

Land Governance and Decentralised Physical Planning in mid-Sized Cities in Ghana: a Case Study of the Nkoranza South Municipality

David Anafo¹ · Dan Kweku Baah Inkoom²

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Abstract Physical planning is influenced by a number of variables. The key among these in the Ghanaian context is the system of land governance. This paper attempts to examine the extent to which the decentralised planning system of Ghana is capable of addressing the challenges facing mid-sized cities, particularly under the reformed land governance system. This is important because physical planning in Ghana is organised under a system whereby land is governed and/or owned by authorities other than the state apparatus. Two key questions are the basis for this enquiry—how is physical planning in Ghana conceived and actually executed? What are the characteristics of the reformed land governance system of Ghana and how have these affected decentralised physical planning and spatial governance? A case study approach which enables a detailed and holistic analysis of the phenomenon was used to investigate physical planning practice in a selected mid-sized city in Ghana. The study establishes that physical planning in Ghana is not driven by long-term sustainable development visions; there is the absence of planning concepts, principles and norms; and there is no clear land use regulator. The study recommends that the local government bodies in Ghana take up their responsibility as land use regulators by improving the capacity of their physical planning departments to deliver on their mandate. It is also recommended that physical planning be conducted in a participatory manner within the framework of the National Development Planning (Systems) Act 1994 (Act 480). It is argued that this will imply a move away from “zoning and rezoning” to strategic spatial planning.

Keywords Ghana · Nkoranza South Municipality · Physical planning · Land governance

✉ David Anafo
David.Anafo@utas.edu.au; david.anafo@gmail.com

Dan Kweku Baah Inkoom
dinkoom@utas.edu.au

¹ Institute for Regional Development, University of Tasmania, Cradle Coast Campus, Burnie, TAS 7320, Australia

² Department of Planning, Kwame Nkrumah University of Science and Technology, Kumasi, Ghana

Introduction

The spatial organisation of human settlements to achieve particular social, political or environmental goals has been with humanity since creation (UN-Habitat 2009). Human needs ranging from protection and defence to supply and reachability, climate and access to resources such as water, energy and food have been the traditional drivers behind the development and growth of towns. Physical planning as a scientific discipline, however, is now broadly concerned with challenges of the contemporary era (Healey 2010) reacting to social requirements and changes such as population growth, post-war redevelopments and worsening environmental conditions through the conscious creation of desirable human settlements (Scott 2003).

Ebenezer Howard's garden city concept, for example, was a direct counterreaction to the problems of the city during the period of rapid industrialisation. Howard's concept drew together the magnets or advantages of the city and the country to create a model garden city in which the quality of life is positively influenced by the green surroundings (Howard 1965). This form of British town planning was reminiscent of the "radical and utopian socialism of the time and the nostalgic longing for the village life of medieval England" (UN-Habitat 2009, p. 49). Around the same age, however, the functional city concept also emerged as a model to find viable solutions to the highly "densified", concrete cities that accompanied industrialisation (Scott 2003). Over the years, however, physical planning continues to react variously to human challenges (Batten 1995; Montgomery 1998; UN-Habitat 2009).

Recent thinking about physical planning generally is that the city, its shape and models are in continual interaction with space, time and human problems in a manner leading to the creation of sustainable, inclusive and liveable cities as opposed to earlier views of planning as a practice concerned with spatial ordering and development control (Harrison 2006; Hillier 2008; Todes 2011). These recent trends are highlighted in documents such as the Vancouver Declaration (2006) developed for the World Planners Congress and entitled "Reinventing Planning: A New Governance Paradigm for Managing Human Settlements" as well as the Global Report on Human Settlements entitled "Planning Sustainable Cities" by the UN-Habitat (2009). These documents provide important guidelines for planning practice across the world, encompassing broad directions for change.

Ghana became an independent country in 1957 and has since been pursuing measures aimed at renewing its towns and villages and promoting harmonious physical development. The country's physical planning drive was initiated with the creation of the Town and Country Planning Department (TCPD) in 1945. Although town and country planning has been part of the Ghanaian governance system for several decades, there is little empirical work on its broad functioning, and this is particularly important given the complex nature of land governance in Ghana. This paper attempts to examine the extent to which the decentralised planning system of Ghana is capable of addressing the challenges facing mid-sized cities, particularly under the reformed land governance system. This is important because physical planning in Ghana is organised under a system whereby land is governed and/or owned by authorities other than the state apparatus. Two key questions are the basis for this enquiry—how is physical planning in Ghana conceived and actually executed? What are the characteristics of the reformed land governance system of

Ghana and how have these affected decentralised physical planning and spatial governance?

The broad notion of urban planning as urban governance by Gleeson and Low (2000) is used as the framework for this analysis. Under this notion, physical planning is not just concerned with development control in the traditional sense but is broadened to encompass the provision of urban services such as water and sewerage, electricity and transport, among other services (Gleeson 2001). Such an approach as discussed by Gleeson (2001) resonates broadly with the growing attempts in both policy and academic circles for a move away from the traditional understanding of planning to rather focus on the larger policies that shape the growth and development of towns and villages.

This paper organises the ideas emanating from document investigations, key informant interviews and focus group discussions on land governance and physical planning in Ghana into five (5) main parts. Following the introduction is an overview of the study area and methods. The second part of the paper provides a comprehensive overview of planning from the modernist's tradition to the contemporary practice, as well as decentralised physical planning in Ghana and its theoretical underpinnings. This is followed by a review of the traditional and reformed land governance systems of Ghana. Part 4 then presents field level data on how physical planning is conceived and carried out in Ghana using a decentralised local authority (the Nkoranza South Municipality) as a case study. The fifth part discusses the challenges that the reformed land governance system presents for the physical planning systems of the country. The conclusion reflects on the dilemmas that the reformed land governance system presents and the opportunities for managers of decentralised physical planning to ensure sustainable town and country governance.

