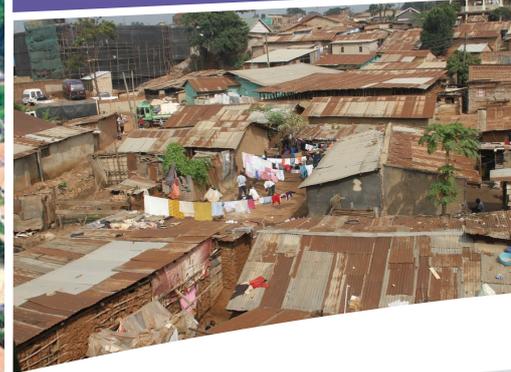


THE REPUBLIC OF UGANDA



## IMPLEMENTATION OF PHYSICAL DEVELOPMENT PLANS IN MUNICIPALITIES

VALUE FOR MONEY AUDIT REPORT

MARCH 2015



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**OFFICE OF THE  
AUDITOR GENERAL**

THE REPUBLIC OF UGANDA



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# AUDITOR GENERAL'S MESSAGE



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31<sup>st</sup> March 2015

The Rt. Hon. Speaker of Parliament  
Parliament of Uganda  
Kampala

## **REPORT OF THE AUDITOR GENERAL ON IMPLEMENTATION OF PHYSICAL DEVELOPMENT PLANS IN MUNICIPALITIES**

In accordance with Article 163(3) of the Constitution, I hereby submit my report on the audit undertaken on Implementation of Physical Development Plans in Municipalities.

My office intends to carry out a follow – up at an appropriate time regarding actions taken in relation to the recommendations in this report.

I would like to thank my staff who undertook this audit, and the staff of Ministry of Lands, Housing and Urban Development, Ministry of Local Government and Municipal Councils for the assistance offered to my staff during the period of the audit.

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John F. S. Muwanga  
AUDITOR GENERAL

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## LIST OF ACRONYMS AND ABBREVIATIONS

DLB	District Land Board
MLHUD	Ministry of Lands, Housing and Urban Development
MoLG	Ministry of Local Government
NEMA	National Environmental Management Authority
NPPB	National Physical Planning Board
PDP	Physical Development Plan
PPA	Physical Planning Act
PPC	Physical Planning Committee
TRT	Technical Review Team
ULC	Uganda Land Commission

## EXECUTIVE SUMMARY

Physical planning is the spatial expression of the desired form of social and economic development. Its purpose is to create and maintain a framework for a more balanced spatial development countrywide, through a rational arrangement of land use, protection of the environment and alignment of the land uses with long-term government objectives for sustainable economic and social development.

The Government of Uganda, through the Ministry of Lands, Housing and Urban Development (MLHUD) and the Ministry of Local Government (MoLG) together with local governments, has undertaken steps to ensure that growth and development of urban areas in Uganda is realized in a planned and orderly manner. This has been done through interventions, such as: ensuring that there is a legal framework to guide physical planning, and ensuring that urban authorities have physical development plans to guide urban development.

Despite these government efforts, however, urban authorities still experience a number of constraints in ensuring orderly development; and physical planning, in general, has not yet reached the desired level in Uganda.

It is for the reasons outlined above that the Office of the Auditor General undertook an audit to assess the effectiveness of the efforts of the Municipalities in the implementation of the approved physical development plans (PDPs).

### KEY FINDINGS

- The Government of Uganda has made significant efforts to ensure planned and orderly development. This has been through the enactment of relevant legislation to guide physical planning, ensuring that local governments have approved PDPs to guide planning, and offering technical assistance to the local governments in matters of physical planning. This study, however, identified the following areas of weaknesses that still need to be addressed to achieve the broader physical planning objectives.
- Although the municipalities have approved Physical Development Plans (PDPs), these plans have not been detailed to translate them into smaller and implementable plans to guide developments in the different parts of the urban authorities. In some cases, the municipalities had detailed less than 20% of the total planning area.
- Although the municipalities planned to open and label a number of roads, a number of planned roads have remained unopened.
- The municipalities, in a number of cases, failed to ensure that development applications are evaluated within the prescribed period of 30 days. This has resulted in cases of developers undertaking developments without approval.
- The development control activities undertaken by the municipalities are too inadequate and ineffective to deter illegal developments. A number of developments are not inspected from start to finish, while a number of illegal developments go undetected.

