

UNIVERSITY OF CAPE COAST

EXAMINING THE URBAN LAND MANAGEMENT PRACTICES IN CAPE
COAST

BY

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DECLARATION

Candidate's Declaration

I hereby declare that this dissertation is the result of my own original research and that no part of it has been presented for another degree in this university or elsewhere.

Candidate's Signature: Date:

Name:

Supervisor's Declaration

I hereby declare that the preparation and presentation of this dissertation were supervised in accordance with the guidelines on dissertation laid down by the University of Cape Coast.

Supervisor's Signature..... Date:

Name:

ABSTRACT

Population trends currently indicate that more than half of Ghana's population live in urban areas. The pressures of urbanisation and fast growing population in the cities have impacted on land management. This exploratory study examined land management practices in Cape Coast in the light of rapid urbanisation. Purposive sampling was used to solicit information from the Land Sector Agencies and snowballing was used to gather information from private land owners. Interviewing was the primary source of data and secondary data consisted of documents, etc. The study revealed that the legal frameworks regulating land use are fraught with a lot of problems. The findings of the study showed that the contradictions in the legal frameworks are based on the archaic nature of the frameworks. Though the various Land Sector Agencies have explicitly spelt out responsibilities, the study revealed that their duties overlapped as far as inspections are concerned. Their independence as autonomous bodies makes it difficult for them to coordinate and share information. Inadequate human and financial resources, inadequate logistics, inadequate motivation and better remuneration and ignorance of procedure in acquiring building permit by some developers were revealed as some of the challenges that hinder effective land management in Cape Coast. The study recommended that some of the frameworks must be amended or thrown out completely and new ones introduced. The local people must be involved in the planning process and an effective monitoring system introduced. The agencies must be provided with the needed logistics, attractive incentives and infrastructure to ensure that land management is effective to achieve sustainability.

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DEDICATION

To my parents and the entire Amanfu and Cobbold families.

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LIST OF ACRONYMS

CBD	Central Business District
CCMA	Cape Coast Metropolitan Assembly
DA	District Assembly
MLGRD	Ministry of Local government and Rural Development
DPA	District Planning Authority
DPC	District Planning Commission
GSS	Ghana Statistical Service
LAP	Land Administration Project
LC	Lands Commission
LRD	Land Registration Division
LSAs	Land Sector Agencies
LVD	Land Valuation Division
MA	Metropolitan Assembly/Municipal Assembly
MC	Municipal Council
M&E	Monitoring and Evaluation
MMDA's	Metropolitan, Municipal, District Assemblies
NDPC	National Development Planning Commission
NLP	National Land Policy
NUP	National Urban Policy
OASL	Office of the Administration of Stool lands

PANAFEST	Pan African Festival
PVLMD	Public and Vested Land Management Division
SMD	Survey and Mapping Division
TCPD	Town and Country Planning Department
UN	United Nations
UNESCO	United Nations Educational Scientific and Cultural Organisation

CHAPTER ONE

INTRODUCTION

Background to the Study

Globally, more than half of the world's population live in urban areas, and virtually all countries in the world are becoming increasingly urbanized (Baqui, 2009). Fifty-four percent of the world's population resided in urban areas in 2014 and it is estimated that by 2050, 66 percent of the world's population will be urban. These trends are changing the landscape of human settlement, with significant implications for living conditions, the environment and development in different parts of the world (United Nations, 2014).

According to Uttara, Bhuvandas and Aggarwal (2012), urbanisation is one of the most significant processes that have affected human societies especially since the last century. It is an inter-sectoral phenomenon involving all aspects of human society and economy.

Ghana exhibits one of the fastest urban growths in the world. Twenty-three percent of the population lived in urban areas in 1960 and it is estimated that 59.2 percent of the populace will live in urban areas by 2020 (GSS, 2012). As a result of the increase in population in urban areas, governments over the past years introduced legal frameworks, policies and institutions to control urban planning and management (Asamoah, 2010; UN Habitat, 2014).

Urban planning and management are two key components needed for urban sustainability in Ghana. UN Habitat (2015) explains that urban planning and management principles to consider include; the desire for compact urban

areas easily serviced with efficient infrastructure, mobility for goods and people, accessibility by all social groups to resilient shelter and sustainable services. There must also exist a mixed but compatible land use providing convenient access to a range of social and economic amenities, advanced planning to accommodate growth in an orderly manner to avoid sprawl and informal settlement and information base to inform sustainable environmental planning as the starting point. Land management is inseparable from urban planning and the two must work together to deliver a sustainable and resilient urban growth.

Urban planning and management warrant the need to introduce pragmatic policies, legal frameworks and institutions to manage urban development. Governments around the world pursue urban land policy objectives, and they rely on a vast range of policy tools and institutions to achieve them. Kasanga and Kotey (2001) submit that many cities use master plans, zoning, subdivision regulations, building codes and other public policies to shape development. These regulations are normally adopted to help protect the urban and natural environment, gear infrastructure investments with development, maintain and enhance property values and control land speculation and land inflation. In the minds of many policymakers, achieving these goals require stronger medicine: nationalization of land, public land development, and highly centralized property registration systems to control and monitor land ownership.

A global assessment of these urban policies reveals troubling evidence that many governments' urban land policies are ineffective and, perhaps, more

alarming, frequently result in significant adverse impact on social welfare and economic productivity.

In Ghana, such legal frameworks include the Local Government Act 462 of 1993, the Town and Country Planning Ordinance (Cap 84) of 1945, the Lands Commission Act, 1994, the Lands Commission Act 767 of 2008, the 1992 Constitution, the National Development Planning Commission Act (479) of 1994, the National Development Planning (Systems) Act 480 of 1994 and the National Building Regulations (1996). The policies include the National Land Policy (NLP), the National Urban Policy (NUP) and the Land Administration Project (LAP). These policies and legal frameworks ensure a sustainable and well-functioning land administration system that is fair, efficient, cost effective, decentralized, and provide land tenure security (Larbi, 1996).

These legal frameworks are important because they serve as a guide and communication tool to the citizenry and the various institutions. They also help to control their activities with regard to land use planning and management. The legal frameworks help to maintain compliance, control the behavior of all and ensure accountability (Bianca, 2006).

Institutions mandated to manage urban lands in Ghana include the Lands Commission (LC), the Town and Country Planning Department (TCPD) and the Metropolitan, Municipal, District Assemblies (MMDA's). These institutions are mandated to ensure that the management systems currently in place are adequate for implementing, monitoring and evaluating the implementation of the plan and the provision of related public services (Karlenzig, 2008).

The TCPD is by statute required to coordinate with the LC and the Building Inspectorate Unit under the Assembly's Work's Department. The department coordinates with the LC to ensure that plans brought to the Commission by clients conform to the planning scheme of the area. This is to prevent multiple sales of lands as well as ensure strict adherence to the approved scheme. The Survey Division of the LC undertakes surveys to establish spot heights of the area and to demarcate the area in question for division into plots. The survey department then relies on this to locate suitable areas for utility lines, residential, commercial and other land uses. The Building Inspectorate ensures that building regulations are in accordance with the zoning regulations with respect to the type of development earmarked in the various zones. This ensures that incompatible uses are not put together and this is achieved through the use of the building permit system (Tinsari, 2010).

Statement of the Problem

In Ghana, legal frameworks controlling land use planning are numerous. These legal frameworks are supposed to regulate land use planning in order to achieve effective land management. These include all the land laws and regulations, the planning laws and the building regulations. The policies governing land use are the National Land Policy, the National Urban Policy and the Land Administration Project. The legal frameworks and policies have not been able to achieve their intended purpose (Larbi, 1996). Most of these policies

and legal frameworks have been introduced to solve the menace brought about by urbanization.

Attempts to meet the challenges facing the built environment in Ghana motivated the government to introduce some legal frameworks, policies as well as create institutions for the purpose of planning, controlling and managing urban land use. Such institutions include the LC, the TCPD and the Building Inspectorate Division of the Local Assemblies. These institutions are supposed to ensure that land is effectively managed and developed. However, their effectiveness as regulatory and judicial institutions is yet to be felt.

Their operations have been marred by serious overlaps and contradictions that often undermine their individual and collective responsibility as land management bodies. The reasons for this include; the lack of proper legal and administrative frameworks, inadequate land records, inadequate technical skills officers, inadequate financial resources and office accommodation and inadequate logistics. Also, the lack of up to date base maps for planning, unrealistic plans of the area and lack of participation by the populace are also contributing factors (UN Habitat, 1996; Karlenzig, 2008). These challenges hinder effective land use planning and management.

Urbanization is both a mirror of broad socio-economic changes in society and an instrument of socio-economic change. An increase in urban population means changes in economic, social, spatial and environmental issues for the betterment of society. However, urbanisation poses certain challenges if not

properly managed; the challenges posed by urbanisation would not simply go away without conscious efforts and interventions (NUP, 2012).

A major problem of rapid urban growth is changing land use patterns. As cited in Asamoah (2010), the general characteristics of rapid urbanisation experienced by most sub-Saharan countries, including Ghana, are rampant changes in land and building uses. The peaceful environment of Cape Coast coupled with its relatively endowed schools (a university, polytechnic, training college, secondary schools) and its tourist attractions has acted as a 'pull' factor for migrants causing increase in its urban population (Adarkw a& Post, 2001).

According to Larbi (2006), the mode of acquisition of land and payment has created a situation of discontentment among present generation of indigenes in Cape Coast. Lands in Cape Coast are mostly public, for families or private individuals or vested in the government (Larbi, 2006). As a result, there is no effective monitoring and evaluation of current systems resulting in multiple sales of land, encroachment and unauthorized buildings; a situation that leads to the development of slums and squatters. These as a result hinder effective development.

Despite the various efforts of governments, individuals and agencies both locally and internationally to improve upon urban development, those associated with land use planning and urban land management, in particular, is still a problem in Ghana (NUP, 2012). Land management and administration has therefore been on ad hoc basis as a result of which effective and efficient management of lands in the country has not been achieved (NLP, 1999).

Consequently, there is need for a better understanding of the problems to articulate how to improve upon the existing ineffective land use planning and management methods in Cape Coast. The nexus between urbanisation and socio-economic development requires that every effort be made to minimise the challenges facing urban land management (NUP, 2012).

Objectives of the Study

The main objective of the study was to examine the urban land management practices in Cape Coast. Specifically, the study sought to:

- Examine the legal frameworks regulating land management in Cape Coast.
- Assess the roles and responsibilities of the different actors concerned with urban land management in Cape Coast.
- Determine the constraints to effective land management in Cape Coast.
- Make recommendations for effective urban land management in Cape Coast.

Research Questions

The study is informed by the following research questions:

- What are the policies and legislations regulating land use planning and management in Cape Coast?
- What are the roles and responsibilities of the different institutions concerned with land management in Cape Coast?
- What are the constraints to effective land management in Cape Coast?

- What strategies should be put forward to improve land management in Cape Coast?

Significance of the Study

The study would serve the useful purpose of helping to shape policy issues related to urbanisation and land management in Ghana. For instance, the recommendations of the study would guide policy-makers in formulating policies directed at urban land management. This would help address some of the negative consequences resulting from changing land use pattern in urban areas.

Also, this study would help to check slum evolution and development of blighted areas in Cape Coast, thereby achieving the goal of planning in terms of aesthetics, safety and compatibility of land use. Further, information gathered from this study would serve as a database to help the institutions involved in urban management perform better to enhance urban planning and management systems in Cape Coast and Ghana.

Finally, the study would contribute to building knowledge base in urbanisation. It would serve as one of the documentary evidences on the subject area, thereby serving as an addition to the already existing literature on the subject as well as providing the impetus for further research.

Scope of the Study

The study examined the land management practices in Cape Coast. Cape Coast is the capital city of the Central Region in Ghana. The area is endowed with

most of the best secondary schools in the country as well as two universities. Services such as telecommunication, security and banking and industrial activities have grown in recent times.

Conceptually, the study seeks to examine the urban land management in the Cape Coast Metropolitan Assembly. Land here would be related to the compact landform that supports sustainability. However, in discussing sustainability in land use and management, reference would be made to urban areas, urbanization and land use planning as they are all important in understanding land management.

Organisation of the Study

The study consists of five chapters. Chapter One contains the background, statement of the problem, objectives, research questions, significance, scope and organisation of the study. Chapter Two deals with the review of related relevant literature comprising the theories underpinning the study, empirical review and the concepts related to the study. Chapter Three covers the study area, research design, data sources, sample and sample and sampling procedure and the data collection method. The Fourth Chapter discusses and analyses the results of the findings and the Fifth Chapter contains the summary of the findings, conclusions and recommendations of the study.

CHAPTER TWO

REVIEW OF RELATED LITERATURE

Introduction

This chapter reviews theories, defines key concepts and research done in relation to this study. The theories examined include the concentric zone, sector and multiple nuclei theories whilst concepts on urban areas, urbanisation, land, land use planning and land management are reviewed. The chapter also presents some empirical issues, lessons learnt and the conceptual framework.

Review of Theoretical Literature

The study of urban land use generally draws from three different descriptive models or theories. These models were developed to generalize the patterns of urban land use found in early industrial cities of the developed countries. Due to changes in the shape and form of cities over time, new models of urban land use patterns were developed to describe urban landscape that was becoming increasingly complex and differentiated. These are general models devised to understand the overall pattern of land use. Hence, none of them can accurately describe patterns of urban land use in all cities. Described below are the concentric zone, sector and multiple nuclei models of urban land use.

Concentric-Zone Model

The Chicago sociologist, Ernest Burgess formulated the concentric zone in 1925. The model is both a description and an explanation of the changing social

geography of the modern American city and it depicts the use of urban land as a set of concentric rings with each ring devoted to a different land use. It explains the process of urban growth by a series of concentric circles which expand radically from the core of the city or the central business district (Chauncy & Ullman, 1945).

Burgess (1925) as cited in Chauncy & Ullman (1945) argued that the metropolitan area was laid out in a series of zones that rippled out from the central core to the edge of the built up environs. At the center was the Central Business District (CBD), the home of the city's main financial, civic, retail, and entertainment functions. This was surrounded in succession by a zone of transition, occupied by an assortment of immigrants, migratory workers, and bohemians as well as warehouses and light manufacture; a zone of workingmen's homes, where second generation immigrants and blue collar workers lived in close proximity to work; a residential zone, where the middle class resided in well to-do apartments and residential districts and a commuters' zone, the district of suburban areas and satellite cities outside the city proper (Lewis, 2007).