Research Area and Justification

The study was carried out in a mid-sized city in Ghana over a period of 4 months (January–March 2014 and November 2014). The research focused on a mid-sized city because most towns and villages in the global south are assuming urban status due to rapidly growing populations. The UN-Habitat (2009) estimates that 50 % of the population of the world already live in urban areas and this is expected to rise to 70 % by the middle of the century. The bulk of this growth is predicted to occur in small- to medium-sized settlements with population sizes of about 100,000 to 250,000 (Beauchemin and Bocquier 2004). While metropolitan cities are battling self-inflicted urban pathologies (ethnoracial, crime, sprawl, inadequate urban infrastructure, high land and housing cost), the smaller cities that are predicted to become the centres of growth are also said to suffer from a lack of, or poor planning systems and support services to cope with the needs of the rapidly growing population (UN-Habitat 2009). It is also estimated that 1 billion people (32 % of the global urban population) live in slums, and by 2035 poverty will remain a predominantly urban phenomenon (UN-Habitat 2006).

Principally, the traditional city is suffering from socio-spatial exclusion, as well as ethnoracial and class polarisation (Brenner et al. 2009). Major cities across Europe and America are fighting the ills of historical sprawl (Brenner et al. 2009), and in Ghana's

“decongestion of the city and slum clearance” has become the new mantra of city governance in the metropolitan capitals of *Accra*, *Kumasi*, *Tamale* and *Takoradi*. In contrast, mid-sized cities are emerging as centres of enormous opportunities serving as net recipients of migrants and ideal locations to engineer the “creative cities” agenda (Evans 2009). Mid-sized cities therefore have the opportunity to overcome the challenges facing bigger metropolis and create cities which are sustainable, inclusive and liveable if they view cities as complex, dynamic places associated with multiple interests and spatialities (Todes 2011). The choice of a mid-sized city in Ghana (Nkoranza South Municipality) for this enquiry is therefore relevant for understanding the complexities associated with decentralised physical planning under the reformed land governance system of Ghana. Although this is a particular case in the Ghanaian and developing country context, it portrays one tendency in physical planning and contributes to the growing debate over appropriate physical planning forms in developing countries. The following reasons also justify the selection of the Nkoranza South Municipality (NSM):

- A mid-sized city is chosen for this study because most districts in Ghana are assuming urban status due to the rapidly growing population of the country (currently estimated to be growing at 2.5 %) (Ghana Statistical Service 2012).
- Again, Ghana has a total of 216 Metropolitan, Municipal and District Assemblies (MMDAs). Thirty-seven (37) of the 216 benefitted from a pilot land reforms intervention under the Land Administration Programme (LAP) of which the NSM was one.
- The NSM is also centrally located within Ghana and exhibits both savannah ecological characteristics of northern Ghana as well as forest ecological features of southern Ghana (refer to Fig. 1 below). Figure 2 shows the spread of communities within the NSM.

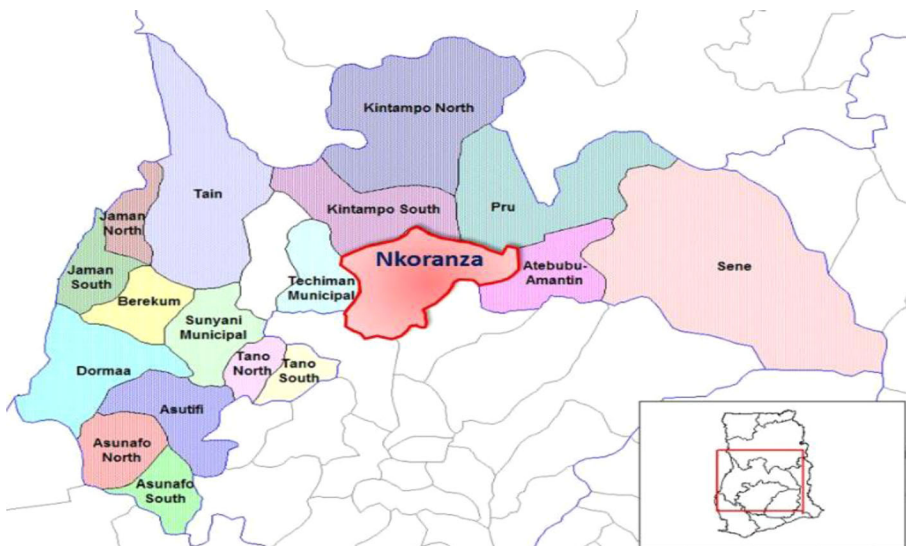


Fig. 1 Study area in the context of Ghana. Source: <https://www.google.com.gh/search?q=nkoranza> (last accessed 08/09/2015)