- It was also noted that there is need for a coordination mechanism between the Physical Planning Committees, the District Land Boards and the Uganda Land Commission to ensure that land administration decisions are informed by physical planning.
- There is no approved National Urban Policy to provide a framework for organised urban development.
- The Ministry of Lands, Housing and Urban Development (MLHUD) has not developed National and Regional plans to guide the physical development of the whole country.

## KEY RECOMMENDATIONS

- The municipalities should prioritize detailing of approved PDPs and ensure that all developments are guided by approved detailed plans. Government should also establish how much it costs to detail development plans and devise appropriate strategies to support those with capacity constraints.
- The municipalities should embrace participatory planning to reduce cases of compensations and engage other stakeholders to mobilize resources for road opening activities, since this is one of the key stages in achieving well-planned neighbourhoods.
- The municipalities should put in place a mechanism of tracking submitted development applications to avoid unnecessary delays and endeavour to approve development requests within 30 days. The municipalities should also consider establishing minimum criteria for acceptance of development applications at the time of submission.
- Management of Municipalities should strengthen development control by, for example, constituting operational divisional Physical Planning Committees; regularly identifying illegal developments, undertaking post approval inspections, and enforcing penalties for occupation of buildings without occupational permits. In addition, the municipalities should consider strengthening the enforcement function by upgrading the current positions and undertaking trainings.
- The MLHUD should expedite measures to ensure that Area Land Committees function and fast-track efforts to guarantee effective participation of the municipalities in land allocation decisions.
- The Ministry of Local Government should liaise with other stakeholders to expedite efforts to address physical planning capacity gaps and raise the significance of physical planning in the municipalities.
- The Ministry should expedite the approval of the draft urban policy to streamline urbanization in the country, and develop national and regional development plans to guide physical planning at the lower levels.

## OVERALL AUDIT CONCLUSION

Although a number of activities have been undertaken by the various key players towards ensuring coordinated, efficient and proper land use and spatial planning, there are some aspects that can still be improved upon in order to enhance the performance of physical planning units so as to contribute to proper land use in the country.

The Ministry of Lands, Housing and Urban Development does not have an approved national urban policy to provide a framework for organised urban development in the country, including the creation of new urban areas.

Failure to detail the Physical Development Plans (PDPs) and implement detailed plans creates a disjoint between the approved plans, type and character of different neighborhoods in the urban authorities.

Notable delays in the approval of development applications may act as a catalyst for developers to resort to offering inducements to fasten the approval process which may also hamper efforts to control illegal developments. This, coupled with inadequate development control mechanisms, may provide opportunities for developers to alter approved plans and construct illegal developments.

The current coordination mechanism, through the Area Land Committees, has not achieved the desired coordination levels to ensure that land administration and physical planning activities are harmonized.

As a result of these challenges, illegal developments will continue to emerge thus hampering the attainment of well-planned neighborhoods.

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## CHAPTER ONE

# CHAPTER ONE

## INTRODUCTION

### 1.1 BACKGROUND

Urbanization plays a key role in the development process of a country. Uganda's level of urbanization is about 15 percent.<sup>1</sup> With urbanization comes the need for integrated physical planning so as to organize and establish the use of land for the various activities in order to achieve the desired form of social and economic development. Physical planning encompasses deliberate determination of spatial patterns with an aim of achieving the most optimum level of land utilization in a sustainable manner. Physical planning in Uganda is a decentralized function undertaken by local governments under the supervision of the Ministry of Local Government (MOLG) and the Ministry of Lands, Housing and Urban Development (MLHUD). The local governments are responsible for planning and regulating physical development in the city, towns and other settlements that fall within their jurisdiction.

The government has undertaken steps to achieve coordinated, efficient and environmentally sound social economic development and to secure proper land use and spatial planning. This has been done through enacting relevant legislation, such as: the Physical Planning Act 2010 and the Physical Planning Regulations to guide physical planning, facilitating the development and implementation of the area physical development plans, and strengthening institutional capacity by training and providing technical support to physical planners at local governments.

The growth of the towns has been unplanned, with high rates of spatial expansion (sprawl) and unplanned growth, lack of integration between sectoral and spatial planning, inadequate provision of basic services, weak urban management capacity and significant fiscal constraints. As a consequence, congestion diseconomies are setting in. Chaos prevails with the landscape dominated by informal housing and slums and a deteriorating urban environment. Currently, about 60% of urban population live in unplanned settlements (slums).<sup>2</sup>

This audit was undertaken to establish and evaluate the extent to which government was taking appropriate measures to ensure orderly and organized development of urban centers in the country.