The foregoing gives the CBD a locational advantage in terms of greatest accessibility to the whole of the urban area. The advantage of accessibility makes the demand for site in the CBD very great. In addition, the supply of land in this area is restricted leading to high land values. The centrally placed characteristics of the CBD make it a focal point of commercial, social and civic life of the urban centre. Also, this core area is normally the original settlement which explains the

centrality of the place (Asamoah, 2010). Figure 1 is a diagrammatic presentation of the model.

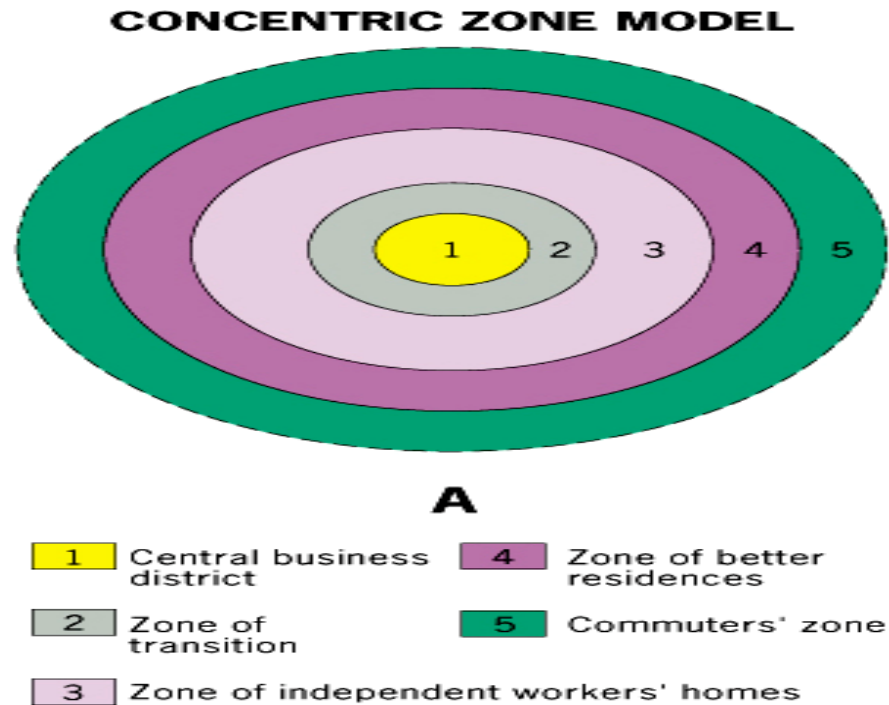


Figure 1: Burgess Concentric Model.

Source: Lewis (2007).

From figure 1, zone 1 is occupied by the CBD, zone 2 is occupied by zone of transition while zone 3 is occupied by zone of workingmen's homes. Zone 4 is a zone for better residences whilst zone 5 is a commuters' zone. In this case, the concentric theory asserts that all activities of similar characteristics which are functionally related will cluster at the same location at a certain distance from the centre of an urban area. This important feature of the model implies a positive correlation between socio-economic status of households and distance from the CBD. It is observed that more affluent households live at greater distances from the centre of the city. As the city grows and develops over time, the CBD would

exert pressure on the zone immediately surrounding it. Outward expansion of the CBD would invade nearby residential neighbourhoods causing them to expand outwards. The process is thought to continue with each successive neighborhood moving further away from the CBD.

It is, however, argued by Lewis (2007) that where variations occur in such factors as topography of the physical landscape, the ideal symmetry would be disturbed. Again, the fact that residential areas may further be sub-divided by race can affect the model. Nevertheless, critics like Thurman (2010) argue that the theory failed to critically look at the development of complementary clusters and the possibilities which give rise to focal points other than the CBD. Also, the theory is criticized for assuming that the higher a household's income, the further away a household is likely to locate from the centre. These criticisms notwithstanding, Burgess' concentric zone model is of importance in explaining how land use in an urban area is structured.

The Sector Model

A study done in 1939 by Homer Hoyt concluded that the land use pattern was not a random distribution, nor sharply defined rectangular areas or concentric circles but rather sectors (Alihan, 1948 as cited in Lewis, 2007). Communication axes are mainly responsible for the creation of sectors, thus, transport has directional effect on land uses. Hoyt also observed some consistent patterns in many American cities. For example, it was common for low-income households to be found in close proximity to railroad lines. Also, commercial establishments

had been found along business thoroughfares. Therefore, Hoyt modified the concentric zone model to account for major transportation routes. Recognizing that these routes represented lines of greater access, Hoyt theorized that cities would tend to grow in wedge-shaped patterns or sectors emanating from the CBD and centered on major transportation routes (Chauncy & Ullman, 1945; Alihan, 1948 as cited in Lewis, 2007). The sector model is depicted in Figure 2.

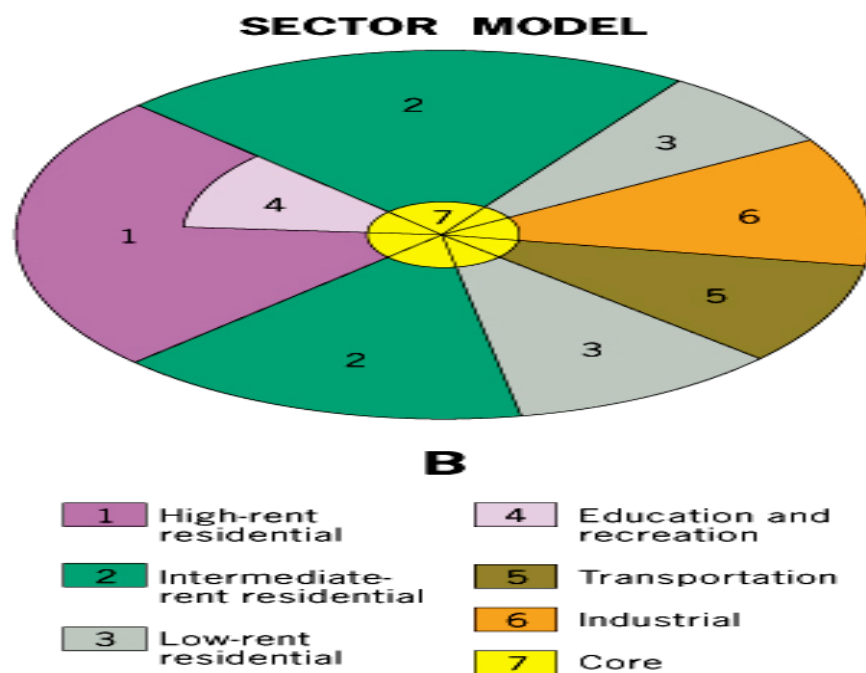


Figure 2: Sector Model

Source: Lewis (2007)

From the sector representation in Figure 2, it can be seen that the Burgess transitional process is still part of land use changes, but there exist axes along which urban activities are oriented. Higher levels of access translate to higher land values (Lewis, 2007). Thus, many commercial functions would remain in the CBD, but manufacturing activity would develop in wedge surrounding transport routes. Residential land use patterns would grow in wedge-shaped patterns with a

sector of lower-income households bordering the manufacturing/ warehousing sector and sectors of middle- and higher-income households located away from industrial sites. In many respects, Hoyt's sector model is simply a concentric zone model modified to account for the impact of transportation systems on accessibility (Thurman, 2010).

From Figure 2, the sector model has five zones. Zone 1 is made up of the CBD; zone 2 is a zone of wholesale light manufacturing and zone 3 is a low class residential zone. Zone 4 consists of medium class residential zone whilst zone 5 is a high class residential zone.

Thurman (2010) criticized the theory on the basis that the theory is based on nineteenth century transportation system and does not make allowances for private cars that enable commuting from cheaper land outside city boundaries. These are now incorporated into the city boundary but are pockets of low cost housing in medium cost areas. Also, he states that the physical feature of an area is important. This is because physical features may restrict or direct growth along certain wedges, thereby shaping how the development should take place. However, the model did not take that into concentration. Lastly, Thurman (2010) posits that the sector theory does not account for out of town development.

The Multiple Nuclei Model

Following Hoyt's development of a sectorial city, Chauncy & Ullman (1945) introduced a more effective generalization of urban land uses. It was brought forward that many towns and nearly all large cities do not grow from

around one CBD, but are formed by the progressive integration of a number of separate nuclei in the urban pattern (Asamoah, 2010; Lewis, 2007). These nodes become specialised and differentiated in the growth process and are not located in relation to any distance attribute, but are bound by a number of attributes. These nuclei could include a market, a nearby village, a factory, a mine or a railway terminal. Ultimately, all the nuclei would be combined into one urban area largely agglomerated by residential use and intra-city transportation (Wegner, 1994; UN Habitat, 1989 as cited in Thurman, 2010). At the centre of the model is the CBD with light manufacturing and wholesaling located along transport routes (Chauncy& Ullman, 1945).

The multiple nuclei model argues that cities of greater size develop into substantial suburban areas. Subsequently, suburbs which reach significant size tend to function like smaller business districts. These smaller business districts act as satellite nodes or nuclei of activity around which land use patterns form (Lewis, 2007). Under this theory, the CBD is still seen as a major centre of commerce. This suggests that specialized cells of activity would develop according to specific requirements of certain activities and different rent-paying abilities (Asamoah, 2010). It also suggests that there is a high tendency for some kinds of economic activities to cluster together. Heavy industry is thought to locate near the outer edge of the city, perhaps surrounded by low-income households. Suburbs of commuters and smaller service centres occupy the urban periphery (Asamoah, 2010). The Multiple Nuclei Model is depicted in Figure 3.

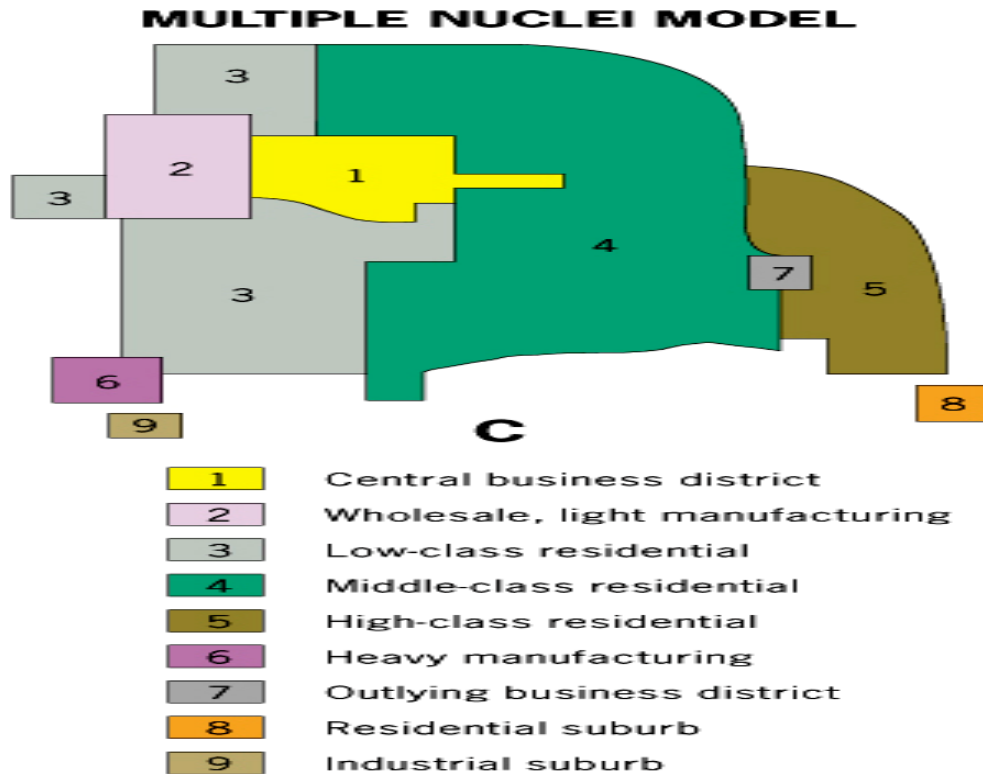


Figure 3: Multiple Nuclei Model.

Source: Lewis (2007)

The model has nine zones. Zone 1 is represented by central business district; zone 2 is a zone of wholesale light manufacturing and zone 3 is a low class residential zone. Zone 4 is occupied by medium class residential zone whilst zone 5 is a high class residential zone. The rest are zone 6 represented by heavy manufacturing, zone 7 by outlying business district, zone 8 by residential suburb, and zone 9 made up of an industrial suburb zone.

It can, thus, be realized that the concentric, sector and multiple nuclei models have some basic common implicit assumptions and basic features. Implicitly, the models assume that there is competition for centrality because of limited space leading to highest land value. The models also indicate that there is the expansion of areas and population of the city by invasion and succession and

there is the hierarchical order of land use. With regard to the features, all the models focus on the importance of accessibility; that is, the CBD is the most accessible and its land value or rent bid is the highest. There are clear cut and abrupt boundaries between the land use zones. There is also residential segregation; people of different classes live in different areas (Lewis, 2007; Thurman 2010).

All of these models have been criticized for being more applicable to cities in the United States of America than to cities of other nations (Alonso, 1964). Other criticisms have focused on the static nature of the models. Thurman (2010) argues that the models describe patterns of urban land use in a generic city, but do not describe the process by which land use patterns change. Despite this criticism, these models continue to be useful generalizations of the way in which land is devoted to different uses within the city (Asamoah, 2010).

Relevance of the Models to the Study

The theories help to explain the distribution of social groups within urban areas based on the amount of money people will pay for the land. They help to explain the relationship between the socio-economic status (mainly income) of households and the distance from the CBD. In Cape Coast, the CBD is also important and it can be realized that people with the same economic status live in the same area. However, as a result of increase in population, this pattern is changing leading to a change in land use.

The theories also explain the expansion and reconversion of land uses with a tendency of one zone outgrowing. The theories are useful concepts that explain concentric urban development as a way of introducing the complexity of urban land use and to explain growth in cities. In Cape Coast, as a result of population increase, there is usually no major demarcation between residential, working class and other classes of the society. People tend to live at places where they will get easy access to their jobs, thereby closing the gap between the various residential abodes.

Lastly, the theories help to explain that land is used to meet a multiplicity and variety of human needs and to serve numerous diverse purposes. There is the CBD where a variety of activities take place such as shopping, markets, industries, etc to support man's survival. All the factors of production in the CBD are present in Cape Coast and this ensures that the people are able to meet their needs.

Conceptual Review

It is important to review some key related terms to the study. They include urban areas, towns, urbanization, land and land management. This will help gain better understanding of the discussion.