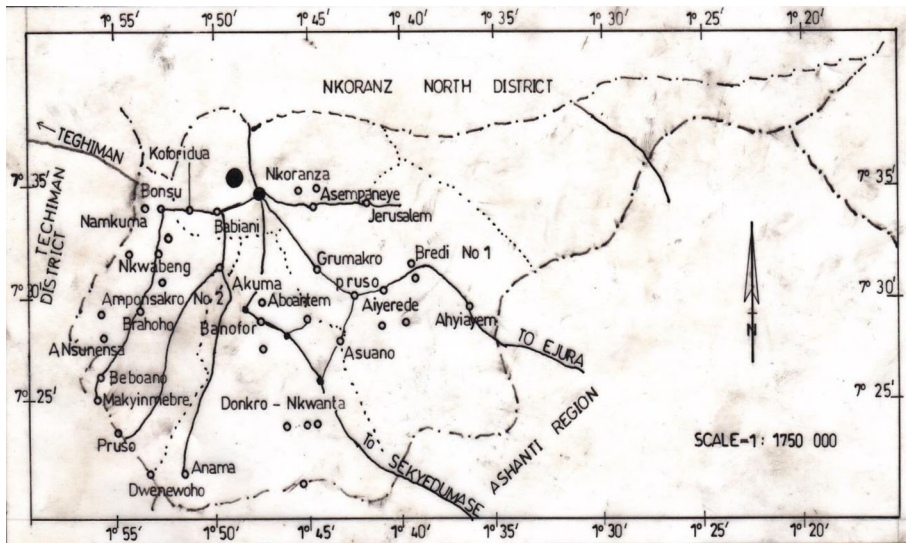


Fig. 2 Map of the NSM showing spread of communities. Source: Nkoranza South Municipal Assembly (2010)

- The district, now a municipality, was established in 1998 and has an established history of physical planning practice.
- Finally, Nkoranza's current population stands at 100,929 and with its municipal status, the NSM falls within the category of mid-sized cities in Ghana. Equally, given NSM's total settlement composition of 126, of which only 4 (*Nkoranza*, *Nkwabeng*, *Akumsa-Dumase* and *Donkro-Nkwanta*) are urban, physical planning remains a relevant development issue (Nkoranza South Municipal Assembly 2010).

Study Methods

The study was carried out using a case study approach to enable detailed and holistic investigation into planning practice from participant's viewpoints, utilising multiple sources of data. The case study approach was used because it is better suited for understanding the complex causal links between land governance and physical planning in Ghana within a bounded context. The following data collection methods were used.

A number of key informants who are experienced on the physical planning system in Ghana generally and in the Nkoranza South Municipality in particular were interviewed. These comprised the members of the Statutory Planning Committee (SPC) of the Nkoranza South Municipal Assembly as well as other departmental heads and a local chief. The key actors interviewed were the Municipal Physical Planning Officer, the Municipal Development Planning Officer, the Municipal Stool Lands Administrator, the Surveyor in charge of the Municipality, the Municipal Magistrate Judge, the Municipal Director of Agriculture and the Coordinator of the Customary Lands Secretariat (CLS). A traditional chief who is a representative of the Nkoranza traditional council on the SPC was also interviewed to help understand the relationship between land governance and planning practice. Each interview lasted between 30 and

45 min, and the sessions were tape-recorded where study participants consented to the process and detailed notes were compiled, when consent to tape-recording was refused. The approach to the interviews was that respondents were asked about their roles, experiences, opinions about planning events and their insights into the planning efforts and outcomes as they pertain to the Nkoranza South Municipality, specifically, and Ghana in general.

Again, three separate focus group discussions involving opinion leaders who ordinarily are expected to partake in all community-organised programmes and categorised into women (11), men (9) and youth (13) were conducted. This clustering was done to ascertain the extent to which various interest groups participate in the processes leading to the preparation and adoption of planning layouts. It sits within the thinking that planning is now more about the articulation of policies through transactive/communicative processes involving collective action (Healey 2004), as opposed to earlier notions of planning as a purely technical activity. The participants to each session were drawn from representatives of defined electoral areas to the Municipal Assembly (highest decision-making body in the municipality), women groups, youth groups, political parties, faith-based groups and other organised groups within the NSM. Each session lasted about 30 min, and the sessions were tape-recorded and detailed notes were compiled as was the case with the interview sessions.

Secondary data ranging from planning layouts, the municipal medium term development plan (2010–2013), legal documents, land titles/deeds records as well as quarterly and annual progress reports were also reviewed. Analysis and review of planning legislations and documents were also undertaken to examine the historical development of planning in Ghana, the ideas that influenced planning in colonial and independent Ghana and how these ideas are represented on plans. This was accompanied with field observations to ascertain the extent to which physical developments are actually executed on the ground and the extent to which they conform to or deviate from the planning layouts.

The data were analysed qualitatively, by categorising, examining and tabulating the evidence into themes relevant for addressing the study's objectives. The unit of analysis is the physical planning system of the NSM.

Innovations in Spatial Planning (from Modernists to Reinvented Planning)

Town planning as practiced today is shaped by years of reliance on two dominant strands of planning—the functionalists strand whose preoccupation was efficiency and order and a social reformists strand seen as a reaction to the “city awful” of the industrial revolution (Todes 2011, p. 117). While the functionalist view was predominant after World War I (Todes 2011), the modernists’ tradition embodying the preparation of the physical master plans assumed global dominance after World War II (Todes et al. 2010). According to Morton (2002), functionalists’ planning is traceable to Le Corbusier’s first urban plan, a city designed for 3 million people in 1922. It was a city designed to bring man, nature and the machine into harmony by separating the past from the future. Beyond this, there are other recent theoretical discourses that challenge the dominant mode of planning thought. These include the communicative model, new urbanism and the just city. While the communicative model is a direct response to the

top-down imposition of planning by experts, new urbanism questions neo-liberal, market-driven developments that are detrimental to the spatial basis for community, and the just city thesis reacts to the spatio-social inequalities created by capitalism (Fainstein 2000). In this paper, however, the concern is with modernist planning and its persistence in many parts of the world (UN-Habitat 2009), including Ghana where this study was undertaken. Modernist planning, according to the UN-Habitat (2009, p. 47), is used to refer to a form of planning that became predominant in the “post-1850 urban industrial period in Western Europe and other advanced capitalist countries”. It is further observed that the preparation of plans under modernist planning entail specific processes which are often “top-down” in orientation, expert-driven and seen as the responsibility of governmental bodies. Modernist planning promoted a particular type of plan as the end product (i.e. the master plan accompanied by a land use regulatory system) (UN-Habitat 2009). According to Watson (2008, p. 19), master plans are “spatial or physical plans which depict on a map the state and form of an urban area at a future point in time when the plan is realized”.