<sup>1</sup>Uganda Vision 2040-page 50

<sup>2</sup>Planning for Uganda's Urbanization; inclusive growth policy note 4-pg17

## 1.2 MOTIVATION

Urban authorities are experiencing serious constraints in planning for orderly developments and ensuring effective service delivery<sup>3</sup>. According to a paper issued on the development of National Urban Policy<sup>4</sup>, the rapid urbanization process, coupled with lack of effective policy and planning framework, has resulted into the mushrooming and expansion of informal (unplanned) settlements as well as poor infrastructure and service delivery.

In a bid to improve physical planning, the government of Uganda, according to the National Development plan (2011-2014/15) set out to achieve an increased level of compliance to physical development plans through the implementation of the new physical planning law; put in place a national spatial development backbone to support orderly and sustainable urbanization, industrialization, service infrastructure development, through the formulation and implementation of national and regional physical development plans; and improve the capacity and efficiency of physical planning at all levels through establishment of a physical planning data base and computerization of physical planning operations at all levels.<sup>5</sup>

Despite these efforts, there are still a number of physical planning challenges that include: lack of a National Physical Development Plan (NPDP), lack of a National Urban Policy to provide a framework and guide urbanization, weak urban governance, and overlapping institutional mandates which have led to duplication of roles<sup>6</sup>.

Part of the urban chaos is due to the absence of a national urban policy and a weak legal framework.

It is against this background that the Office of the Auditor General decided to undertake a review of the activities of the physical planning units in Municipalities to establish whether these units were taking appropriate measures to ensure orderly and organized development of urban centers.

## 1.3 DESCRIPTION OF THE AUDIT AREA

### 1.3.1 General Description

Physical planning is the spatial expression of the desired form of social and economic development. It entails organization of land use so as to enjoy the highest achievable degree of efficiency of resource utilization, functionality of places and aesthetic quality.

Its purpose is to create and maintain a framework for more balanced spatial development countrywide, through a rational arrangement of land uses in space, protection of the environment, and their alignment with long-term government objectives for sustainable economic and social development.

Physical planning in Uganda is a decentralized function undertaken by local governments under the supervision of the Ministry of Local Government (MOLG) and the Ministry of Lands, Housing and Urban Development (MLHUD).

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<sup>3</sup> Issues paper for the Development of National Urban Policy, 2013, CME consult Group; Page.8

<sup>4</sup> Ibid

<sup>5</sup> National Development Plan 2010/11-2014/15; Page 155

<sup>6</sup> Ministry of Lands, Housing and Urban Development Strategic Plan 2013-2018; page 23

Each Local government has a physical planning unit charged with development and detailing of the Physical Development Plan (PDP), and ensuring that developments are undertaken in line with the approved PDP.

### **1.3.2 Legal Framework for Physical Planning**

The second schedule (part 5) of the Local Government Act 1997, as amended, details the functions and services to be undertaken by a city or municipal council to include approval of building plans, development of master structure plan, cadastral survey and mapping and mailo land administration.

Section 11 of the Physical Planning Act, 2010 also mandates urban authorities to set up physical planning committees responsible for all physical planning activities in the urban authority.

### **1.3.3 Organization Structure**

The Physical planning unit is a section under the Department of Works and Technical services headed by the Municipal Engineer. Details of the organizational structure are attached in Appendix I.

The Physical Planning Committee on the other hand is a committee of technical people comprising the Town Clerk, Engineer, Physical Planner, Health Inspector, Land Surveyor, Environmental Officer, architect and a Physical Planner, in private practice, appointed by the Council, on advice of the Town Clerk. The Physical Planning Committee is charged with making decisions such as approval and rejection of submissions and requests, while the Physical Planning Unit implements the decisions of the Physical Planning Committee. The Physical Planner (head of the unit) is the secretary to the Physical Planning Committee.

### **1.3.4 Objectives and activities of physical planning units**

#### **Objectives**

The objectives of Physical Planning Unit are to ensure:

Equitable and balanced spatial distribution of development.

Orderly, efficient and coordinated spatial socio-economic development.

Optimum use of land for agriculture, forestry, industry, human settlements, infrastructure and other competing land uses.

#### **Activities**

In order to attain the physical planning objectives, the following activities are undertaken by the physical planning units;

- Offering planning guidance and development of the physical development plans.
- Overseeing and monitoring the implementation of the development plans.
- Processing of development applications.
- Coordinating physical planning activities with other stakeholders.