Urban Areas

The term 'urban' is derived from the Latin word 'urbs or 'urbis' meaning town or city. It is argued that the term has been interchangeably used often to

mean a city without regard to the inherent differences between a town and a city (UN Habitat, 2012). It is also asserted that whilst all cities are urban areas, not all urban areas are cities. The term urban is therefore conceptualized as being a subjective concept. An urban area can be defined by one or more of the following: Administrative or political duties conferred on an area (an area within the jurisdiction of a municipality or town committee), a threshold population size (where the minimum for an urban settlement is typically in the region of 2,000 people, although this varies globally between 200 and 50,000), economic function (where a significant majority of the population is not primarily engaged in agriculture) or the presence of urban characteristics (paved streets, electric lighting, sewerage, etc).

According to UN Habitat (2012), in 2010, 3.5 billion people lived in areas classified as urban. However, the definition of the concept depends on the country involved. In many countries, the definition of the concept depends on the population. Therefore, a population exceeding a certain number in a region is considered urban. In other countries, it varies according to social and economic conditions. In Ghana, the minimum population for an urban area is five thousand (Tamakloe, 1997, GSS, 2012).

To Tamakloe (1997), an urban area consists of a town or an urban place plus its densely settled contiguous fringe. An urban area is also defined as an area that contains a settled population not directly involved in primary production of food and raw materials. This means an urban area is characterized by the provision of high order services such as banks, universities and high speed

transportation network. The populace in an urban area is mostly engaged in services, commercial and industrial activities such as trading, processing of agro products and manufacturing. Thus, overtime an urban area grows in both size and density.

Urbanisation

Olima (2003) explains that the term urbanisation as conventionally measured by demographers is an urban population divided by total population for a region/country. It could be defined as the annual rate of change of the percentage of people living in urban areas, or the difference between the growth rate of urban population and that of total population (Hope & Lekorwe, 1999).

Urbanization is caused by internal and external migration. Internal migration means that people move from rural areas to urban areas. In this process, the number of people living in cities increases compared with the number of people living in rural areas. Natural increase of urbanization occurs if the natural population growth in the cities is higher than the population growth in the rural areas; that is, there is an increase in birth rate more than death rate. A country is considered to be urbanized when over 50 percent of its population lives in urban areas. People usually move to urban areas because of market, job, investment opportunities and social service endowments available in these places (Allen, 2001).

According to Allen (2001), urbanization is set to stay for a long time; it might slow down but does not show any signs of stopping. In 1985, 45 percent of

the world population stayed in cities but it is estimated that 60 percent of the world's population will be city-dwellers by 2025. The main goal of urban planning is to make all amenities and comforts available to the public without imposing many negative effects on society and environment in order to make it sustainable. The cardinal rule is to plan cities beforehand, rather than let them grow spontaneously and haphazardly. During city planning, city authorities should ensure that adequate infrastructure is available to support the population. Residences should be conveniently located near the civic bodies as this could improve effective provision of the necessary services.

The urbanization processes are largely driven by market forces and government policies that lead to simultaneous processes of change in livelihoods, land use, health and natural resources management such as water, soil and forests and often reactive changes in local governance. Government's development policies and budget allocations, which often favour urban residents over rural areas, tend to pull people into the urban areas. In the cities, public investment, which often misses the urban poor, with expenditures biased towards the higher-income classes and poverty among vulnerable groups such as new migrants force them into slums and squatter settlements. The conversion of farmlands for residential purposes have negative consequences on food security, water supply as well as the health of the people, both in the cities and in the peri-urban areas.

Land

Land is required for various uses in both urban and rural areas of all society. It is a major factor of production and a vital element in the socio-economic development of any country or society (Aribigbola, 2008). Thus, as nations grow in size and rural areas become urban centres and urban centres become large metropolitan areas, there is always increase in competition as well as demand for land for different purposes. This requires adequate planning and control to ensure harmonious development and functional efficiency of these uses and settlements.

To achieve this fundamental and acceptable activity, layouts of various land uses such as residential, commercial, industrial, open spaces and recreation, circulation and institutional uses among others are undertaken to standardize and control physical developments and ensure harmonious growth. To ensure adequate provision of these uses and meet the needs of users of urban facilities and services, land allocation and space standards are specified. According to Ratcliff (1976) as cited in Aribigbola (2008), the forms and patterns of distribution of structures in general to promote the good health, accessibility, convenience and harmonious land use in environment are a function, to a considerable extent, of the rights and methods of dealing with land.

Tarver (1996) defines quality land service delivery as the most efficient and cost – effective response time (real time) used by a service provider in responding to client's requests or attending to clients' needs. It may also be the maximum desirable time used by a service provider to meet a client's request at

the least cost. This implies the optimum combination and use of resources to achieve a desired end.

According to Aribigbola, (2013), land as a scarce resource, is supposed to be perfectly and rationally allocatable among competitive users through coordinated supply-and -demand mechanisms of a free market. However, most governments fail to provide such essential urban components and services such as mass transport, low-income housing, utilities, and cultural and recreational facilities in socially rational quantities as a result of the scarcity of land (UN, 1996). This underscores the indispensability of land use planning and management in contemporary times. The planning system operates to secure the effective development and use of land in the public interest.

In Ghana, land is an asset and a resource with economic, political, social and cultural ramifications. As a common factor and denominator in the framing and execution of the social and economic policies of nations, Ractcliffe (1976) as cited in Aribigbola (2008), is of the view that the allocation, use and management of land should be done to guarantee access and equity. In particular, population increase arising from uncontrolled natural births and rural-urban migration, and a growing commercial sense, have combined to re-orientate the traditional communal land holding status of Ghanaian lands (Sey-Haizel, 1999).

Irrespective of the varying attributes of land, it is imperative that policies be directed towards land to provide the cross-cutting for streamlining and aligning all the countervailing forces affecting its disbursement and management. This means that policies and legal frameworks should clearly spell out the roles of the

various LSA's adequately as well as the appropriate steps to be taken in the management of land. From the planning perspective, land represents a mosaic that ought to be regulated to ensure conformity and balance of the built environment (Raticliffe, 1976 as cited in Aribigbola, 2008).

However, the general inefficiency associated with the majority of the developing countries' land policies, and the absence of secure tenure, adequate land management capacity among others are serious problems precipitating existing land crises in these countries. Inappropriate instruments and weak institutional structures are among the plethora of problems plaguing the commodity. Nonetheless, the existence of crises in the Ghanaian land market according to Larbi (2006) and Aribigbola, (2008) could be traced to the following; rapid and uncontrolled migration, natural increase, existing socio-cultural cleavages, lack of secure tenure, inadequate information, inappropriate and inefficient land policies and instruments, weak institutional structures and lack of land management capacity, among other factors.

Land Use Planning

Land use planning is a term used for a branch of public policy used to order and regulate land in an efficient and ethical way. The Canadian Institute of Planners (2011) define land use planning as the scientific, aesthetic and orderly disposition of land resource, facilities and services with the view to securing the physical, economic and social efficiency, health and wellbeing of urban and rural communities. The end product of land use planning is the articulation of land use

plan. The land use plan reflects an analysis of urban activity systems and a careful studied estimate of future requirements for expansion and renewal, showing how development in the urban area should proceed in the future to ensure the best possible physical environment for urban living, the most economic use of the land and the proper balance in use from a cost revenue point of view (Chapin, 1972 as cited in Aribigbola, 2013).

In its simplest sense, urban land use means the spatial distribution of city function such as the residential, industrial, commercial areas and the spaces set aside for institutional and leisure functions. In other words, urban land use refers to the use of space within urban areas. Not only are there different uses, there are different needs for different amount of space within an urban area (Chapin, 1972 as cited in Aribigbola, 2013). Urban growth has a direct relationship with land use. This is because urban development manifests in space, that is, on land. Also, land is distributed to clients according to their ability to pay. This depends upon the level of location rent accruing to the particular product at a particular location with respect to the market (Asamoah, 2010).

On land use planning and controls, Enemark, Wallace & Williamson (2005) identified two major ways in which a city might shape its pattern of land use. According to them, these are the public capital investment and legal controls over the use of privately owned property. In this context, public capital investment creates specific facilities which make up part of the total land use pattern; while land use control embraces subdivision regulations which essentially

control the manner in which new land is subdivided and placed on the market for development and zoning ordinances.

Land Management

With regard to land management, the UN-Habitat Conference of 1976 held in Vancouver, Canada, recommended public land management and control as the surest way of ensuring efficient and equitable distribution of land resources. Thus, public land management is expected to, among other things, guarantee equitable distribution of land rights on the basis of non-commercial criteria and empower government to ensure a more judicious, orderly and healthy development of urban areas. It is also expected to guarantee cheaper and easier access to land for both public and private land development and curb speculation which is believed to be the main cause of escalating land prices in the periphery of urban areas (Omirin, 2003 as cited in Aribigbola, 2013).

UN Habitat (2015) states that in some developing countries, rapid urbanization is often associated with increase in tenure insecurity particularly for people living in slums and peri-urban areas. Urban land management and administration institutions face the additional challenge of high number of people who live and work informally in urban and peri urban areas. In most countries, there is the lack of reliable land information and this negatively affects urban planning and design, infrastructure and socio-economic development. When functioning properly, fit-for-purpose land administration systems support tenure security improvement, urban planning, service delivery, agricultural development,

environmental management, city management, land taxation and land management. Complex and non-transparent legal and institutional frameworks, and inadequate capacity, including human and financial resources frequently hamper effective land management and administration initiatives. Consequently, most governments planning and management priorities focus only on immediate survival requirements.

The way in which urban development unfolds causes major problems in the development and management of urban land. Higher population and economic activities in the urban environment causes land uses to change variously to suit the demands of urbanisation. Urbanisation changes the uses to which urban land is put. Residential or recreational land is normally changed to commercial and industrial lands based on location rent. Urbanisation also converts urban land at the rural-urban fringe to uses such as residential development. The movement of people to the periphery of urban centres means marginal clearing of the already limited agricultural land for building homes and other infrastructure constructions such as roads, parking lots among others.

These processes impact negatively on the urban land use. Thus, effective urban land control and management particularly in Ghana is crucial to tackling growing land use problems such as slum formation, rising costs of land, accessibility to urban land for land housing, incompatible use, flooding, overcrowding and congestion among others. This is for the purpose of achieving sustainable city development and ensuring the safety and health of the people.

The better management of land resources is essential for sustainability and for improving the quality of life in cities and towns.

Empirical Review

Most works on land use planning and management have the same view that there are challenges with the legal frameworks and institutions. In the work of Aribigbola (2013), his main purpose was to examine the constraints to urban land use planning and management in Nigeria. Using Ondo State as a case study with a view to determining its effects on city development, the study sought to address urban sprawl, slum formation, rising costs of land, accessibility to urban land for land housing, incompatible use, flooding, overcrowding and congestion among others. For the purpose of achieving sustainable city development and ensuring the safety and health of the people, policies and programmes were introduced as well as institutions created for the purpose of planning, controlling and managing urban land use to meet the challenges facing the environment by the government. However, despite these interventions, urban land use problems still persisted in Nigeria.

Drawing on document analysis, in-depth interviews as well as questionnaire administration, the study revealed that the constraints to land use planning and management in the city included lack of information on base map, land use map as well as data on all plots of land in the city. The study also revealed that inadequate facilities such as motor vehicles and motorcycles, non-

adoption and utilization of modern planning techniques, outdated and outmoded land use planning policies and laws and regulations were constraints to land use planning and management. Other contributing factors found include; inadequate manpower to control and monitor land use, poor and inadequate funding for land use and management activities, inadequate institutional framework for land use planning and management and centralisation of land use planning and management. All these hampered effective land use planning in Akure State. Aribigbola (2013) recommended that land use planning machinery should be invigorated, measures should be introduced to guarantee effective and efficient land use planning activity and lands should be listed and titled to ensure the security of tenure of the holder.

In the study of Dube (2013), he sought to identify urban planning and land management challenges in emerging towns of Ethiopia using Arba Minch as a case study. The study examined the practice of master planning and the extent of its implementation and challenges of land management in Arba Minch as an emerging city since there existed a long tradition of planning practices in Ethiopia. The research used both primary and secondary sources of data.

The study revealed that though Arba Minch had a master plan as soon as it was established as a town in 1963, the plan had been revised three times in 1967, 1980 and 1989. These revisions were done in an effort to incorporate road networks, and the distribution of some residential areas. Despite these revisions, the institutional framework for master planning and land management for the town was top-down as there was no community participation. The exact number

of plots in the registration system was also unknown. There existed poor registration and documentation and data management system owing to weak technical, financial and human resources, lack of coordination and commitment of different stakeholders in the area of land information management in the town. This made the data unreliable for decision making.

Dube (2013) recommended that the planning and management of urban land in the town should be improved upon and made participatory, all-inclusive and collaborative to make it sustainable. The various institutions should be competent and responsible and monitored and evaluated accordingly.

Ichimura (2003) examined the challenges and opportunities for urbanization, urban environment and land use in Asia Pacific. He noted that the high pace of social and economic development in Asia and the resulting growth of the city and town population necessitated the study in order to make the urban areas sustainable. As eleven of the world's megacities are located in the region, Ichimura (2003) argued that there was a need for rapid growth in the region to be controlled since there is a strong link between national levels of human development and urbanization levels.

Using interview guide and questionnaires, the study showed that urban growth had environmental implications as a result of water and air pollution. The study also identified urban poverty to be on the rise leading, to the development of slums and squatters at unauthorized places. As a result, policy responses and tools had been introduced to cope effectively with the urban transition. These include a national physical (spatial) development plan, regional and urban land

use planning, strategic planning, Geographical Information System (GIS), land market assessment and improved zoning techniques. The study concludes that sustainable urban development can be achieved when there is participation, partnership and governance.

A study on urban planning by Tinsari (2010) concludes that many urban plans fail in practice because they are over ambitious, considering the capabilities of the administrative system to enforce their implementation. The institutions and agencies responsible for allocating, distributing and regulating land relations as well as settling land disputes include customary land management and conflict resolution authorities, state courts, and state land administration authorities. As Agyei-Boateng (1998) notes, even with the best expertise and resources, coordinating the authorities and roles of these numerous and overlapping agencies is ineffective. Institutionalized procedures and processes that provide certainty for social interactions will obviously be an uphill battle as a result of the problem of complexity of overlapping duties.