The preparation of master plans under modernists’ tradition to guide the orderly development of towns has been variously criticised resulting in the emergence of new and innovative forms of planning. Master planning is criticised as an overly technocratic process with minimal interest in social diversity and participation (Todes et al. 2010). Beauregard (1987: p. 367) also pointed out that modernists planning, when fully operationalised, has neither subject nor object. It ignores the nature and/or orientation of the actors who plan and is indifferent to the built environment which is the object of planning efforts.

The constraints to master planning are summarised by Nadin (2007) as follows: Planning was concerned only with the design of human settlements and political, economic and social issues affecting the urban sphere were seen to be peripheral to planning. Planning was a purely technocratic activity carried out by experts with relatively minimal involvement by politicians and/or local communities. Again, planning produced master plans and layouts depicting detailed view of the built environment of a city upon the attainment of its utopian and ideal end-state. While the ideal future vision was portrayed by the master plan, land use zoning schemes became the legal tools for implementing these urban visions. The UN-Habitat (2009) concludes that the major problem associated with urban master planning is that they contributed to socio-spatial exclusion and marginalisation by their failure to integrate the lifestyles of the inhabitants of rapidly growing and poor informal cities into the planning systems.

In the wake of the growing criticisms of master planning, alternative forms of planning have emerged. The Global Planners Network (GPN) has put forward ten principles to guide urban planning. It is argued that new urban planning should be carried out in a manner that promotes sustainable development, integrates sectoral goals, supported with clear budget lines, undertaken with partners, address the values of subsidiarity, responsive to the market, promotes access to land, develops appropriate planning tools, is pro-poor and inclusive and recognises cultural variation (<http://www.globalplannersnetwork.org/pdf/reinventingplanningenglish.pdf>; last access, January 7, 2015).

Todes et al. (2010) have observed that countries within the European Union have responded to these emerging concerns as planning is currently more about the spatial integration of sectors and policies as opposed to earlier concerns with land use.

Strategic planning as a way of influencing and shaping urban growth now holds sway over other forms of planning and there is an increasing concern with stakeholder participation (Healey 2006).

Similar changes are also taking place across the developing World, mostly pioneered by international organizations working in partnership with state governments. The UN-Habitat, for instance, has been using strategic structure planning in post-conflict areas across the developing world (UN-Habitat 2009). Strategic urban development planning are also reported in Tanzania, India, Indonesia and Nepal, although there are residues of master planning in some cases due largely to political and institutional bottlenecks (Mattingly 2001; Mattingly and Winarso 2000). The next section examines the evolution of spatial planning in the Ghanaian context.

Spatial Planning in Ghana (Traditional to the “New Decentralised Planning System”)

Spatial planning under colonial and independent Ghana was modernist in orientation. It dates back to 1945 with the enactment of the Town and Country Planning Ordinance (Cap 84) and was primarily concerned with ordering physical development and land use change through the preparation of planning layouts. Principally, Cap 84 provided the legal and institutional framework for the supervision of the orderly development of human settlements and the efficient utilisation of land resources. These were to be achieved through the establishment of a Centralised Board consisting of heads of medical, public works and land departments as well as two to four other members and headed by a president appointed by the Minister. The Board had the mandate of declaring planning areas in consultation with the Town Councils and native Authorities and the formation of planning committees for the preparation of schemes to control development (Alhassan 2011). The centralised approach to physical planning was bestowed on the country by British colonisers and remained even after independence in 1957 until 1988 when decentralisation began to take roots.

This centralised approach to physical planning was rendered outmoded with the coming into force of the Local Government Act 1993 (Act 462) which designates decentralised MMDAs as planning Authorities (Government of Ghana 1993). Between 1992 and 2009, the 1992 Republican Constitution of Ghana together with enactments such as the National Development Planning Commission Act, 1993 (Act 479), the National Development Planning (Systems) Act 1994 (Act 480), the National Buildings Regulation 1996 (LI 1630), the Local Government Service Act 2003 (Act 656) and the Local Government (Departments of the District Assemblies) Commencement Instrument 2009 (LI 1961) has consolidated the legitimization of the MMDAs as decentralised planning authorities in Ghana (Alhassan 2011; Crawford 2004).

Ghana’s decentralised physical planning system is, however, hierarchically organised into a three-tier structure. Ghana is a unitary country that is sub-divided into ten administrative regions and 216 MMDAs. These divisions are in line with government’s decentralisation agenda under the “new local government system” which became operational in 1988. Within this decentralised system, planning methods as well as the plans generated differ from each other substantially. The system is so structured that there is interaction between the different layers of government and the

detail, and level of community participation in planning increases with each succeeding level (Alhassan 2011; Government of Ghana 1993).

The National Development Planning Commission (NDPC) is the body responsible for development planning at the national level. It is responsible for the preparation of national development plans and budgets, broad policy formulation, coordination of sectoral plans and the preparation of guidelines for district level planning. Physical planning at the national level is the responsibility of the Department of Town and Country Planning. At the national level, the department is responsible for research and development, policy formulation, standards setting, provision of technical backstopping to lower level governmental bodies and the management of special projects (Alhassan 2011; Government of Ghana 1993).