## 1.4 AUDIT OBJECTIVES

The overall objective of the audit was to evaluate the performance of Physical Planning units in implementing the approved physical development plans in their respective urban councils.

The specific objectives of the audit were:

- To assess whether detailed physical development plans have been prepared and detailed in accordance with set guidelines.
- To assess the extent to which planned roads have been opened and labelled.
- To assess how the approval process facilitates the implementation of the PDPs.
- To assess whether development control activities facilitate the realization of the approved Physical Development Plans.
- To assess whether the coordination mechanisms among the different stakeholders are adequate.
- To assess the extent to which MLHUD and MoLG supervise and monitor urban authorities in the implementation of PDPs.

## 1.5 AUDIT SCOPE

The audit focused on the preparation, approval, and implementation, of the Physical Development Plans in urban centers in Uganda. In addition, the coordination mechanisms amongst the various stakeholders involved in the physical planning activities were also covered. Five (5) out of twenty two (22) municipalities of Uganda that is: Jinja, Mbarara, Mbale, Fort Portal and Gulu were chosen as case studies. In addition, the Ministry of Local Government and the Ministry of Lands, Housing and Urban Development were also selected.

The study covered a period of three (3) financial years: 2011/12, 2012/2013 and 2013/2014.

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## CHAPTER TWO

## CHAPTER TWO

### AUDIT METHODOLOGY

The audit was conducted in accordance with the International Organization of Supreme Audit Institutions (INTOSAI) Performance Auditing Standards and Performance Audit guidelines prescribed in the Office of the Auditor General (OAG) VFM Audit manual. The standards require that the audit be planned in a manner which ensures that an audit of high quality is carried out in an economic, efficient and effective way and in a timely manner.

#### 2.1 SAMPLING

The selection of the five municipalities for the study was based on the fact that these are strategic towns which have been singled out in the Vision 2040 as being key to the facilitation of the realization of the country's vision for development. The two (2) Ministries were chosen because they are in charge of policy, monitoring and supervision of the planning activities in urban centers.

#### 2.2 DATA COLLECTION

The following data collection methods were used to gather audit evidence.

Audit objective/ audit question	Data collection and evidence gathering method
<ul style="list-style-type: none"><li>To assess whether detailed physical development plans have been prepared and detailed in accordance with set guidelines.</li></ul>	<p>The team reviewed a number of documents, for example, activity reports, sample detailed plans. Other documents reviewed are detailed in <b>Appendix II</b>.</p> <p>The team conducted interviews with the municipal physical planners to understand the process of detailing and the extent to which the planning area has been detailed.</p>
<ul style="list-style-type: none"><li>To assess the extent to which planned roads have been opened and labelled</li></ul>	<p>The team reviewed road inventory reports and interviewed municipal engineers to ascertain the extent to which the planned roads have been opened and labelled.</p>
<ul style="list-style-type: none"><li>To assess how the approval process facilitates the implementation of the PDPs.</li></ul>	<p>The team interviewed the physical planners to understand the approval process of development applications.</p> <p>The team also reviewed a sample of approved development applications to confirm if they were evaluated following the approval procedures.</p>

<ul style="list-style-type: none"> <li>To assess whether development control activities facilitate the realization of the approved Physical Development Plans.</li> </ul>	<p>The team interviewed the physical planners, engineers and enforcement officers to understand the development control processes.</p> <p>The team also reviewed various documents, including: enforcement reports, and enforcement notices.</p>
<ul style="list-style-type: none"> <li>To assess whether the coordination mechanisms among the different stakeholders are adequate.</li> </ul>	<p>The team interviewed the physical planners, and other members of the physical planning committee to understand the coordination framework with other stakeholders.</p> <p>The team also reviewed correspondences among the municipalities and other stakeholders to assess the level of coordination.</p>
<ul style="list-style-type: none"> <li>To assess the extent to which MLHUD and MoLG supervise and monitor urban authorities in the implementation of PDPs.</li> </ul>	<p>The team conducted interviews with MOLG and MLHUD officials as detailed in <b>Appendix III</b>.</p> <p>The team reviewed documents to evaluate the performance of the MOLG and MLHUD in ensuring that physical development plans are implemented.</p>

## Data Analysis

The team analyzed data on: number of wards detailed, number of days taken to evaluate and approve a development application, and number of inspections conducted.