Lessons Learnt

Urban areas in developing countries are growing at an unprecedented and challenging pace and rapidly posing serious challenges. Therefore, urban planning and implementation are important in a bid to ensure that urban centres are adequately planned. Policies and institutions are introduced and implemented to achieve a coordinated effort in urban environment. Sustainability of urbanization requires planned development of urban centres, competent institutional

frameworks in place and proactive management strategies. This will tackle issues such as slum formation, rising cost of housing, flooding, overcrowding and congestion as well as aesthetics that have environmental implications. Land is required for various uses in both urban and rural areas of all society. This requires adequate planning, control to ensure harmonious development and functional efficiency of these uses and settlement. The use of master plans is important. They help to ensure that the urban area is adequately planned to cater for all spheres of human life.

With regard to methodology, all the studies reviewed used key informants interviews, questionnaire and secondary data. This shows that interviews are appropriate in these types of research because it enables the researcher to get in depth information about the study which the questionnaire could not capture. It also enables one to seek clarification on issues. The secondary data provides extra information for the work. Questionnaires also enable the researcher to gather data from a lot of people at the same time to aid the research.

From the results, it can be realized that master plans are not adequately planned, there is archaic information management system, corruption, informal land acquisition and land related conflict. Though land use planning and policies and mechanism are in place, they are usually beset with a number of problems like inadequate information in uncoordinated land use planning and management practices and weak regulatory institutions. Policies governing land use planning are mostly archaic and departments and ministries are not equipped, as there is inadequate skilled staff and insufficient funds. Constraints to urban land use

include inadequate spatial information/ data on land use, outmoded and outdated land use planning policies, laws and regulations, non- utilization of modern planning approach and techniques, centralization of land use planning and management, political interference and bureaucratic procedures.

It can therefore be said that adequate attention must be given to the planning approaches and management system of urban land. The preparation of master plan shows the details of how land is to be used thus it must strictly be adhered to. Layout, where parcels of land are divided into plot of various sizes and for different users such as residential, individual, commercial, public and semipublic use is also useful. Concerned bodies should be adequately equipped to ensure that what is planned is being implemented. Policies and programmes must be reviewed and the revised policies and programmes should be implemented immediately. Land use planning should be improved upon to make it innovative and responsive to modern trend and approaches and for it to be able to achieve the desired results of efficiency.

Conceptual Framework

The framework is based on the fact that effective institutions, legal frameworks and policies are needed to ensure that urban land is managed effectively. It traces the causes of urbanization, its impacts on urban land use and what can be done to regulate land use in order to attain an effective land management system.

Internal migration and natural increase in population in urban areas lead to an increase in population in urban areas. As a result of the increase, there is demand for land and this leads to high cost of land. The high cost of land leads to slum, squatters, etc as most urban poor cannot afford. Also, the high cost of land leads to a change in urban land use pattern in which case residential and prime agricultural lands, for example, are used for commercial purposes.

There is therefore the need to create institutions to manage urban land. People with the requisite skills must be employed and equipped (financially, logistics, etc.) to ensure that people follow the planned land use pattern. Policies and regulations aimed at managing urban land should also be introduced or revised. These policies and regulations must not only be on paper but must be enforced to ensure that the right thing is done. If the institutions are empowered and the policies and regulations work effectively, urban land can be managed effectively to support urban dwellers as well as maintain its aesthetics. The conceptual framework is depicted in Figure 4.

Conceptual Framework

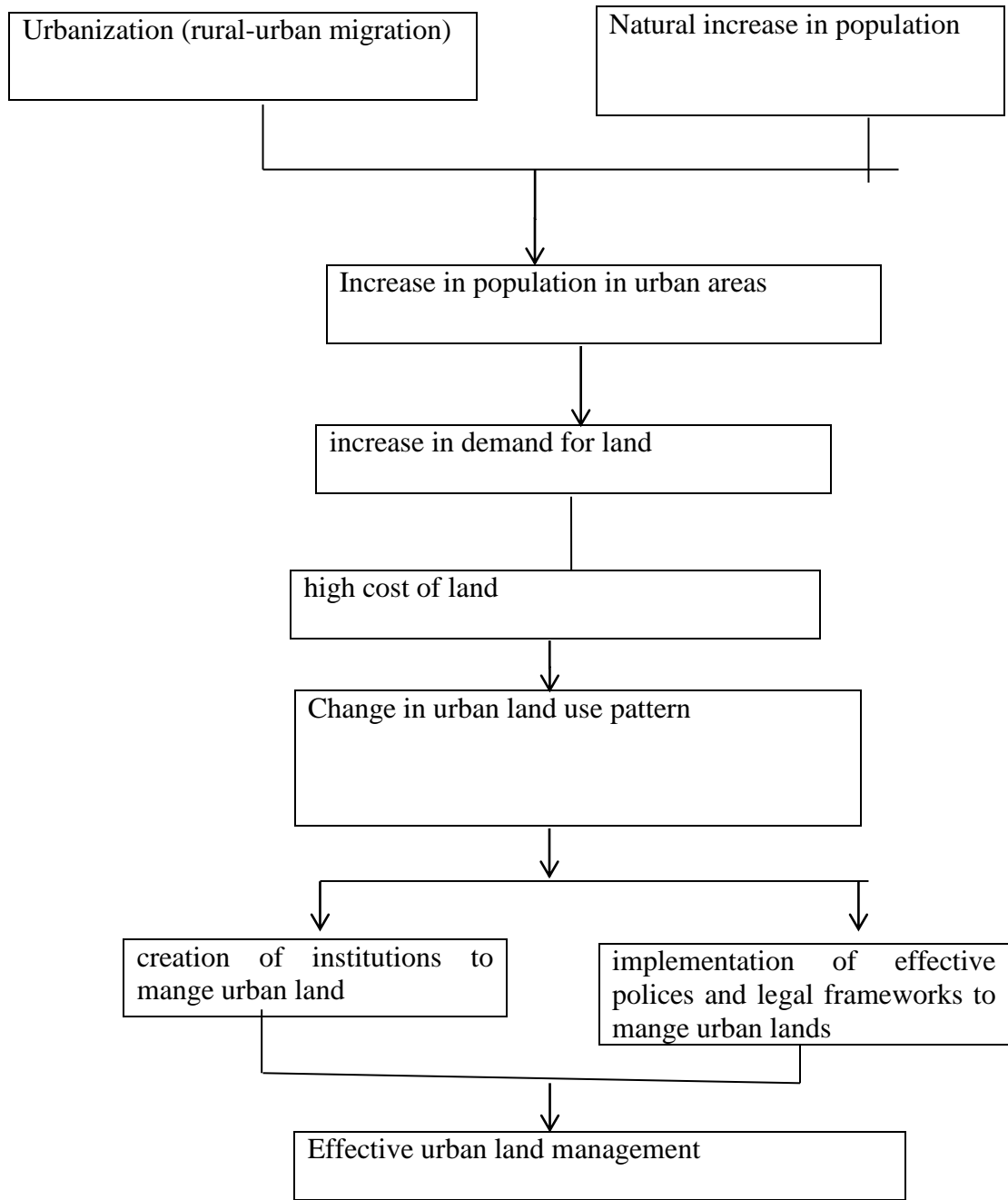


Figure 4: Conceptual framework for effective urban land management

Source: Author's Construct

CHAPTER THREE

METHODOLOGY

Introduction

This chapter focused on the research methodology and it covers the following areas: the study area, research design, sample and sampling procedure, data sources, methods of data collection and instrument, data analysis and ethical issues.

Study Area

The study area is Cape Coast Metropolis in the Central Region of Ghana. It serves as both the district capital of the Cape Coast Metropolitan Area as well as the administrative capital of the Central Region. It was the first national capital of the then Gold Coast (now Ghana). Cape Coast was the only noticeable urban centre in the Metropolitan area in 1984 with a population of 65,763. According to the Ghana Statistical Service (2012), the population of the metropolis was 169,894 with males comprising 82,810 and females 87,084 with a growth rate of 1.4 percent. The major language spoken in Cape Coast is Fante which is one of the Akan languages in Ghana. Being a coastal city, the major economic activities are fishing and fish mongering by men and women respectively. (Cape Coast Metropolitan Assembly, 2006).

Geographically, Cape Coast lies between latitude 5 degrees south to 6 degrees 3 minutes north and longitude 1 degree 35 minutes east to 2 degrees 30 minutes west. Cape Coast has a total surface area of 2,255 km. The Metropolis,

which occupies an area of 1700 square kilometers, is made up of 79 settlements (GSS, 2012). The Metropolis is located 145 kilometers west of Accra and 84 kilometers, east of Takoradi. It is bounded on the south by the Gulf of Guinea, the north by TwifoHeman –Lower Denkyira District, the west by Komenda-Edina-Eguafo-Abrem District and on the east by Abura-Asebu- Kwamankese District (CCMA, 2006).

Cape Coast has always remained the centre of education in Ghana, since the first schools and colleges in Gold Coast were built there. Starting with the Castle school which was found in the Cape Coast Castle during the colonial epoch, several expansions have taken place in terms of education. Today, it has a university – the University of Cape Coast, a Polytechnic, nine senior high schools, one technical institute, one teacher training college and two nursing training colleges (CCMA, 2006).

Being the tourism hub of Ghana, Cape Coast has a lot to offer tourists ranging from lovely tourist attraction, hotels, good transportation systems and good links with other tourist attractions in neighbouring towns. Among the three cities that form the tourism triangle in Ghana that is, Accra, Kumasi and Cape Coast, Cape Coast has the highest receipts of both domestic and international tourists' arrivals. Cape Coast and Elmina attracts a greater number of tourists because of the United Nations Educational Scientific and Cultural Organization (UNESCO) world heritage sites, namely the Cape Coast and Elmina Castles. More so, others, such as Forts and excellent beaches for relaxation, attract tourists each year. Festivals and other events also account for the higher number of tourist

arrivals in the area. Most notably, the Pan African Historical Theatre Festival (PANAFEST) is held in Cape Coast and Elmina every two years. A very important activity includes the renowned Oguaa Fetu Afahye celebrated every first week of September. Other attractions close by are the Kakum National Park which is popular for its canopy walkway, Hans cottage – a natural home for crocodiles and bird species, the ostrich farm and the light house (Addo, 2010; CCMA, 2006).

Cape Coast land is made up of public and vested lands which is owned, administered and controlled by the lands commission and private lands which are owned by individuals. These private lands are regulated and monitored by the Town and Country Planning Department under the Metropolitan Assembly though the individual has to register the land at the Lands Commission. The Town and Country Planning Department is entrusted to manage land use for the assemblies and assist families and stools to prepare land use scheme.

The population of the Cape Coast Metropolis, according to the 2010 Population and Housing Census, is 169,894 representing 7.7 percent of the region's total population. Males constitute 48.7 percent and females represent 51.3 percent. Twenty three percent of the population live in rural localities. The metropolis has a sex ratio (number of males per 100 females) of 95. The proportion of the metropolis youth (less than 15 years) is 28.4 percent depicting not too broad base a population pyramid which tapers off with a small number of elderly (60 years and older) persons (4.5%). The total age dependency ratio for the

metropolis is 49.1, the age dependency ratio for males is lower (48.2) than that of females (49.9). There exists a 1:5 (905) doctor to patient ratio (GSS, 2012).

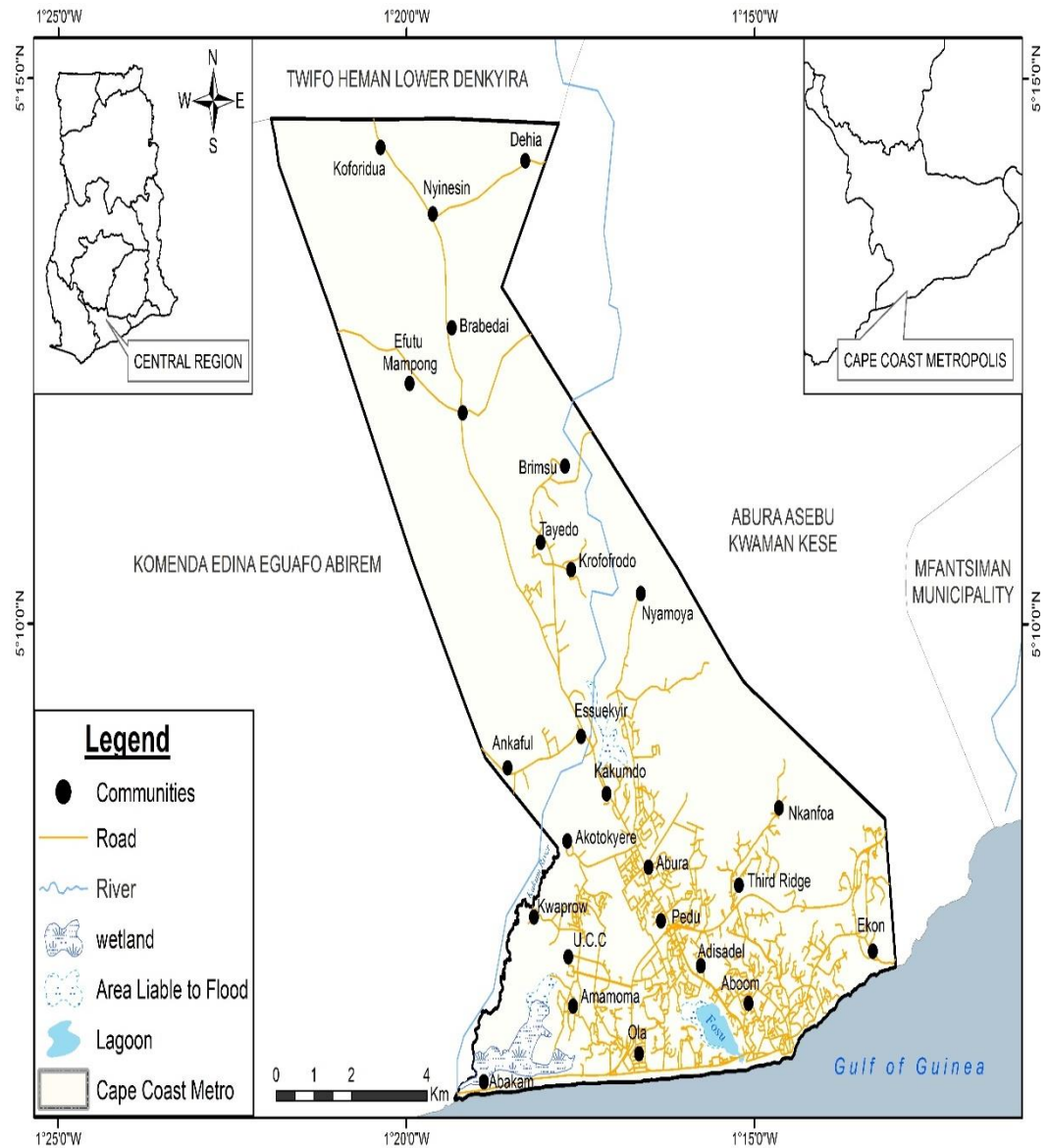


Figure 5. Map of the study area

Source: U.C.C Geography department (2016)

Research Design

The research design is qualitative. According to Dey (1993), qualitative research design also known as extensive research is a flexible form of research which helps in understanding issues. It offers richly descriptive reports of individuals' perceptions, attitudes, beliefs, views and feelings, the meanings and interpretations given to events and things, as well as their behavior. This research design was used because it helps to get deeper into issues of interest and explore nuances related to the problem at hand. It also helps to understand the feelings, values, and perceptions that underlie and influence behavior as well as allow the respondents to express their opinions without any limitations. Specifically, the study is exploratory. Babbie (2010) explains that exploratory research is useful and the most appropriate research design for subjects which there are high levels of uncertainty and ignorance and when there is very little existing research on the subject matter. This is characterized by high flexibility and lacks a formal structure.