Regional level planning is spearheaded by the Regional Coordinating Councils (RCCs) through their technical departments known as the Regional Planning Coordinating Units (RPCUs). The RPCUs are responsible for the coordination, monitoring and evaluation of planning in the districts under their jurisdiction. The Regional Town and Country Planning Departments are also responsible for supervising compliance by local level actors, harmonising the plans of local authorities within their jurisdictions into regional level plans and providing technical backstopping to local level planning authorities where necessary (Alhassan 2011; Government of Ghana 1993).

MMDAs have the mandate under the Local Government Act 1993 (Act 462) to initiate, plan and implement holistic plans to ensure the sustainable development of the towns and villages under their jurisdiction. MMDAs in Ghana are categorised into either of the following: metropolitan (population over 250,000), municipal (population over 95,000), and district (population 75,000 and over) (Government of Ghana 1993). Two core departments that hardly coordinate their activities are responsible for planning at the MMDA level. They are the TCPD now renamed the Physical Planning Department (PPD) and the Development Policy Planning Department. The Physical Planning Department operates under the various MMDAs and is responsible for physical planning. It also serves as the secretariat of the SPC. The Development Policy Planning Department is in charge of the preparation and implementation of comprehensive plans. It is also the secretariat of the District Planning Coordinating Unit (DPCU) and as such coordinates and harmonises the plans of various decentralised bodies into a holistic district plan (Government of Ghana 1993). Figure 3 depicts the functions of the various agencies involved in diverse forms of planning in Ghana.

Theoretically, Ghana's decentralised physical planning processes are embedded in both the "mixed-scanning" tradition of Amitai Etzioni (1967) and the participative/communicative strand of John Forester (1989). Criticising rationalistic and incremental approaches to planning decision-making, Etzioni (1967, p. 385) suggested mixed-scanning as an approach devoid of the "utopian" assumptions associated with rational choice theory and not as "conservative" as incrementalism.

Mixed-scanning essentially, but not always entirely, is a double-edged approach whereby decision-making is initiated by the formulation of goals with a wider and broader application. These goals are further broken down into detailed, actionable strategies for local level implementation. Although this is about the basic notion of mixed-scanning, Etzioni (1967, p. 389) indicates that "there can be several levels with

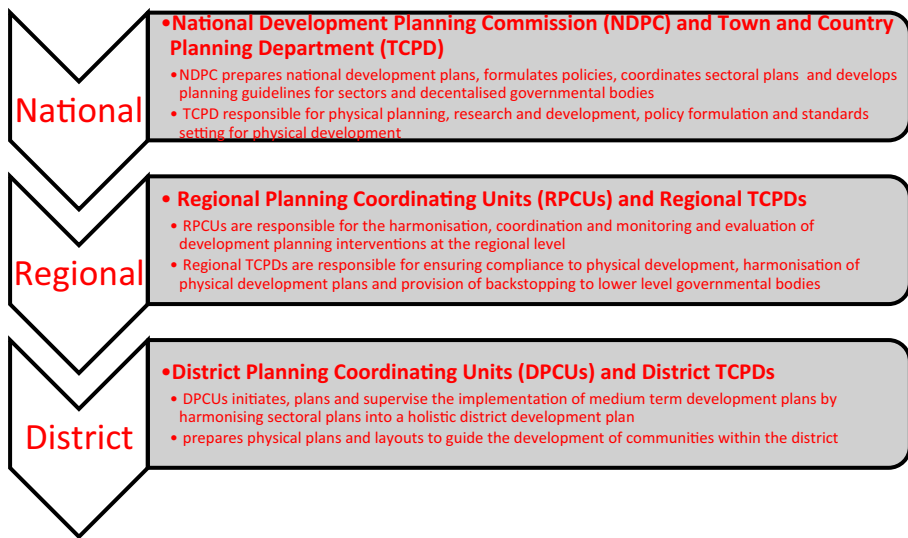


Fig 3 Institutional structure of planning in Ghana (National–District). Source: author’s construct 2015

varying degrees of detail and coverage, though it seems most effective to include an all-encompassing level.”

The participative/communicative approach to planning practice is addressed by Forester (1989, p. 119) under what he terms as “designing as making sense together”. The fundamental argument put across by Forester (1989) is that spatial planning is an art of interpretive sense making between participants engaged in practical conversation bounded by institutional heuristics. Forester (1989) argued thus:

“When form-giving is understood more as an activity of making sense together, it can be situated in a world where social meaning is a perpetual practical accomplishment. Designing takes place in institutional settings where rationality is precarious at best, conflict abounds, and relations of power shape what is feasible, desirable, and at times even imaginable. By recognizing design practices as conversational processes of making sense together, designers can become alert to the social dimensions of design processes, including organizational, institutional, and political-economic influences that they will face – necessarily, if also unhappily at times – in everyday practice” (Forester 1989, pp. 120–121).

Ghana’s physical planning system with its three-tier character involving broad national policies and goals, and detailed local level strategies within a framework of decentralised, participatory local governance practice are an embodiment of the theories of “Mixed-Scanning” and “Participatory/Communicative” planning. Evidently, there is still a strong attachment to traditional forms of physical planning which were mostly technocratic and modernists in orientation (UN-Habitat 2009). While this attachment has a global resonance, reasons for the persistence on traditional planning approaches are not yet fully explored. While some discourses point to the political dimensions of planning (Roy 2009), for the continued reliance on traditional forms of planning; others argue that modernists’ ideas remain popular among the political elite and technocrats

(Watson 2009); and yet still others argue that traditional planning approaches shape discourses in contemporary planning (Devas 1993). In the Ghanaian context, however, it remains to be seen whether these are residues of modernists' planning ideas or other challenges relating to the actual planning processes at play.