# 3

## CHAPTER THREE

## CHAPTER THREE

### SYSTEMS AND PROCESS DESCRIPTION

#### 3.1 ROLES AND RESPONSIBILITIES OF KEY PLAYERS

There are a number of key players with different responsibilities in the process of physical planning. These include:

##### 3.1.1 Directorate of Physical Planning and Urban Development (MLHUD)

The Directorate of Physical Planning and Urban Development in the Ministry of Lands, Housing and Urban Development is comprised of three departments, namely: Physical Planning, Urban Development, and Land Use Regulation and Compliance.

The Department of Physical Planning is responsible for national and regional planning, developing policy, laws, guidelines and standards in relation to physical planning, and providing technical support to local governments in the field of physical planning.

The Department of Urban Development is responsible for formulation of urban policies, regulations, development and review of relevant laws, and standard setting to enhance urban development.

The Department of Land Use Regulation and Compliance is mandated to ensure that the land use regulatory framework is complied with countrywide.

##### 3.1.2 Department of Urban Administration (MOLG)

The Department of Urban Administration is under the Directorate of Local Government Administration in the Ministry of Local Government. Its key functions regarding physical planning, include: i) assisting municipal councils to develop and implement physical development plans; ii) ensuring that physical development plans contain all modern infrastructure, especially roads, water and sanitation as well as electricity and communication channels; and iii) participation in the annual assessment of the performance of Municipal Town Clerks.

##### 3.1.3 The National Physical Planning Board

The National Physical Planning Board (NPPB) consists of nine members appointed by the Minister for Lands, Housing & Urban Development, five of whom should not be employed in public service.

The Board is responsible for advising government on all matters relating to physical planning, hearing and determining appeals lodged by aggrieved persons and local governments, studying and giving guidance and recommendations on issues relating to physical planning transcending more than one local government, and approving regional, urban and district physical development plans.

### **3.1.4 District Land Boards and Uganda Land Commission**

The District Land Boards (DLBs) and the Uganda Land Commission (ULC) are bodies created by the Constitution to manage land which is not privately owned. The ULC holds and manages land in Uganda that is vested and acquired by the Government of Uganda.

The DLBs on the other hand are charged with holding and allocating all district land that is not owned by any person or authority, facilitating the registration and transfer of interests in land and dealing with other land related matters in the district.

### **3.1.5 Physical Planning Committees**

These include: the Municipal Physical Planning Committees and Divisional Physical Planning Committees. Municipal Physical Planning Committees constitute technical officers from the Municipality. The Committee is chaired by the Town clerk with the Physical Planner as its Secretary. Other members of the committee are Municipal engineer, Municipal Environmental Officer, and the Municipal Health Inspector. The committee also has a physical planner, in private practice, an architect, and land surveyor. The Physical Planning Committee at the division level is comprised of members of the Division Council.

The Municipal Physical Planning Committees are responsible for causing the preparation and detailing of physical development plans, approval of development applications, conducting development control activities (supervision and enforcement) and recommending to the NPPB changes in land use for approval.

Division Physical Planning Committees advise the Municipal Physical Planning Committee on land uses in the divisions before approval of the development application, and ensure that developments in the divisions are undertaken according to approved PDPs through supervision, monitoring and regular inspections.

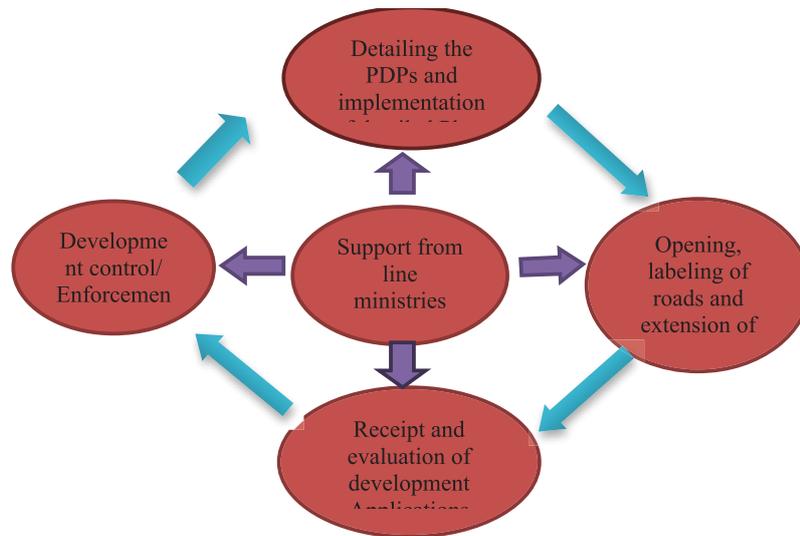
### **3.1.6 General Public**

The public constitutes mainly potential developers and residents of the different towns. These potential developers must ensure that developments they undertake are in line with the approved PDPs and development permission given by the physical planning committees. The town and city residents on the other hand participate in planning activities through attending sensitization meetings, commenting on draft plans before approval, furnishing the planning authority with public planning expectations, and expecting well-planned and well developed neighborhoods, towns and cities.