It is against this background that the researcher used in-depth interview in gathering data since the study aimed to examine why urban land management is still a problem. Even though there are legal frameworks regulating it and institutions mandated to address this issue, the exploratory research design was considered appropriate to achieve the purpose of the study and to draw meaningful conclusions from the study.

Data Sources

Primary and secondary data were used in the study. The primary data was derived from the field work with the help of the interview guide, that is, the responses from the various institutions mandated to manage Cape Coast lands and individuals who have knowledge about the issue under study. The secondary data were derived from both published and unpublished sources. Published sources included journals, books, articles, legislative instruments, constitutional provisions and Acts of Parliament. Unpublished sources included archival materials, administrative documents as well as reports from the LSA's. Data was gathered on the legal frameworks regulating land management in Cape Coast, the responsibilities of the various LSA's and the constraints that they face.

Sample

The non-probability sampling technique was employed in selecting the respondents, specifically, the purposive and snowball sampling technique. Palys (2008) posits that purposive sampling is a type of sampling technique in which the researcher selects the sample on the basis of his own judgments about which population has in depth knowledge about the research. It is a sampling technique in which the researcher relies on his or her own judgment when choosing members of population to participate in the study. The purposive sampling technique was used to select the respondents from the various LSA's who had adequate knowledge about the issue at hand. This is because these institutions have been mandated to manage the land in Cape Coast and they have adequate knowledge about the topic under study thus, heads of the Lands Commission, Town and Country

Planning and the Building Inspectorate of the Cape Coast Metropolitan Assembly were purposively chosen.

MacNealy (1999) defines snowballing as a technique used when the population cannot be identified other than by someone who knows that a certain person has the necessary experience or characteristics relevant to the study. Snowballing was used based on the recommendations of the various heads of the LSAs to interact with the land owners in the selected communities. The researcher was introduced to the land owners of Akotokyir land who in turn directed the researcher to the land owners in Nkanfua and the private land owners.

Sample Size

The sample size for the study was fifteen. The heads of the LC, TCPD, OASL and the building directorate of CCMA were interviewed. Also, the head of the LRD, LVD and PVLMD were also interviewed. Two representatives of the land owners at Akotokyir and Nkanfua were part of the research as well as four private land owners.

Target Population

The target population for the study was the heads of the various LSA's in the Cape Coast municipality as well as the various land owners in the communities. In each institution two respondents were selected for the interviews. However, the head of the LC directed the researcher to other departments to solicit for further information. The land owners of the Nkanfua and Akotokyir lands were also part of the target population as well as four private land owners.

Sampling Procedure

A letter of introduction indicating the aim of the researcher was sent to the various heads at the LC, TCPD and the Building Inspectorate of the MA. The heads of these institutions were purposively chosen because they are mandated by law to regulate land use planning and management in Cape Coast. Thus, they are knowledgeable about the topic under study (Kumekpor, 2002).

In Cape Coast, land is mostly owned by families and individuals. The heads of the various institutions mandated to manage Cape Coast land used snowballing to direct the researcher to the family heads of the Nkanfua and Akotoyir lands and four private land owners.

Methods of Data Collection and Instrument

This is the stage of a research where plans were executed, the subjects approached and the information required for the study was gathered. The primary data was collected using interview guides. It was administered as a first step to gather data for the study; this facilitated interaction with respondents in a guided manner to enhance the collection of the required data. Different interview guides were used for the heads of the various LSA's and the land owners.

Interviewing provided a method for collecting rich and detailed information about how individuals experience, understand and explain events in their lives (Dey, 1993). In depth interview was used to collect data from the respondents. Issues in the guide sought to examine the legal frameworks

regulating land management, the roles of the various LSA's and the constraints that they face. The researcher facilitated the interviews and observed any apparent contradictions of the respondents and took note of the planning conditions.

Use was also made of secondary sources of data. Relevant existing literature relating to the study was collected and reviewed and the World Wide Web (internet) was consulted for relevant information and best practices as pertains in other jurisdictions.

Data Analysis

The data was analysed by using the information generated from the interviews. The information was recorded, analysed and organised to bring out the key themes and trends for easy interpretation. The recorded responses were transcribed for easy analysis. The key themes included the policies and regulations governing urban land management, roles of the various organisations in managing urban land and the constraints to effective land management.

Ethical Issues

This study is for academic purposes and therefore demands quality in the processes. As such, the researcher carried letters along that introduced her and the importance of the research being conducted. Informed consent and voluntary participation was sought and all respondents were assured of confidentiality.

CHAPTER FOUR

RESULTS AND DISCUSSION

Introduction

This chapter consists of the presentation of the findings of the research. It consists of four sections. The first section considers the background of the respondents; the second section discusses the impact, problems and implications of the legal frameworks in achieving effective land management; the third discusses how effective performance of roles and responsibilities will lead to effective land management and its implications and the last section discusses the constraints the land sector agencies face.

Legal Framework for Land Management

In Cape Coast and Ghana as a whole, the legal frameworks surrounding land management are numerous. According to the lands officer at the LC, the basic land laws in Ghana are deeply embedded in the socio-cultural systems and political institutions of its indigenous societies, even though they have also been fundamentally influenced by administrative and statutory rules. The legal frameworks for land administration were developed from colonial times over the years in piecemeal and in an ad hoc manner in response to specific issues or political dictates. These laws operate alongside customary laws in the country, creating a plural legal environment for land administration. Each Land Sector Agency (LSA) has its own framework that guides its activity. The LC is guided mainly by the;

- Local Government Act, 1993 (Act 462)
- Fourth (4th) Republican Constitution of the Republic of Ghana, 1992
- Lands Commission Act 1994 (Act 483)
- Lands Commission Act, 2008 (Act 767)

The Town and Country Planning Department (TCPD) derives its legal basis from five main legal instruments namely;

- Town and Country Planning Ordinance of 1945 (CAP 84)
- Local Government Act, 1993 (Act 462)
- National Development Planning Commission Act, 1994 (Act 479)
- National Development Planning (Systems) Act, 1994 (Act 480)
- National Building Regulations (1996) (LI 630)

The Building Inspectorate of the Cape Coast Metropolitan Assembly (CCMA) derives its legal basis mostly from the Local Government Act, 1993 (Act 462).

Explained in details below are the legal frameworks regarding land use planning and management in Cape Coast used by the various LSAs.

The National Constitution (1992) states that the inadequacies and inequalities of the existing land laws, general indiscipline in the land market characterised by land encroachment, multiple sales of lands, the use of unapproved development schemes, haphazard development, indeterminate boundaries of customary land resulting from lack of reliable maps and plans, compulsory acquisition of large tract of land by government, weak land administrative system, conflicting land use and time consuming land litigation warranted the need for these legal frameworks

These laws among other provisions established the various LSAs whose main responsibility is to control and guide the orderly development of the settlements within their jurisdiction. This is done by approving proposals for physical development and the preparation of development schemes and land use plans. The LSAs were established to remove controversies resulting, at times in the loss of lives and limbs, which land disputes generate. The legal frameworks were introduced to streamline and simplify the planning and ownership of land in the country, assist the citizenry irrespective of his social status to realize his ambition and aspiration of owning a place and enable the government to bring under control the use to which land can be put in all parts of the country.

All these legal frameworks are used to control public, vested and private lands. These legal frameworks ensure that development is in accordance with the plans drawn up or approved by the planning authority in Cape Coast. The legal frameworks provide for the management of public lands and other lands. They also ensure that the LSAs co-operate to manage public and vested lands, advise the government and the general public on land development to ensure it coordinates with the development plan of the area.

The legal frameworks govern the erection of buildings and the layout of streets with a view to securing the proper development of certain specified area as well as promoting the judicious use of land by the society and ensure that land use is in accordance with sustainable management principles and the maintenance of a sound eco-system. They ensure that land development is effected in conformity with the national development goals.

The legal frameworks aim at the judicious use of lands and its natural resources by all Ghanaians in support of various economic activities undertaken in accordance with sustainable resource management principles. They ensure that the process of accessing land is fair, transparent and efficient to develop an efficient land market; that is, they seek to improve land service delivery.

In short, the legal frameworks seek to foster effective land management by the development of efficient system of land titling, registering and administration based on clear, coherent and consistent policies and laws supported by appropriate institutional structures.

Impacts of the Legal Frameworks on Land Management in Cape Coast

The legal frameworks establish the independence and autonomy of the various LSAs. The LSAs in Cape Coast are the Lands Commission (LC) made up of its divisions, the Town and Country Department (TCPD), the Building Inspectorate of the Metropolitan Assembly (MA) and the Office of the Administrator of Stool Land (OASL). The legal frameworks express how the various LSAs coordinate to manage lands in Cape Coast and to advise government and the general public on land development plan. This enables the various LSAs to share information and coordinate in order to make land management sustainable.

According to the respondents, the frameworks stipulate the functions of the various LSAs. The frameworks clearly stipulate the roles and duties of each LSA and they also state the perimeters which the LSAs should abide by. This

helps them to work effectively and efficiently. The LC for example is mandated by the constitution to keep records of all land transaction. According to the Lands Commission Act 1994 (Act 767), the Public and Vested Land Management Division (PVLMD), Survey and Mapping Division (SMD), Land Registration Division (LRD) and the Land Valuation Division (LVD) constitute the LC. The merging of the four divisions under the LC ensures that duplication of roles is avoided and it also ensures that infrastructure and logistics are provided for in order for them to work effectively. As a result, the legal frameworks have a positive impact on land management. They also ensure that each of the LSAs does their work effectively without fear or favour. They ensure that the LSAs are autonomous so that they cannot be manipulated.

Another positive impact is that the legal frameworks safeguard public lands and other lands vested in the president. This makes it possible for buildings in these places to adhere to building regulations, are well planned and well zoned. It ensures that public safety, public order, public morality and public health are taken into consideration to promote public benefit. It also ensures that land use is in accordance with sustainable management principles. This indicates that land is readily available for developmental purposes to benefit the people of Cape Coast.

However, lands vested in the state pose a problem. Vested lands are managed by the state for the owners while land owners retain the customary land ownership. The management aspect of the state covers legal, financial and estate management. Money paid for vested land is paid into the government's coffers

and the government pays an amount to the land owners. As a result of the disagreement on the amount to be paid, most stool lands are being converted to family and individual lands to stop government control. The lands owner then intend sell it to different people resulting in multiple sales of lands. This serves as a detriment to the government idea of eradicating land problems.

The legal frameworks shield public and vested lands from encroachment. Encroachment is one way by which the overall development of an area can be distorted. The frameworks empower the LSAs to eject trespassers, confiscate or remove trespassers, abatement of any nuisance or termination of any interference and demolition. They ensure that land is allocated in accordance with laid down policy and legal requirements. This helps in proper demarcation, survey and planning and granting of right of entity to lands for development. This also promotes the provision of services like roads, electricity and water. The frameworks also ensure that developments are in conformity with approved land use or development plans and environmental protection standards. They facilitate the granting of consent to land transactions such as assignment, sub-leases and mortgages. Encroachments which are in accordance with planning schemes are regularized upon the imposition of penalties and this ensures the re-development of blighted areas. These practices enable land to be managed effectively as well as maintain the aesthetics of the environment thereby promoting sustainability. The TCPD explained it this way;

“The legal frameworks which guide our work have made Cape Coast a pleasant and convenient place for people to live in by ensuring the rational and sustainable control of the

development of the communities and their buildings, roads, etc”(TCPD, 2016).

This is because the legal frameworks empower the various LSAs to implement the plans for the various vicinities. As a result, they have the power to pull down all unauthorized structures. They control development to ensure that what is planned actually materialize on the ground.

The legal frameworks also ensure that the preparation of parcels of Lands and boundary demarcations by the SMD ensures effective land management. SMD is responsible for surveying and mapping in the country including cadastral, geodetic, topographic and hydrographic surveying and the production of base maps and cadastral plans. The legal frameworks help in the preparation of relevant maps and plans for the implementation of title registration. The department is divided into six sections; lithographic, photogrammetric, head office, examination and computing, cartographic and digital mapping sections. These sections collaborate to ensure that land is zoned effectively and zoning regulations are adhered to. This enables what is planned to actually materialize on the ground. The zoning is done taking into consideration sustainability. Thus, when zoning is adhered to, it ensures that land is managed effectively. Cape Coast lands can be likened to the Multiple Nuclei Model. Many progressive CBD's have integrated to make the area developed. They are not located in one area and all the



Plate 1: Planned Development at Nkanfua new site

Source: Field work, 2016

To the respondents, the legal frameworks also encourage local participation. This helps the local people to adhere to building regulations and zonings. The National Development Planning (system) Act 1994, Act 480, for instance, states that the initiation and preparation of district development plans and settlement structure plans must be done with participation from the local community. The National Building Regulations (1996) is also a legal framework that ensures that the erection, alteration or extension of a building adhere to the local plans of the area. The National Urban Policy is another legal instrument which encourages local participation. It promotes land management to be sustainable, spatially integrated and orderly with adequate housing and services and efficient institutions.

The legal frameworks promote the formulation of policies to direct and guide spatial growth and physical development. This is because before any policy can be made, an inference would have to be made to the legal frameworks to ensure that the policies and the legal frameworks are towing the same line. This helps to promote consistency and enhance development.

They help in the management of development to achieve orderly and sustainable physical and socio economic development. Over the years, the National Land and Urban policies have been introduced. The National Land Policy was introduced in 1999 whilst the National Urban Policy was introduced in 2012. The first phase of the Land Administrative Project (LAP) which was from 2003 to 2010 has ended and the second phase is currently in session. The LAP promotes the various LSAs to be unique, technically capable and proactive to contribute effectively to the rational development of sustainable human settlements in Cape Coast. This ensures effective land management.

