for schemes of regularisation and ensure systematic follow-ups, documentation of opportunities, emerging challenges and scaling-up of good practices.

- The Ministry for Lands, Housing and Human Settlements Development shall establish a section to be responsible for Regularisation proposed in its new structure.
- The LGA shall as well establish a unit within the Department of Town Planning to support preparation, implementation and monitoring of regularization.
- The Ministry for Lands shall also provide regulatory instruments and tools to support local governments oversee preparation and implementation of Schemes of Regularisation in their respective areas. Its major function shall be to coordinate and monitor execution of regularization schemes.
- Local authorities shall propose and institute changes in the approach to the preparation and implementation of regularization schemes, after approval by respective organs of the Council, with an official notification to the Commissioner.
- Communities with regularization schemes shall be required to submit to their LGA reports on activities undertaken, the impacts and challenges encountered. Reports should include proceedings of the various meetings held.
- Preparation and execution of regularization schemes shall aim at minimizing resettlements. In any case, high consideration shall be given to resettle those displaced within the regularization area.
- Community members shall be mobilized to contribute materials, labour and financially. The central government and local authorities shall provide financial and technical support. More resources shall be solicited from development partners including donors, NGOs, CBOs and other private institutions to implement regularisation.
- To reduce project costs and ensure effective participation by beneficiaries, land for public use shall be accessed through contribution by individual community members. In exceptional cases, acquisition by the Central and Local Government through fair compensation or purchasing from the land owners shall be effected for public use.
- Resettlement of the affected persons shall be effected either within or outside the planning area.

5.5. Monitoring and Evaluation.

A systematic monitoring and evaluation of plan implementation should adhere to the following procedure:

- Urban planners in collaboration with Ward/Mtaa Offices shall monitor implementation of the approved schemes of regularization at regular intervals incrementally.
- The Regularization Committee (RC) shall prepare annual implementation report indicating achievements of targets, constraints and initiatives to address the constraints.
- The RC shall submit the report to the local authority for forwarding to the Regional Secretariat and Director of Human Settlements Development.

5.6. Evaluation.

There shall be a periodic auditing by the Ministry in collaboration with the Local Government Authority on the implementation of the regularization scheme for determining the adherence to standards set and persistence of change of development conditions. The Minister and LGA shall periodically/regularly study the implementation stages in order to suggest amendments where deemed necessary.

5.7. Review of the Plan.

The Regularization Scheme shall be reviewed by the Planning Authority as required under section 22 of the Urban Planning Act 2007 and where the need arises. The Planning Authority shall, at regular intervals of twelve months, submit to the Director a progress report and evaluation of the operation and implementation of the Regularization scheme. The report should highlight status of implementation with regard to set targets, bottlenecks and initiatives to address them.

ANNEX I DEFINITIONS

1. GENERAL PLANNING SCHEMES.

A general planning scheme is a plan providing for the overall plan of a planning area. It is a long term plan (usually 20 years) intended to guide growth and development of a City/Municipality/Town or any part thereof. In that regard, the scheme ensures suitable spatial developmental provision for transportation, public purposes, utilities and services, commercial, industrial, residential and recreational areas, including parks, open spaces, agriculture and reserves.

An **Interim Land Use Plan** is a short/medium term general planning scheme (not exceeding 10 years). It is mainly intended to serve the period between no Plan and the master plan.

2. DETAILED PLANNING SCHEMES.

These are guides to the use and development of land and buildings in an area, alignment of roads and other physical infrastructures, location of community facilities and amenities. The objective is to coordinate development and ensure efficient and effective use of land. Detailed planning schemes can be categorized into New Detailed schemes, Urban Renewal schemes and Schemes of Regularization.

2.1 New Detailed Schemes.

These are schemes intended to open up new areas for various land uses such as in a new neighbourhood.

2.2 Urban Renewal Schemes.

These are plans that take into consideration decisions and actions taken in order to put existing urban areas, which have become physically, functionally and/or socio-economically obsolete, back into a worthwhile state. It is associated with a wide range of interventions in the urban fabric mainly through redevelopment and Conservation actions.

2.3. Regularization Schemes

These are complementary plans to restructure land tenure arrangements and providing basic infrastructure services to informally developed settlements. Regularization schemes aim at securing public land with the view to providing the lacking community facilities and infrastructure services.