Traditional and Reformed Land Governance System in Ghana

The history of land and natural resources governance in the study area has significant implications for planning practices within the NSM. Toulmin (2006) has argued that until recently, land was generally abundant across most African countries. As such, access to land for various socio-economic activities posed no substantial challenges (Economic Commission for Africa 2004). This has since changed, as many African countries are confounded by intractable land sector problems raising concerns over reforms (Tonah 2002).

Traditionally, land governance in Ghana remained customary with 80 % of land under the allodial ownership of chiefs and *tendanas* (first settlers) (Blotcher 2006; Kasanga and Kotey 2001; Sarpong 1999). Although considerable differences exist in the nature of customary laws at work by regions, tribes and communities (Blotcher 2006), most are so structured that the rights are pyramiding towards a King, Paramount Chief or *Tendana* (Bruce 1988).

Within the NSM, where this study was conducted, the Paramount Chief of Nkoranza holds the allodial title to the lands within the Nkoranza Paramountcy. The paramountcy extends from *Abease/Atebubu* to the East, *Techiman* to the West, *Mo* and *Gonjaland* at the Black Volta to the North and *Offinso*, *Ashanti* to the South (Anafo 2015). The traditional governance structure, however, is such that lower level chieftains have been entrusted with caretaker responsibilities to supervise the equitable delivery of land to the people of Nkoranza descent as well as other land users. At the lowest level of the hierarchy is the *Abusuapanin* (clan/family head), pyramiding to the *Odikro* (head of community), the *Apakanhene* (sub-divisional chiefs), the *Ahenfo* (divisional chiefs), with the *Omanhene* (Paramount Chief) at the apex.

Ghana has since 2003 been implementing a Land Administration Programme (LAP) that seeks to improve land tenure security, eliminate bottlenecks in the land market, alleviate boundary disputes, improve consultation with land owners over land use decision-making and enhance easy access to land for various socio-economic activities. Government's attempts, however, legitimise the position of chiefs as land owners, through the creation of Customary Land Secretariats (CLSs) under their auspices (Anafo 2015; Ubink and Amanor 2008), making it possible for them to alienate communally owned lands to investor interests, a practice unintended under customary land governance systems (Berry 1997).

Fitzpatrick (2005) identifies a number of "best practice options" for the legal recognition of customary lands. Among these are the minimalists approach, the agency method, the land boards approach and the group incorporation method. While these approaches lie outside the scope of this paper, it is important to briefly discuss the agency method ... the approach adopted in Ghana for the reform of communal land governance.

The agency method as discussed by Fitzpatrick (2005) is an approach whereby the state intervenes into a customary land governance system to identify an agent and entrust in that person trusteeship over land and natural resources on behalf of the group. The system helps simplify state/community relations over land issues as the state only has to deal directly with the agent without having to interfere in the internal community politics over land resources. It, however, does have the potential to create local problems resulting from agency cost. Such an approach was trialled in the Federal Territory of Lagos under the Registered Land Act 1965 and the Solomon Islands under the Land and Titles Ordinance 1968 (Fitzpatrick 2005). It was also trialled in Papua New Guinea in 1971 but withdrawn after criticisms of its potential for abuse by traditional leaders (Trebilcock 1984).

The traditional and reformed land governance systems of Ghana which make the chiefs pseudo-owners of communal lands pose serious challenges to decentralised physical planning. This is because MMDAs have the mandate under the 1992 Republican Constitution of Ghana, the Local Government Act 1993 (Act 462) and the National Development Planning (Systems) Act 1994 (Act 480) to initiate, plan, budget and implement comprehensive plans that lead to the holistic development of the Districts. The next subsection examines physical planning under the reformed land governance system.

Physical Planning Under Reformed Land Governance in Nkoranza

The NSM is one of the 27 political and administrative districts in the Brong-Ahafo Region of Ghana. It covers a total land area of 1,100 km² with an estimated population of 100,929. The population grows at an annual rate of 2.3 %, and the population density stands at 92 people per km² (Ghana Statistical Service 2012). The NSM is predominantly rural. It is estimated that 53.8 % of the total population live in rural areas, while 46.2 % live in urban settlements. The Municipality, by virtue of its location and rich agricultural soils, is a net recipient of migrants. While the records are contradictory, some reconciliation indicates that about 30 % of the total population of the Municipality are migrants from within and without Ghana. The dominant ethnic group (70 %) is the *Bonos*, the indigenous people of the area. While 80.2 % of the population are Christians, 12 % are Muslims and 6.6 % are traditional African believers. The multicultural nature of the municipality leads to perceptions among planners and the general populace that the municipality lacks a specific identity as some towns remain predominantly “migrant/Muslim” while others are predominantly “indigenous/Christian” (Nkoranza South Municipal Assembly 2010). While focus group discussions for this study clustered participants into women, men and youth, the data was analysed thematically. That notwithstanding, there are issues that the different groups wanted to be addressed in the planning processes. While women called for the need to improve sanitation and water delivery systems, men were particularly concerned with quality of socio-economic infrastructure such as roads and energy networks, and the youth called for the conservation of resources by ensuring that the forest cover and open spaces are not sacrificed for residential developments.

Under the current land governance system, caretaker chiefs dictate to the Nkoranza South Municipal Assembly (NSMA) which should be done with regards to planning.