Commenting on the National Land Policy, this is what Kasanga (1999) had to say:

“The New National Land Policy is an important and timely Government intervention. The Policy document duly appreciates the onerous problems and constraints of the land sector. What is not apparent is the economics of the new Land Policy including its: costs and/or opportunity costs, benefits and target beneficiaries; implementation programme, machinery and time scale; sources of funding and effects on the national budget; Policy instruments towards amicable resolution of accumulated and outstanding land disputes, court cases, compensation claims, etc.; monitoring indicators for success or failure; socio-cultural underpinnings”

Thurman (2010) also believes that the physical feature of an area is important because it shapes the development of the place. When the physical environment is taken into consideration in policy formulation, it makes management sustainable.

Problems Associated with the Legal Frameworks and their Effects

Land management legal frameworks have been in existence over the years. Some of them have been amended over the years whilst new ones have been introduced to help address the problems associated with land management in Cape Coast. However, there are problems with some of the legal frameworks and this has had negative impact on land management in Cape Coast. One of the fundamental defects identified by the National Land Policy of 1999 is the fact that land administration in Ghana is characterized by reliance on inadequate and outmoded legislation. There are too many laws, gaps and overlaps in the laws, inconsistency with the constitution and policy changes, and duplication of provisions dealing with the same issues in different laws.

Some of the legal frameworks have been in existence for a very long time making them obsolete. The local government Act 1993 (Act 462) for instance is used by all the LSAs. This is an act established to regulate the local government system in accordance with the constitution and to provide for related matters. The act empowers the District Assemblies (DA) as a planning authority for its area. It empowers the LSAs to prohibit, abate, alter, remove or revoke a permit and pay compensation. However, the frameworks do not stipulate how the LSAs can

coordinate to share information in order to ensure that land management is effective. This also seems to be a trend not only in Cape Coast or Ghana but in Nigeria, Ethiopia and the Asian Pacific according to Aribigbola (2013), Dube (2013) and Ichimura (2003).

The Lands Commission Act 1994 (Act 483) which was used to establish the LC stipulates the functions of the Commission. It states the independence, the composition, qualification, appointment of members, administration and finance of the Commission. As a result of their autonomy, the Commission is not obliged to share information with other LSAs. The Act also establishes that monies accrued by the commission in the regions must be sent to the head office and some of the money is then disbursed to the branches in the regions. However, monies sent to the branches are not adequate enough to cater for their needs.

There is the need to modify how state lands are acquired in the public interest. This is buttressed by the State lands Act 1962 (Act 125). State lands refers to land that the government has compulsorily acquired for a specific purpose to benefit the general public through exercise of its statutory power of eminent domain. However, most land owners are not adequately compensated. As a result, most lands owners are adamant to easily give out their land in the public interest.

Land use and management in Ghana is still based on the Town and Country Planning Ordinance, Cap 84 of 1945 and its amendments. Thus, the TCPD operates under a moribund legislation with some conflicting provisions with the Local Government Act, Act 462 of 1993 relating specifically to the

preparation and approval of development plans. The Act empowers the citizens to start building when approval has not been given within three months of submitting their applications. Act 462 which was promulgated to replace Cap 84 taking into consideration its defects, however, did not come with working schedules and as a result, the department still has to rely on the schedules of Cap 84.

In obtaining a building permit, the District Planning Authority (DPA) has a period of three months to notify the applicants whether the application is granted or refused. On the contrary, applicants who have not been informed of the grant or refusal of the application may after the three months expiration commence development on the basis that the application is acceptable.

The assumption that after 3 months of submission one can start development gives rise to unsafe construction since most of the time, permits are not granted before the clients undertake their construction activities. This trend contravenes the building regulations since an approval has to be given before the commencement of any project. According to the National Building Regulations, a qualified building inspector shall carry out regular inspections of any project at every stage of the development to ascertain whether the materials as well as proper building safety measures are being employed. However, the reality on the ground is that those inspections are not carried out at each stage of the project which actually brings about the construction of unauthorized buildings. There is therefore the need to revise these regulations and frameworks to make them applicable in this modern day.

Changes occurring in land use in urban areas cannot be over emphasized as a result of the lack of enforcement of the policies and frameworks by the LSAs. Generally, land values in urban settings are high. This is due to the influx of people in these areas. The high population is associated with increased need for accommodation and jobs. This, therefore, calls for extra space for development of residences, commercial centres, industrial sites and other public institutions. According to Asamoah (2010), the planning approach for Cape Coast was typically “top-down”, which mainly focused on Survey-Analysis-Plan-Implementation approach of master planning. This method did not give adequate room for community participation or consultation in the process of planning (either in planning, implementation, monitoring and evaluation). As the preparation mandate of the master plans was dominated by the government and the LSA’s, the implementation, monitoring and evaluation mandate was at the same time controlled by the government.

Also, as a result of the regulations and legal frameworks being archaic, the study revealed that only a few people apply for change in use of land they occupy. This is also as a result of the highly unattainable planning standards and requirements for planning and building permits set in the National Building Regulations of 1996. The study revealed that there are few vacant plots of land in the study area. Ultimately, farmlands and reserves are being encroached upon. However, developments on old plots and reconstruction of compound houses into multi-storey buildings are possible.

The legal frameworks do not encourage effective Monitoring and Evaluation (M&E). It only stipulates inspecting the site to ensure that it conforms to the building plans of the area. This is also due to lack of public education. Most people are ignorant about these regulations and what it seeks to achieve. Also, dependence on obsolete and manual methods for plan preparation and information management for monitoring and supervision of development in the metropolis are hampering enforcement of development control.

According to the respondents from the LC, the predominantly manual nature of recording land transactions has encouraged a lot of fraudulent land deals within the sector and also makes land documentation time consuming. On the issue of fraudulent transactions, they are usually successfully executed because there is no scientific system in place to determine the authenticity of the document. It is also not a requirement to attach the original document to the transfer document before it is accepted for processing. There is therefore the need to review the existing laws to make them punitive enough to deter people from flouting them.

In general, it was realized that most citizens are not aware of the legal frameworks regulating land use and management in Cape Coast. This is as a result of ignorance or the bureaucracy involved in registering land and obtaining a building permit. There are also some legal contradictions and overlapping which make it difficult for the LSAs to do their job. Some of the legal frameworks are confusing and contradictory. Cap 84, Act 479 and Act 480 have made the entire process of physical planning cumbersome and confusing. All the laws have

different procedures and mechanisms for plan preparation, approval and appeal. This has impact on the clients who have to bear all the cost and cumbersome process.

Implications for the Future

As a result of the obsolete nature of the legal frameworks, there is the possibility of people not adhering to zoning regulations. They will not use the land for the purpose for which it was registered. This will lead to the conversion of farmland and forest in the Cape Coast Metropolis into urban development, leading to the reduction of land available for food production. This will also reduce the quality of land resources and future agricultural productivity.

Zoning laws are intended to promote the health, safety, welfare, convenience, morals, and prosperity of the community at large, and are meant to enhance the general welfare of the people rather than to improve upon the economic interests of any particular property owner. They are designed to stabilize neighborhoods and preserve the character of the community by guiding its future growth. The essential purpose of zoning is to segregate residential, commercial, and industrial districts from one another. Within these three main types of areas, there may be additional restrictions on population density and building height.

The inadequacies of the frameworks also distort documentation on land ownership and this affects land rights, economic activities and socio economic development. This leads to the multiple sales of lands. The obsolete nature of the

policies coupled with the challenges faced by the LSAs means that adequate measures are not put in place in controlling land rights and speculation. Family and private lands which abound in Cape Coast are not controlled by the LC. As a result of the bureaucratic process associated with registering land coupled with the ignorance of most land owners and buyers, most people tend not to register their lands, making it possible for land owners or land speculators to sell to different people at the same time.

The multiple sales of lands are likely to lead to land conflict. When this occurs, the socio economic activities of the people will be affected. This is because it takes much time to resolve land issues. As the protracted conflict lingers, the livelihoods of the people involved are affected. No one can farm or build on the affected lands. This implies that the source of income by the family is gone. This pushes people to look for jobs elsewhere. They may migrate or take up certain behaviors that may not be socially acceptable. This does not ensure the growth of the community and the nation as whole. The law also states that a land can be leased for ninety nine years after which the owners can reclaim the land. When the ninety nine years are up and the family reclaims their land, most people are rendered homeless and organisations have to fold up because the new rents are hiked. This affects the development of the area and hinders effective growth.

The bureaucratic procedure in registering land and obtaining a building permit may result in people registering their land alone without obtaining a building permit. If they choose to apply for a building permit, they may start building before the permit comes because it takes more than the stipulated three

months and the national building regulation allow people to start building even when their permit is not in.

The obsolete nature of the laws also makes change in land use easy. A change in land use pattern will lead to the exerting of pressure on facilities in the area. This is because the master plan will be distorted; thus, certain amenities such as electricity and water cannot be provided and it will be difficult to track old ones. The change in land will result in limited land available for other purposes and this will lead to the soaring prices in land. Most people who cannot afford these lands will build at unauthorized places leading to the development of slums and squatter settlements.

The obsolete nature of the policies which result in haphazard building has implications for the environment. Prime agricultural lands are converted to make way for residential and industrial growth. This affects the physical environment. Trees are cut down leading to the drying up of streams and rivers which serve as source of drinking water for most people. Food prices also go up because there is demand for the little that is produced. Hazardous chemicals are released into the atmosphere by the industries leading to the destruction of the air and resulting in ill health. Farmlands and reserves being destroyed make investment in land difficult. This impacts negatively on the beauty of Cape Coast.

The lack of the laws to cover M&E comprehensively and the autonomy of the various LSAs give people the indirect authority of executing projects without any check in place. It also leads to corruption among the LSAs officials as people may bribe the officials in order to have their way. The LSAs tend to give people

the indirect authority of executing project without any check and balance in place. This is because they are not obliged to share information. As a result, it is the client who is supposed to bear the cost of transportation of the various LSAs officials when inspecting the site. This drain in the resources of the client may prevent the client from doing the right thing. The client may decide to offer bribe or the client may decide not to inform the LSAs about his or her intention- a situation that can distort the master plan as well as the development of the area.

Objective Two

Effective Performance of Duties by the LSAs and its Impacts on Land Management

Land delivery institutions in Cape Coast include the LC, which consists of four divisions – LVD, SMD, LRD and PVLMD, OASL, TCPD and the Building Inspectorate of CCMA. Each of the LSA's has some responsibilities to perform to ensure that land management in Cape Coast is effective. The management of land resources is essential for the development of every economy. Urban land management is key for a vibrant growth of the commercial and industrial services that serve as engine of growth of the entire city.

The LC has the responsibility of keeping records of all land transactions. The LC furnishes the land title registry with records of all transactions on a given

land before a land title registration certificate is granted. This ensures that title to land by client is secure and there is no multiple sale of land. The records serve as a reference point when any conflict arises with regard to the ownership of a piece of land. When the LC keeps records effectively and people are given the right title to their land, all chaos is erased and this ensures that land is managed effectively. This helps in achieving the commission's objective of promoting the judicious use of land by the society and ensures that land use is in accordance with sustainable management principles and maintenance of a sound eco-system.

The various LSAs also collaborate to minimize or eliminate, where possible the sources of protracted land boundary disputes, conflicts and litigations in order to bring their associated economic cost and socio-political upheavals under control and promote community participation and public awareness. As the LC keeps records of all transactions, it serves as a reference point for all the disputes. The TCPD also zones out the municipality and are therefore aware of the boundary of each vicinity whilst the MA ensures that people adhere to building regulations. Apart from the collaboration among the LSAs which ensures that boundary dispute is avoided, the collaboration also ensures that land development is effected in conformity with the local area as well as the nation's development goals.

The various LSAs also have the responsibility of educating the public on the process of registering and obtaining a building permit. Though the LSAs are autonomous and have different work schedules, they have the responsibility of ensuring that clients follow the right procedure in all land issues, especially as

regards land title registration. The purpose of title registration is to give certainty to ownership and facilitate proof of title to make dealings in land safe, simple, cheap and to also prevent fraud.

One major obstacle that the country faces is the lack of enforcement of rules and regulations. In instances where people have encroached on public lands or developed lands without permit or when landowners have been engaged in multiple sales of land, one realizes that there is hardly any prosecution to serve as deterrent. The LSAs coming together to educate the public promote that people grasp the concept of the importance of registering land and its associated matters. If the public adhere to land regulations and the various LSAs enforce the rules and regulations, land management in Cape Coast will become easier which will make sustainability a reality. This also prevents encroachment.

According to the lands officer, these functions actually embody the functions of the four divisions set up by the Act. He explained it this way:

“For the first time, the issue of community participation and public awareness creation has been highlighted because in times past, many land use decisions were carried out without the consultation of some keystakeholders. Chiefs and their elders and the LC made decision on land use without allowing community members to participate. Even where they were involved, it was mainly done by informing them on what has been decided and not to take their respective opinions in the land development process. Also the general awareness of the public on the lands issues was severely limited as many people depended solely on agents, families or chiefs and the commission to get information of land related issues. Therefore, by including this in the Act, it will go a long way to help resolving land allocation and development problems” (LC, 2016).

The SMD under the LC is the sole agency responsible for the preparation of parcels of lands and boundary demarcation. The SMD is responsible for surveying and mapping in the country. Such surveying include cadastral, geodetic, topographic and hydrographic surveying and the production of base maps and cadastral plans. Their responsibility ensures that the plans designed for a specific area is what is actually implemented. As people adhere to zoning and building regulations, the aesthetic of the area is also maintained and the land is used judiciously. This responsibility ensures that the LSA's ultimate aim of managing Cape Coast lands is effective and sustainable to support future generation.

However, this is not the practice in Cape Coast. This is as a result of some challenges faced by the various LSAs as well the practices of some people to flout authority as well as non - adherence to rules and regulations.

The PVLMD of the LC manages public and vested lands. This involves protecting government lands from encroachment. This is done through ejection of trespassers, confiscation or removal of trespassers, abatement of any nuisance or termination of any interference and demolition. The division is responsible for the allocation of land in accordance with laid down policy and legal requirement to ensure proper demarcation. The division ensures that developments are in conformity with approved land use or development plans and environmental protection standards. They also facilitate there-development of blighted areas. The PVLMD also shields lands in the public interest. This makes it possible that there

is enough land available for development purposes such as the building of industries and the provision of social amenities-all being things in sync with development of plans. As the PVLMD makes sure that all these are in place, people are likely to conform to regulations and land is managed effectively.