## **3.2 KEY PROCESSES**

After approval of the Municipal Physical Development Plans by the National Physical Planning Board, the next step is implementation of these plans by the municipal physical planning units. The major processes and activities undertaken to realize the approved Physical Development Plans are summarized in Figure 1:

**Figure 1: Showing Key Processes of Implementation of PDPs**



**Source: OAG Summary Of Key Physical Planning Process**

### **3.2.1 Detailing the PDP and implementation of the detailed plans**

Detailing of the approved PDPs is the first step of transforming the big/strategic Municipal development plan into smaller implementable/ operational plans. It usually involves the Physical Planning Committee engaging a consultant to conduct a detailed study of the current settlement patterns, livelihoods, landscapes and land uses for the different areas of the municipality and using the results to develop an area plan that synchronizes the current situation with the provisions of the bigger approved Physical Development Plan. The process involves sensitization and engagement of the public and other stakeholders to enable them appreciate the physical development plans while at the same time soliciting their views on what can be included in the detailed plan. It also entails categorizing of areas in various land uses, such as: residential, commercial, institutional, industrial and agriculture zones; and detailed mapping of roads to be opened to enhance accessibility within the planning area.

The detailing process results in draft detailed plans which are displayed in public areas for ninety (90) days to seek public opinion and comment before approval by Municipal council and National Physical Planning Board.

### 3.2.2 Opening, labeling of roads and extension of service infrastructure

Opening, labeling of roads and extension of service infrastructure is a continuous process undertaken by the Municipal Engineer, together with utility companies, to ensure that the different parts of the municipality are accessible, and have adequate service infrastructure.

The process involves surveying of the road area and road reserves to ensure that there is no encroachment, valuing and costing any items in areas where the municipality needs to compensate occupants, pegging of the road to be opened, opening of the road and finally labeling of the road. Labeled roads are used by the municipal planning authority to reference developments and plots.

### 3.2.3 Receipt and approval of development applications

All developers intending to undertake developments in any part of the planning area have to seek approval from the Physical Planning Committee (PPC). Development applications received from developers are examined by the Physical Planning Committee to ascertain if they comply with planning standards and regulations.

Examination of development applications at the municipal level is done by the Municipal Physical Planning Committee. Some of the parameters looked at include: plot sizes, plot accessibility, architectural and structural plans for the development, conformity of the intended land use to the PDPs and other factors.

After evaluation of these development applications, the Physical Planning Committee is required to communicate its decision within thirty (30) days of making its decision. The PPC decisions include:

**Approval**- where an application is compliant with the requirements of the physical planning legal framework and standards, the developer is approved to proceed with the development.

**Deferment**- where an application is non-compliant in non-material aspects, the applicant is requested to ensure that the anomalies are corrected before approval is granted.

**Rejection**- where development applications are materially non-compliant with the material aspects of the planning legal framework and other planning requirements, the application is rejected and the applicant required to make a new submission for evaluation.

### 3.2.4 Development Control / Enforcement

Development control refers to any activity undertaken to ensure that developments conform to the provisions of the PDPs, and are undertaken in line with the development approval granted. It also includes the steps taken by the municipal, such as: issuing enforcement notices and penalties in case of deviation from the provisions of the PDP and development approval granted.

Development control activities are divided into two (2) major categories:

#### 3.2.4.1 Inspections

These include inspections to proposed development sites by members of PPC to confirm if the sites meet physical planning requirements before approval of any development application (pre-approval inspections), inspections conducted to confirm that construction is being undertaken according to approved plans (post approval inspections). These are usually undertaken any time during construction but should be a minimum of three (3) times, that is, at site setting and foundation level, during construction and at roofing level.

On completion of any structure and before issuance of an occupational permit (pre occupational inspection), building inspectors from the municipalities are supposed to come and inspect the completed structure to ensure that it has been completed according to plan and is safe for occupation.

In addition to the above inspections, the building inspectors and enforcement officers conduct regular inspections on behalf of the Municipal Physical Planning Committees to identify any illegal developments within the planning area.