Physical planning is initiated when a caretaker chief recommends to the Nkoranza Traditional Authority to have the land area under his rulership planned or zoned. The Traditional Authority (TA) which comprises all chiefs within the Nkoranza Paramountcy deliberate over the proposal and upon approval, a request is made to the PPD of the NSMA for consideration and further action.

The PPD reviews the proposal and upon approval forwards it to the Survey and Mapping Division for a base map to be developed. The base map usually captures already existing structures as well as landmarks within the area to be planned. The base map then serves as the basis for the preparation of a holistic physical plan for the area. Missing in the base map is the topographical nature of the area to be planned.

Upon completion, the base map is returned to the PPD which then relies on it to demarcate areas for specific land uses. The PPD is, however, so challenged that the process of preparing the physical plan is very rudimentary. The staff strength of the unit is 5, comprising the planning officer and 4 other assistants with basic qualification in draughtsmanship. Actual planning relies on the use of tracing papers, radiographs and other simple drawing equipment. It does not depend on satellite imagery and/or aerial photographs to understand the nature of the terrain being planned. The entire land area to be planned is mostly taken to be uniformly flat. During field discussions, the following statements were made by participants in the focus group discussions sessions to buttress the poor nature of the physical planning processes: *“I bought a piece of land around the early 2000s. I was, however, amazed to realise that the acquired land had been developed into a road by the time I was ready to put up my building”* (FGD, November, 2014). Another person indicated: *“I bought a piece of land to develop into a residential property in 2008 only to be pestered by the NSMA to produce permit when I started erecting the structure. It was as though the building inspectorate division of the NSMA has no knowledge of land deals approved by the SPC”* (FGD, August, 2014). While the first response raises concerns with the actual planning practice on the ground, the second response lays bare the lack of institutional coordination in the physical planning processes.

Recently, field observations revealed that there was minimal coordination between the PPD and other utility/land use agencies. Electricity cables were seen hanging over residential properties, and roads are frequently cut through to lay pipelines. There is also a blunt mismatch between land uses as open refuse dumps are located in residential neighbourhoods. The relationship between spatial and aspatial variables is also not given due consideration. For instance, although casual canvassing reveals that most people walk to access various socio-economic services and utilities, road infrastructure are constructed without provision for walkways and bicycles lanes.

When the planning layouts are finalised by the PPD, they are forwarded to the SPC of the NSM. The SPC comprises the Municipal Chief Executive (MCE), who is the chairman, the Physical Planning Officer, who is the secretary to the committee, as well as other departmental heads. These comprise the Municipal Works Engineer (MWE), the Municipal Environmental Health Officer (MEHO), a representative from urban/feeder roads department, a representative from lands commission, a representative from survey and mapping division, a representative from the environmental protection agency, a representative from fire service and a traditional council representative.

The SPC has the responsibility under the law to approve the planning layouts prepared by the technical sub-committee of the SPC. Three options are available to

the committee–outright approval, approval subject to modifications or outright rejection. The Municipal Physical Planning Officer, however, indicated that there has never been an instance where layouts prepared on the request of the traditional council have been rejected by the SPC. Members of the SPC simply lack the competence to make any substantial input into the physical planning process. Copies of plans approved by the SPC are supposed to be discussed at community forums to solicit the inputs of community members. Although, this is the case on paper, it is rarely done. During the fieldwork for instance, statements such as “*chiefs have absolute control over virtually every land related issue*”, “*if you are not close to a chief it is just not possible to see the layout of your community*” were made to buttress the state of non-involvement of community members in the planning of their localities.

The General Assembly (GA) which is composed of elected representatives (70 %) as well as appointed members (30 %) is the highest decision-making body in the municipality. Planning layouts approved by the SPC therefore are usually forwarded to the GA where a final approval is sought. An approved planning layout is supposed to be made available to utility services providers in the municipality, the Nkoranza Traditional Authority and the caretaker chief of the planned area to enable the allocation of land to prospective developers. Approved planning layouts carry the force of law, breaches to which can result in legal action. They are public documents and are also supposed to be available on public notice boards, public libraries and even online, where possible. However, the plans are so secretively kept that it took the research team several visits and explaining to gain access to some layouts. Access to the layouts was initially denied on the basic excuse that the Physical Planning Officer was away for a sandwich masters’ course. Planning layouts approved by the GA are also made available to the Survey and Mapping Division. They are used by the Survey and Mapping Division to erect pillars on the ground embossed with numbers and use categories to guide easy allocation by the chiefs.

Although there is a logical flow in the narratives about how physical planning is carried out, several stages of the process are not confirmed by evidence on the ground. For instance, only three of the community members who were part of the FGDs had ever seen a planning layout and none has ever participated in a process leading to the preparation of the plans. Although copies of the plans are to be made available to utility services providers such as the electricity department, the water and sanitation departments, the roads department and the telecommunications companies, physical checks showed that these departments either had no copies of the plans or were in possession of outmoded versions. The plan which should be placed on public notice boards and made available at community libraries is kept in the bosom of the PPD as well as the chiefs.

Expectedly, people were of the perception that planning layouts are kept secret to enable the PPD and chiefs to connive to rezone specific use categories without recourse to the approval processes. A discussant in the focus group session accused a local chief of one of the communities of conniving with the PPD to rezone a local school park into building plots, which have since been leased out to developers. Others also argued that although transparency in the planning process can help curb double sales of the same parcel of land to developers, the secretive way by which things are done makes the PPD the final arbiter on all land-related issues and double sales remain rampant.