The bulk of the workload of effectively managing land lies with the TCPD. The department is charged with the preparation of planning schemes (layouts) and the formulation of policies to direct and guide the spatial growth and physical development and the management of development to achieve orderly and sustainable physical and socio-economic development of Cape Coast. The aim of the TCPD in Cape Coast is to make the place a pleasant and convenient place for people to live in by promoting a rational and sustainable control of the development of settlement/communities, buildings, roads, etc.

Basically, the TCPD in Cape Coast has the core responsibilities for settlement planning and land use controls to guide development and growth of settlements and their surrounding countryside. The Metro Director in explaining how the department controls development in Cape Coast said the following:

“The main mechanism by which the department is able to keep the proliferation of physical development under check or control is through regular visitation of areas” (TCPD, 2016).

To him, even though they have everything on paper, implementation of what is on paper is really important in order to achieve the required result. He further explained how the department controls development. He said:

“Development control basically starts with preparation of local plans for the unplanned settlements/areas in the region. However, preparation of

the local plan in itself will not guarantee order in development. The control is mostly made possible by virtue of the obligation upon all developers to seek planning consent for new developments and this is buttressed by Act 462, sections 49(1), 64 (1), LI 1630“(TCPD, 2016)

The director explained that for the department to get the needed results, there must be collaboration between land owners and the department. The land owners must voluntarily oblige to seek planning consent. This does not only ensure sustainability but also caters for the aesthetic of the community. This will boost tourism and lead to increment in revenue for the assemblies. He further explained the processes the development application undergoes;

“Development applications may be granted, granted with conditions, deferred for some requirements to be met or refused outright. The department after processing development applications that have been received from developers organizes a technical sub-committee meeting to vet them. The applications are then sent to the main statutory planning committee meeting for consideration and final approval or otherwise based on the report of the technical sub-committee”(TCPD, 2016).

Over the years, the department has developed urban biases in its activities in an attempt to keep up with the high rate of urban development and the pressure on urban and peri-urban lands.

However, for this objective to be a possible, there is the need for all developers to cooperate and adhere to local plans. Land owners must voluntarily oblige to seek planning consent. This does not only promote sustainability but also cater for the aesthetic of the community. This also boosts tourism leading to

increment in revenue for CCMA. As this is being done, Cape Coast land will be managed effectively leading to sustainability.

Further, the Metropolitan Assembly (MA) in Cape Coast also has a role to play in ensuring that land in Cape Coast is managed effectively. The Building Inspectorate of the assembly carries out this responsibility. The MA is recognized by law as the planning authority of their area of jurisdiction. They are granted the powers relating to granting of development permits, enforcement of development control measures and strategies including the power to alter, remove, prohibit or demolish any development undertaken without a permit. The Building Inspectorate makes sure that the building plan is what practically materializes and conforms with the local plan of Cape Coast. They have the responsibility of the overall development, improvement and management of human settlements and the environment in the metropolis.

The Building Inspectorate Department of CCMA has been tasked with these responsibilities. The building inspector explained his duties as follows;

“The Building Inspectorate Unit ensures that developments on the land are rightly located in the area in accordance with the zoning regulations with respect to the type of development earmarked in the various zones. This is to control incompatible use of land. We give permits, assist clients at the TCPD, assists in stopping unauthorized structures. We assist in how one should build on his or her land. However, our main duty is to monitor. However, our main duty is to monitor how people erect and where they erect their buildings “(CCMA, 2016).

To the building inspector, their main duty is to monitor buildings to ensure that people adhere to building regulations. However, when asked about how they

go about their monitoring, he said that as a result of the challenges that they face as a unit, they are not able to do their work adequately. He also indicated that they work in conjunction with the TCPD. The building inspector explained the flaw in some of the legal framework which makes it difficult for them to do their work.

“The power of MAs to abate unauthorized development is to some extent in conflict with Section 9 of the National Building Regulations. The law gives a developer the power to proceed with development where approval for development is not given within three (3) months of the date of application. This provision creates some practical difficulties with the exercise of development control functions of MAs and partially accounts for encroachment on public lands and inappropriate land use in most urban areas. This hampers our capacity to perform our role as a planning authority“ (CCMA, 2016).

In land administration, the assemblies have legislative powers to make bye-laws in respect of buildings, sanitation and the environment. The preparation and approval of planning layouts, the granting of planning permission and development permits and the enforcement of regulations and sanctions for non-compliance are some of their functions. They also have the power to acquire land under Section 84 of Act 462, service it and re-allocate it to prospective public or private developers for development. The building inspectorate’s responsibility is a big task. For land management in Cape Coast to be effective, they have to monitor to ensure that no unauthorized buildings are erected and the local plans of the area are adhered to. When this task by the building inspectorate is achieved, it automatically means that land in Cape Coast is being managed effectively.



Plate 2: Unplanned development at Akotokyir

Source: Field Work (2016)



Plate 3: Unplanned development at Nkanfua

Source: Field Work (2016)

Responsibilities Overlap

Though the various LSAs have their various roles, sometimes their mandates are unclear, resulting in overlapping and duplication of functions.

All these agencies undertake separate inspection of properties instead of sharing data and information, thus, making land administration costly. The LC, TCPD and Building Inspectorate undertake the same inspection on the same piece of land. This client incur this cost because all the institutions do not have a vehicle to convey them to site.

The LSAs carry out different inspections because they are autonomous. As a result, they are not obliged to share information and this hinders their activity. This is because time and resources are wasted on activities that have already been undertaken by another LSA. Also, the institutions are not located in the same area and this makes it cumbersome for the client who has to travel from one place to another. Thus, it can be inferred that it is the client who links the institutions together. This autonomy hinders the effective carrying out of their responsibilities.

The administrator of stool lands and the regional LC also consult with the stools and other traditional authorities in all matters relating to the administration and development of stool land and feed them with all relevant information. Again, OASL and the LC are to co-ordinate with all relevant public agencies and traditional authorities and stools in preparing a policy framework for the rational and productive development and management of stool lands.

Implication of Effective Performance of Roles on Land Management

The effective performance of roles by the LSAs will prevent encroachment especially on public lands. This is because the LSAs will collaborate with the local communities in drawing up plans for the area. There is the need for the people to be educated on the fact that public lands belong to the public. They are used for developmental project which benefits the whole community. Such education will make the local people better appreciate the disadvantages of encroachment. This will deter them from building at

unauthorized places and to conform to regulations thereby making it possible for the master plans to be realized and preventing haphazard development as well

The effective keeping of records on all land transaction by the LSAs prevents multiple sales of lands as well as land speculation. This is because there will be documentary evidence to support all land sales in order to avoid any land conflicts.

Strict compliance with the traditional urban planning process by the LSAs will help to achieve sustainable development. Most developments are undertaken without recourse to the effect of the development on the land and environment. In this era of sustainable development, the emphasis has been on the land and integrating environmental concerns into every developmental project in order to enhance the sustainability of the environment. This system to a large extent eliminates land litigation and indiscriminate sale of land and enhances land tenure security. The role of the TCPD in ensuring that areas of development are schemed as well as their role in approving planning/development applications regularly to a large extent abate unauthorized developments and encroachments and enhances sustainability.

Effective supervisory and monitoring role by the LSAs ensure that people adhere to plans as well as building regulations. This will make planning and management of the metropolis effective. The LSAs enforcement of the building regulations and standards based on which the development/planning permit was granted will ensure that unauthorized structures are not put up. This makes land use planning in the vicinity simple and easy to attain sustainability.

The Cape Coast metropolis undoubtedly is one of the planning areas in the country that has the required framework and structures for the regulation of development through effective urban planning and management as evidenced in the management system and the role of the LSAs in regulating development. The effective performance of duties by the LSAs will make it possible for the aesthetic nature of the area to be maintained together with its zoning regulations. This will save the environment from destruction. The environmental resource endowment of the area would be preserved, enhanced and utilized for societal benefit.

The rapid urbanisation of the metropolis is putting a lot of pressure on the land. Collaboration among the LSAs by sharing information will help eliminate protracted land disputes, boundary disputes, land conflicts and litigations and impacts on the socio-economic activities of the people. Going round the metropolis to ensure that unauthorized projects are stopped at the initial stage is also important. This will promote development in the area as well as help in the achievement of the nation's development goals.

The effective enforcement of rules and regulations by the LSAs will ensure that people do the right thing. Educating the people on the rules and regulations governing land is the first step. Educating the people on the process of registering and obtaining land permits also ensures that they do the right thing. When people know and understand that these laws exist and they will be enforced whenever they do not adhere to regulations, it will deter them from going contrary to it. The enforcement will ensure orderly development which has a positive implication for food production, health, development as well as sustainability.

Constraints to Effective Land Management in Cape Coast

Having discussed land use planning and management systems in Cape Coast, it is evident that land use management is ineffective and uncoordinated in the metropolis. In general, the LSAs encounter numerous problems when discharging their mandated duties. A number of factors are responsible for this state of affairs. These constraints are discussed as follows:

Non-adoption and utilization of modern planning approaches

Following the lead of the international community, a number of concepts and approaches that emphasized citizen participation in decision-making have been devised and adopted. Field investigations show that these new approaches and methodologies have not been incorporated into land use planning and management in Cape Coast and the system of computerization is poor.

As indicated by the TCPD director:

“The basis of planning in Cape Coast is the traditional master plan approach that emphasizes the utilization of the professional expertise of planners to determine and articulate physical development plan for the city” (TCPD, 2016).

Therefore, non-adoption and incorporation of new approaches such as the FAO framework for land Evaluation, strategic planning are a major constraint that needs to be surmounted to ensure better management of land in the city.

All the institutions did not have computers. At the LC, the officer used his personal computer to work. The rest of the institutions did everything manually and there was no software available at any of the institutions to make information

keeping and retrieval easier. Records at the various institutions were kept on the floor. At the various offices, the whole place was scattered with old files and the officers admitted that after some years, the prints fade making it difficult to see what was on the papers. As a result, it was always tedious to look for land documents from old files. Modern equipment for the production of layouts are not available, so workers still use pens / pencils to manually do drawing- this takes a lot of time. Therefore, non-adoption and incorporation of the new approaches are a major constraint that needs to be surmounted to ensure better management of land in Cape Coast.

In Asamoah's (2010) study in Kumasi, she found that changes and advances in technology have not been applied to work schedules at the LSAs. The processes are not fully automated; therefore, a greater percentage of activities are carried out manually. The manual processing of documents is very slow and the archaic way of keeping records results in the misplacement of files or delays in locating them. Therefore, there is the need to convert the hard copies to digital or computer readable format.

This seems to be a phenomenon in other countries. In the study of Aribigbola (2008) on "Improving planning standard in Akure, Nigeria," he found out that the various three tiers of government, federal, state and local are involved in land planning and management. However, the bulk of the work lies with the ministry of works, lands and housing, urban and regional planning and survey. These institutions lack proper modern approaches they can draw on so they also

work manually. There is no citizen participation and there is lack of modern equipment.

Inadequate manpower and logistics

Closely associated with the above constraint is inadequate qualified planning personnel to manage land use in the city. All the LSAs complained of shortage of staff leading to the slow preparation of base maps. At the LC, the lands officer indicated that as a result of the ban on employment, they cannot recruit new staff. Therefore, the only option they had was to maintain national service personnel as casual workers and pay them with internally generated funds—a situation that constrains their resources. Currently, the commission needs cartographers to strengthen the records and drawing office, lands officers and Inspector of lands to man the rent management unit and encroachment prevention exercise and a computer specialist to be in charge of Information Technology Section.

At the Building Inspectorate, the inspector explained that the building inspectors at the municipal assembly are few. As a result, they cannot do their work effectively as they wished to. The metro director at the TCPD indicated that he was the only one in charge of Cape Coast Metro and Komenda Edina Eguafo Abirem District and this makes it difficult for him to do his work effectively. This is because there are times that he has meetings at both assemblies but because he is in Cape Coast, he mostly opts for that. This situation has led to land transactions and development in areas where base maps have not been prepared.

This has resulted in multiple land sales, haphazard development and land disputes.

The lack of personnel means that the various LSA's cannot carry out their roles and responsibilities as expected. This is characterized by lack of up-to-date maps for quick and reliable plan preparation, land use conflict as well as inaccurate ground demarcation and survey of approved plans. There is also the immobility of inspectorate and field monitoring staff for day-to-day supervision and monitoring with resultant weakening or abandonment of statutory supervision of developments. This is because few people do the work for which several people are required. The manual mode of carrying out their activities hinders their efforts because the workers are few in number. As a result, they are unable to ensure that land management is effective in Cape Coast.

Poor and inadequate funding

Another major constraint to effective land control is poor and inadequate funding of planning activities in Cape Coast. Funding for the land sector has never been adequate. As a result, the agencies have found it extremely difficult to even prioritize their activities. The effect of all this and similar situations over the years is that the revision of the deteriorating records sheets in the agencies is progressing at a very slow pace, in fact slower than the rate of deterioration. With such a situation even the benefits of automation may not be achieved.

According to the lands officer, a close observation of the government budget for the 2015 financial year shows that no financial allocation was made

directly to land use and city planning. This activity did not feature at all directly in the budget proposals for the periods. The only allocation indirectly to land use management covers staff salaries and other emoluments. In such a situation, it becomes difficult to initiate plans and development schemes to organize land use and land management and undertake other essential planning tasks related to land management. Investigation at the LC showed that the Commission is not allowed to keep any money to manage its affairs. Rather, all monies are sent to a centralized account at the head office and this does not auger well for the Commission. This is because the money that is reimbursed to them to cater for their day-to-day activities is woefully inadequate. This was the same thing at the Building Inspectorate at CCMA. This was what the LC had to say:

“In such a situation, it becomes difficult to initiate plans and development schemes to organize land use and land management and undertake other essential planning tasks germane to land management” (CCMA, 2016).

At the TCPD, the building was in bad condition and the roofs of the department leaked whenever it rained. According to the director, letters written to the head office for assistance for the past five years have yielded no result. As a result, whenever it rained, they had to pack all their documents on a table in a corner to prevent them from getting wet. Because of poor funding, essential facilities required to undertake planning activity are not available as well as the tools needed to operate such facilities. Thus, the activity of the LSAs have been restricted to the approval of layout and building plans prepared by families, communities and individuals as well as granting statutory rights of occupancy to

owners of lands. As a result, the master plan which was prepared for the area some years ago has not undergone any changes. Also, no physical development schemes have been initiated and executed by government and the LSAs over the years.