#### **3.2.4.2 Enforcement activities**

Enforcement activities are conducted by the enforcement officers of the municipality on behalf of the Physical Planning Committees. These activities include: issuance of enforcement notices to offenders, follow up visits to sites where enforcement notices were issued to confirm compliance with the notices, administering of penalties and fines to offenders, demolitions in cases where no corrective actions can be undertaken, enforcing penalties, and prosecution of offenders.

#### **3.2.5 Support from Line Ministries (MLHUD), MOLG)**

##### **a) Ministry of Local Government (MOLG)**

The Ministry of Local Government supports the implementation of the approved PDPs by the Municipalities through supervising the implementation of the approved PDPs, issuing physical planning guidance to the municipalities, and training of municipal staff in physical planning matters.

##### **b) Ministry of Lands, Housing and Urban Development (MLHUD)**

The Ministry of Lands, Housing and Urban Development monitors the implementation of the planning laws in Uganda, especially the Physical Planning Act. The Ministry also offers technical assistance to the Municipalities during the development and implementation of the PDPs. It also undertakes training of physical planners and other members of the physical planning committees in aspects of physical planning.

#### **3.2.6 Coordination between the Physical Planning Committees, District Land**

##### **Board and the Ugandan Land Commission**

Although the Physical Planning Committees are mandated to undertake all the planning for the municipality, the District Land Boards and the Uganda Land Commission are charged with the management of public land in these areas. This, therefore, calls for coordination mechanisms among the Physical Planning Committees on one hand and the District Land Boards and Uganda Land Commission on the other.

The District Land Board should have a member representing urban authorities to ensure that the interests of the urban authorities are represented during decisions of the District Land Boards.

As a way of further harmonizing the planning decisions and ensuring coordination, Section 51 of the Physical Planning Act forbids the subdivision, consolidation of land, renewal or extension of leases by the District Land Boards without approval by the relevant Physical Planning Committees.

# 4

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## CHAPTER FOUR

## CHAPTER FOUR

### FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

The Government through the Ministry of Lands, Housing and Urban Development (MLHUD) and the Ministry of Local Government (MoLG) has taken a number of measures to achieve coordinated, efficient and environmentally sound social economic development and to secure proper land use and spatial planning. These include offering financial support towards preparation of Physical Development Plans, offering technical support such as issuing planning laws, guidelines and standards, training, and conducting monitoring and supervision of the implementation of the approved development plans. Another notable achievement in this area was that with the exception of Gulu Municipality, all the other 4 municipalities sampled for this audit (that is Jinja, Mbale, Mbarara and Fort Portal) had approved Physical Development Plans.

Despite these efforts, this study has identified areas that need improvement in order to realize well planned neighborhoods.

#### 4.1 DETAILING OF PHYSICAL DEVELOPMENT PLANS

Section 12(a) of the Physical Planning Act 2010 requires urban physical planning committees to detail the physical development plans. The detailed plans operationalize the provisions of the main PDPs. Physical development plans are detailed in order to come up with smaller, integrated plans which are implementable in a shorter time in order to realize the long term objectives of the main physical development plans.

Interviews with Municipal physical planners and review of activity reports for the detailing processes revealed that although the five urban authorities visited had undertaken some activities relating to the process of detailing their approved development plans, for example sensitization, data collection, none of the municipalities had fully detailed their physical development plans. Although it may not be feasible to detail 100% of the planning area, municipalities like Mbarara, Mbale and Fort Portal had detailed less than 20% of the planning area under their jurisdiction. **Table 1** below shows the level of detailing of the physical development plans by the different municipalities.

**Table 1: Showing extent of detailing the PDPs at Ward level**

Municipality	Total number of wards	No of Wards fully detailed	% PDP fully detailed
Fort Portal Municipality	11	0	0
Gulu Municipality	16	11*	69
Jinja Municipality	11	9	82
Mbale Municipality	12	2	17
Mbarara Municipality	6	1	17

**Source: OAG interviews with Physical planners and review of detailed plans**

\*These wards were detailed as part of the PDP that expired in 2007. Between 2007 and 2014 Gulu had no PDP.

The failure to detail the PDPs was attributed to the fact that the process of detailing requires a great deal of resources, which the municipalities lacked. This was compounded by the lack of technical human resources such as: certified physical planners, surveyors, cartographers to undertake the detailing exercise.