Field observations showed that the sole motive for planning or zoning sections of communities is the need to generate new building plots to be sold by chiefs. There is therefore clear absence of green areas, open spaces, community parks and gardens. In some cases, supposed planned areas are so poorly built up that access to some buildings is almost impossible. Rezoning without recourse to approvals has also led to instances whereby planned residential plots have been combined into large commercial plots with disastrous consequences for neighbouring houses. This was clearly observed around one of the communities where plots initially intended for buildings have been rezoned into a hotel facility. It was also not possible to obtain any reliable data as to how the defunct offices of the British American Tobacco (BAT) have been converted into the Anglican University College without any updates on the sector layout.

The Challenges to Sustainable Physical Planning

It is the case from the discussions so far that physical planning in the NSM is informed by variables other than the need to develop harmonious human settlements. Variables such as the growing human population and changing socio-economic dynamics over land governance interact with the self-serving interest of the chieftaincy institution to drive physical planning practice in the NSM. As such, the physical planning system is so conducted that it is not governed by any long-term sustainable spatial development visions. Things are done at the request of chiefs and for the satisfaction of their whims. These processes render the national structures and systems for physical planning ridiculous. Cross-cutting issues such as sustainability which define planning practices in countries such as Australia and New Zealand (Dixon et al. 1997) receive peripheral attention in the Ghanaian system. Environmental management under the Environmental Protection Agency (EPA) is a parallel institutional system to planning and only operates from a Regional Office overseeing 27 MMDAs in the Brong-Ahafo region. The non-incorporation of environmental sustainability into planning is not peculiar to Ghana as similar events are reported in Europe and the USA by Nadin (2003) and Jepson (2004).

Relatedly, although the PPD is supposed to be collaborating with a number of institutions in the performance of its duties, only a few of these institutions play meaningful roles in the entire process. The rest are either not consulted or consulted only as a way of information giving. The activities of the PPD are not properly integrated with the overall governance structures of the NSM as it operates in isolation from other relevant departments. This has resulted in a situation whereby the ability of the PPD to coordinate and harmonise the activities of other departments in space is not felt. This is exacerbated by the fact that the PPD only has directive powers, while land use management powers reside in the chieftaincy institution rendering the implementation of planning layouts difficult (UN-Habitat 2009). While institutional coordination and consultation is precarious, at best, planning remains a purely technical, expert-driven activity and this is evidenced by the lack of societal consultation, negotiation and consensus seeking in the planning processes.

The planning system of the NSM is also weakened by the lack of appreciation for planning concepts, principles or norms. The planning system is not governed by any defined and mutually agreed concepts, principles or norms. The planning process does

not sufficiently engage with spatial dynamics (Harrison et al. 2008; Turok 2000) of the NSM. The plans have a weak linkage with infrastructure development (Todes et al. 2003) and the work of departments such as electricity, waste management, water and roads among others. Infrastructure such as water, electricity, waste, open space, parks, pedestrian routes as well as community facilities such as schools and clinics are haphazardly located within the Municipality. The challenge essentially is that the system has failed through its SPC to bring together institutions with competing institutional logics, agendas and discourses to fashion integrated physical planning in a discursive manner involving argument and persuasion (Todes 2011). Good planning examples of such linked systems are found in Curitiba, Brazil, and Amsterdam, Netherlands (Bertolini 2007; Le Clercq and Bertolini 2003).

Perhaps the most difficult challenge to spatial planning in the NSM is the seeming absence of a land use regulator. While the NSM is the body legally mandated to plan the development of human settlements within its jurisdiction, the chieftaincy institution decides when plans should be formulated and what really should go into a physical plan. While chiefs remain pseudo-landowners under the reformed land governance system, the NSM seems also to have shirked its responsibility as the mandated land use regulator. As such, plans prepared are secretly kept and are not regularly updated in the light of changing conditions. Plans are also rezoned at the interest of the chiefs. Participation which is theoretically a guiding principle of the spatial planning process is virtually not adhered to practically, while the SPC is so weakly composed that it makes no meaningful input into the planning processes. While chiefs may own the lands, the NSMA must take up its responsibility as the mandated land use regulator and offer sustainable, long-term physical planning and development visions in a participatory manner under the framework of the National Development Planning Systems Act 1994 (Act 480).

Conclusions

While most cities globally are fighting historical sprawl, resulting from weak planning systems, the NSM as well as other mid-sized cities in Ghana have the unique opportunity to shape their planning processes and avoid such a challenge in the future. To achieve this, the NSM must take up its responsibility and offer sustainable long-term visions for spatial planning of the municipality. In this regard, technical people such as sociologists, soil scientists, agronomists, range and livestock specialists, civil engineers, foresters, economists and lawyers should be co-opted onto the SPC to ensure that it contributes meaningfully to the planning of the communities within the NSM. Simply put, we need to move away from the preconceived idea of planning as a technical issue to rather an arena where there is a “critical appreciation and appropriation” (Friedmann 1998, p. 250) of ideas for the creation of practical effectivity in the land use space.

The capacities of the PPD as well as other related departments should be enhanced. This will entail the employment of the requisite staff and the provision logistics required to effectively plan and police physical development within the NSM. It must be ensured that planning in the NSM is conducted in accordance with the framework of the National Development Planning (Systems) Act 1994 (Act 480) by conducting planning in a participatory manner and ensuring that plans are widely disseminated.

The National Development Planning (Systems) Act, 1994 (Act 480) requires that planning be conducted such that individuals who would be potential beneficiaries and/or (dis)beneficiaries of planning outcomes are given the opportunity to participate meaningfully in the planning processes. Conclusively, the NSM should pursue strategic spatial planning by seeking to address how humans and non-humans should live (Hillier 2008). This requires a move away from the current practice of “zoning and rezoning” of land to more innovative approaches.

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