Aribigbola (2008) found out that master plans in Akure, Nigeria which was prepared in 1980 had not undergone any changes. There was no budget for land planning and management in their annual budget. Thus, their duty was limited to approving building plans. These findings also support Boakye et al.'s (2008) observation that land institutions do not live up to expectation because of poor logistics, and inadequate human and financial resources.

Bureaucratic procedures

Even though the Local Government Act, 1993 (Act 462) grants MMDAs the power to demolish unauthorized physical developments, Section 9 of the National Building Regulations (LI 1630) gives a developer the power to proceed with development where approval for development is not given within three (3) months of the date of application. This provision makes it difficult for the cities to exercise development control functions. Again, while Act 462 recognizes MMDAs as planning authorities within their respective areas of jurisdiction, subsidiary legislation spelling out physical planning functions and standards is not available.

Also, the LC explained that the period for one to get one's documents depends on the process and this can be the fault of the clients or the Commission

but the minimum number of months is four. These bureaucratic procedures affect the work of the LSAs especially when they urgently need to attend to a document but the procedure delays. As a result, most people do not adhere to regulations but go ahead to start their project because of the delay.

The delay in granting permits for development and construction to applicants coupled with the ever-escalating construction costs in the economy push prospective developers to commence construction ahead of processing the necessary permits. This problem stems from applicants' inability to satisfy all the requirements for grant of permits, especially certificate of good title to land. The engagement of quack persons who designate themselves as planners and surveyors by some land owners to prepare and implement land use sub-division plans has also not helped the situation.

A study by Magigi and Majani (2005) in Tanzania found that bureaucratic procedures hindered the planning standard. Land use planning procedures including preparation of the plan, presentation and endorsement by the local authorities to final approval took a total of 5 years. This demoralized those at the grassroots who wanted to participate and contribute towards land use planning. Consequently, people proceeded to build without the required approval- a situation which distorts land, just as in Cape Coast.

Ineffective land use planning policies, laws and regulations

Land use and management in Ghana is still based on the Town and Country Planning Ordinance, Cap 84 of 1945 and its amendments. Thus the Town

and Country Planning Department operates under a moribund legislation with some conflicting provisions with the Local Government Act, Act 462 of 1993 relating specifically to the preparation and approval of development plans. Act 462 which was promulgated to replace Cap. 84 taking into consideration its defects, however, did not come with working in view of which the department still has to rely on the schedules of Cap 84.

Again, the role and authority of the department is in doubt, or at least confused, due to both the positioning of the department within the Ministry of Environment, Science and Technology and also under the Local Government Act, 1993 (Act, 462). Under this Act, the assemblies are the designated planning authorities with power to grant planning permission and are within the scope of responsibility of the Ministry of Local Government and Rural Development. This dual allegiance militates against the efficient operation of the department in respect of clear policy direction.

There is the problem of highly unattainable planning standards and requirements for planning and building permits. This is set in the National Building Regulations of 1996, Legislative Instrument (L.I.) 1630. The specifications of the regulations are set to the British standard code of practice which does not serve the Ghanaian purpose. It is therefore inappropriate for implementation and hence not adhered to fully in the planning of the Cape Coast Metropolis but are relaxed for local adoptability.

Lack of spatial information and public awareness

The study also identified inadequate information/data as one of the major problems facing land use planning and management in Cape Coast. The field investigation revealed lack of data on land use, no comprehensive and up to date plan or map showing land use pattern and structure of ownership in the municipality. Lack of base maps was found to be a major problem of land use planning in the area owing to inadequate funds to finance the preparation of the maps. This is because the SMD which is supposed to prepare the base maps lacks the requisite logistics and personnel. Despite the fact that the town has grown spatially in recent times, the delay in planning results in the problem of unauthorized developments. As a result, most developers are ignorant about regulatory requirements.

Tinsari (2010) in his study in the Sunyani Metropolis on integrating environmental issues in urban planning and management found that the metropolis also lacked data on land use. There was no comprehensive up to date data or plan, resulting in illegal use of land by the inhabitants either consciously or unconsciously. This had effect on the environment leading to pollution.

Ignorance of some developers of the regulatory requirements for development in the metropolis and CCMA's inability to enforce sanction provisions of development regulations as well as the general indiscipline and lawlessness of the actors in the development management system has frustrated the efforts of the development control unit of CCMA.

Lack of training and motivation

Besides all the above stated points, there are insufficient middle level technicians with expertise in building and construction technology in CCMA for statutory supervision of construction in the metropolis. The current crop of building inspectors of CCMA were employed as building draughtsman, and without any form of training, were converted, promoted and designated as building inspectors. Also, dependence on obsolete and manual methods for plan preparation and information management for monitoring and supervision of development in the metropolis is hampering enforcement of development control.

According to all the LSAs, they are poorly motivated. Their salary is not adequate and they receive little or no allowance at all. At the TCPD, the director explained that most of their colleagues in other department have been promoted but for years, they have not been promoted though they have written the necessary examinations and undergone the necessary interviews. As a result, the workers feel reluctant to give off their best. Also, all the LSAs did not have any form of transportation to undertake their daily activities. At the LC, the lands officer explained that when a client needs an officer for an inspection, it is the client who must look for a vehicle. The Building Inspectorate and TCPD had the same problem. In view of this, their positions are sometimes compromised and they are not firm as they would want to.

The LC also indicated that they register land for the whole of Central Region except Kaso. Although the volume of work is huge, they are not adequately remunerated and this does not motivate them.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATION

Introduction

This chapter presents the summary of the findings of the research as discussed in chapter four and conclusions that are drawn from the findings. The chapter closes with recommendations relating to ways of effectively managing urban lands in Cape Coast.

Summary

The study sought to examine the urban land management practices in Cape Coast. The population for the study consisted of the Metro Director at the TCPD, the lands officer at the LC, the building inspector at CCMA and some private land owners. The study employed the purposive and snowballing sampling techniques in drawing out the respondents. Both primary and secondary data were used for the study. Interview guides served as the instrument for data gathering. The data were analysed using the information generated from the interviews. The information was recorded, analysed and organised to bring out the key themes and trends for easy interpretation.

The main findings of the study are as follows:

- The legal frameworks which regulate land use and management in Cape Coast establish the independence and autonomy of the various LSAs. It

stipulates how the various LSAs are to coordinate to make sharing of information easier. The frameworks establish their autonomy and stipulate their functions. They ensure that lands are valued appropriately and the appropriate compensation paid. They ensure that land is allocated in accordance with laid down policy and legal requirements.

- The frameworks encourage local participation. They state that the initiation and preparation of the metropolitan development plans and settlements structure plans must be done with participation from the local community. This ensures that orderly settlement with adequate housing and services are integrated to promote effective land use planning and management.
- Some of the legal frameworks have been in existence for a long time making them obsolete. Others have been amended over the years whilst new ones have been introduced to address land management. However, they are unreliable, inadequate and outmoded. There are too many laws and this leaves gaps. It also brings about overlaps in the laws, inconsistency with the constitution and policy changes and duplications of provision clearly with the same issues in different laws. There are legal contradictions with the regulations especially with regard to the preparation and approval of development plans.
- There is the problem of highly unattainable planning standards and requirements for planning and building permits. There is no comprehensive legislation to encourage effective monitoring and

evaluation. This has led to change in land use patterns. This encourages people to build without using the appropriate procedures.

- The LSA's have the responsibility of educating the public on the process of registering land and obtaining building permits. They ensure that's clients follow the right procedures on all land uses.
- Though all the LSA's have their various roles, they overlap as far as land inspection is concerned. They all have to inspect the site separately and this cost is the burden of the clients.
- The LSA's are constrained by the non-adaptation and utilization of modern planning approaches, inadequate manpower and logistics, poor and inadequate funding, disregard for planning rules and regulations, ineffective land use planning policies, laws and regulations, lack of spatial information and public awareness and lack of in service training and motivation.

Conclusion

The study demonstrated that policies and legal frameworks regulating land management in Cape Coast were not achieving their aims. Though the regulations have impacted positively on land management, they are still fraught with a lot of problems.

Most of the legal frameworks are obsolete. Others have been amended over the years and new ones are being introduced. However, encroachment, multiple sales of lands and their associated problems still exist. The frameworks which state the functions, independence and autonomy of the LSAs do not foster any relationship among the LSA's. The study discovered that the highly unattainable planning standards and requirements for planning and building permit is also a setback. Some of the frameworks are contradictory whilst others are overlapping with others in terms of function. Changes occurring in land use in Cape Coast stem from the lack of a comprehensive M&E framework as well as various challenges faced by the LSA's. This is also stems from the fact that the local people are not given adequate room for participation or consultation in the process of planning.

The study also discovered that effective performance of duties by the LSA's will prevent multiple sale of lands, encroachment, protracted land boundary disputes and all other conflict associated with land.

Recommendations

Based on the findings, the following recommendations are made to help improve land management in Cape Coast;

1. The legal frameworks regulating compulsory acquisition of land must be revised by parliament to encourage people to give up their lands in the public interest. This can be done by doing away with all bureaucratic procedures associated with seeking for compensation. The lands must also be valued at the current rates by the LVD and the appropriate compensation must be paid on time. If this is done, people will readily give up their lands for development projects.
2. There is the need for the legal frameworks to be reviewed by all stakeholders. The obsolete ones must be amended or totally abolished and new ones introduced. This can be done by bringing all stakeholders on board with participation from the local communities. The pros and cons of the legal frameworks should be reviewed by the LSAs and this will help the stakeholders to know if a particular framework needs amendment. In the amendment, the current development patterns should be considered in order to achieve sustainability.
3. A comprehensive and effective M&E system must be introduced by the various LSAs in a bid to ensure that the various institutions monitor and evaluate projects. Experts in M&E should be brought on board by the LSAs to draw up the system. There must be periodic reviews to assess the performance of the LSAs to bring to the fore their achievements and

failures. This will help them to identify any lapse and correct them in order to ensure that the lands are effectively managed.

4. Lastly, the constraints facing the various LSAs must be addressed by the head offices and the government. In order to make them effective, the LSAs must be adequately financed or the government can give them the right to find other sources of funding. They must be equipped both humanly and logistically in order to effective performance of duties. The workers must be adequately protected by the laws from attack by clients. The various LSAs must collaborate in sharing resources and information and the salaries and conditions of services of the workers should be improved upon in order for they workers to be motivated to do their work wholeheartedly.

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Appendix A

(In-depth interview guide for the Land’s Commission and Town and Country Planning)

This interview guide is a research instrument for my master’s dissertation on “Examining the urban land management practices in Cape Coast”. This is an academic exercise and all information collected will be treated confidentially and will only be used for the intended purpose.

Name of respondent.....

Grade/position.....

Policies and regulations

- What are the legal frameworks regulating land use planning and management?
- How long have they been in existence?
- What was the rationale for the legal frameworks?
- What has been its impact since its inception?
- When was the last time it was revised?
- What has gone wrong with the legal frameworks?
- What are the implications for the future?
- What do you suggest should be done about these legal frameworks?

Roles and responsibilities

- What are the institutional frameworks regarding land management?

- How do you go about your roles in managing land?
- How does effective performance of your roles ensure effective land management?
- What are the implications for the future?
- How can land use planning ensure efficient land management?
- What is the relationship between your organization and other organizations mandated to manage land?
- How are your activities coordinated?
- How do the duties of the various organizations overlap?
- How do you ensure that people adhere to building regulations?
- What steps do you take to ensure that the right things are done?

Challenges/constraints faced

- What are the challenges you face in ensuring effective land management in Cape Coast? (Financially, duties, human capacity, resources, etc)
- What are the implications for the future?

Suggestions for improving land management

- How can land management be sustainable?
- What recommendation would you make to ensure effective land management in Cape Coast?

Appendix B

(In-depth interview guide for Cape Coast Metropolitan Assembly – Building Inspectorate)

This interview guide is a research instrument for my master’s dissertation on “Examining the urban land management practices in Cape Coast”. This is an academic exercise and all information collected will be treated confidentially and will only be used for the intended purpose.

Name of respondent.....

Grade/position.....

Policies and regulations

- What are the legal frameworks used to ensure land use in planning and management in Cape Coast?
- How do you enforce these legislations/regulations?
- How long has it been in existence?
- What has been its impact since its inception?
- What has gone wrong with these legal frameworks?
- What are the future implications?
- Has there been any revision since its inception?
- What do you think about the legislation/regulations?

Roles and responsibilities

- What are the institutional frameworks regarding land management?

- How does the institutional framework help in managing the land?
- What is your role in managing land in Cape Coast?
- How does effective performance of your role ensure effective land management?
- What are the implications for the future?
- How do you reconcile land use planning and land management in Cape Coast?
- How do the various institutions mandated to manage land in Cape Coast coordinate?
- Is there any possibility of your roles overlapping? If yes, what can be done to ensure that the roles do not overlap?
- What steps do you take to ensure that the right things are done?

Challenges/constraints

- What are the challenges you face in ensuring effective land management in Cape Coast?

Suggestions for improving land management

- What do you think are the solutions to these challenges?
- How can land management be sustainable in Cape Coast?
- In your view, what can be done to make land management effective in Cape Coast?
- What recommendation(s) would you make to ensure effective land management in Cape Coast?

Appendix C

(In-depth interview guide for private land owners)

This interview guide is a research instrument for my master's dissertation on "Examining the urban land management practices in Cape Coast". This is an academic exercise and all information collected will be treated confidentially and will only be used for the intended purpose.

Name of respondent.....

Position.....

Policies and regulations

- Do you know of any legal frameworks regarding land management?
- If yes, how do you take that into consideration when selling land?
- If no, what do you take into consideration when selling land?
- What do you think has been the impact of these legal frameworks?
- What are the implication for the future?
- What is the process in acquiring land?

Roles and responsibilities

- Do you coordinate with the town and country planning and the municipal assembly when selling the land?
- How do you think the effective performance of roles by the various Land Sector Agencies will lead to effective land management?
- What are the implications for the future?
- Do you take into consideration the master plan of Cape Coast when selling the land to ensure that the use of the land conforms to the master plan?

- How do you ensure that people who acquire the land use it for the right purpose?
- How do you ensure that people who acquire the land go through the appropriate channel in registering and acquiring a permit?
- How do you ensure that the right things are done?
- How do you ensure that unauthorized structures are not put up/demolished?

Challenges/constraints faced

- What are some of the challenges that you face in the selling of the land?
- What are some of the challenges you face with the client?
- What are some of the challenges you think the LSA's face?
- What constraints do you face in ensuring that the land is managed effectively?

Suggestions

- What do you think can be done to make land management sustainable?
- What do you recommend to be the solution to land management in Cape Coast?
- What do you think can be done to make land management effective in Cape Coast?