A review of the approved work plans for Mbale, Mbarara showed that the activity was never budgeted for, an indication that it was not prioritized by the Municipalities. In the cases of Fort Portal and Jinja the activity was budgeted for, however, the funds were not released.

Lack of detailed plans hinders the realization of well-planned neighborhood given that detailed plans guide approvals for development requests. In the few cases where detailed plans were developed, namely, Soweto and Kibuga-Mbata in Jinja Municipality, and Kashanyalazi in Mbarara Municipality the plans were never implemented.

### **Management response**

The importance of detailed planning in translating PDPs into implementable plans cannot be overemphasized. For some big towns, however, it may not be cost effective to have detailed plans prepared for the entire area, when less than 5% of the outlying and, in most cases, still rural areas, may be built up by expiry of the detailed plans.

For such areas, the PDP and well thought out guidelines on how to deal with development applications may suffice. Coverage of detailed plans as an indicator of implementation of PDPs may therefore be used only on a case-by-case basis.

It should also be noted that all urban authorities are too grossly underfunded for them to afford detailed planning and plan implementation.

### **Audit Comment**

Detailing and implementation of detailed plans are key activities and processes in translating the approved detailed plans into well planned neighborhoods. In a bid to counter underfunding, the Municipalities could explore other means of detailing their PDPS, for example, by using interns, which practice has been used by Gulu Municipality and Jinja Municipality and has yielded results. Failure to detail the PDPs and implement detailed plans creates a disjoint between the approved plans, type and character of different neighborhoods in the urban authorities.

### **Recommendation**

The municipalities should prioritize the activity of detailing approved PDPs and ensure that all developments are guided by approved detailed plans if the approved Physical Development Plans are to be translated into well planned neighborhoods. Government should establish how much it costs local governments to detail their development plans, assess their capacity and accordingly devise appropriate strategies to support those with capacity constraints.

## 4.2 OPENING AND LABELING OF ROADS, AND EXTENSION OF OTHER SERVICE INFRASTRUCTURE

The approved Physical Development Plans for the municipalities provide for new roads to be opened and labelled as part of the implementation of the PDPs. Opening and labelling roads in a planning area is important because it eases access and mobility within the area, influences settlement patterns and provides a reference for labelling of plots.

The team noted, from interviews with the Municipal engineers and review of the road inventory reports, that although a number of roads were planned for opening and labelling during the development of the PDPs, some of the roads remained unopened. **Table 2** below shows the extent to which the 5 (five) sampled municipalities opened planned roads.

**Table 2: Analysis of planned and actual open roads**

Urban Authority	Total planned roads (km)	Total opened roads (km)	Unopened Roads (km)	Percentage of unopened /planned roads
Fort Portal Municipality	No data availed	121.9	No data availed	No data availed
Gulu Municipality	170	72	98	57.6
Jinja Municipality	135*	110	25	18.5
Mbale Municipality	121.2*	94.3	26.9	22.2
Mbarara Municipality	159.8*	144.31	15.49	9.7

**Source: OAG analysis of municipal road inventory reports and approved PDPs**

\*The kilometrage indicated was the total road kilometrage provided for in the first Physical Development Plans, that is, in 1954 for Jinja and Mbale, and 1959 for Mbarara. No revisions had been made in the subsequent Physical Development Plans.

Management attributed the delays to lack of resources to compensate land owners, particularly for roads that have to pass through privately owned land.

The failure to prioritize opening of roads was also partly attributed to the lack of a national urban policy which is meant to provide a framework and direction to guide the urbanization process. The policy is intended to, among other things, spell out resource usage in the municipality based on determined trends and patterns of urbanization. This would compel the municipalities to allocate resources towards opening of planned roads.

The inability by the urban authorities to open the planned roads has resulted in encroachment and development of settlement in the areas planned for roads. This was evident at the following roads: Factory Road, Factory Link, Major Victor Bwana Road and Katanywa Roads in Mbarara; Kimaka Close and Kibumba Road in Jinja and Kimaswa Drive and Hajji Masudi Drive in Mbale. This in turn, will make the opening of these access roads very costly and in some cases impossible. Referencing and naming of plots also continues to remain a challenge since the roads act as reference points.

## Management response

Urban authorities need to be encouraged to minimize compensation by sensitizing land owners on the undisputed benefits from opening of roads through their land. However, compensation cannot be entirely done away with.

In view of the very low revenues currently collected by urban authorities, Central Government needs to consider giving conditional grants to municipalities for surveying of roads and other land for public goods, compensation that cannot be done away with, and opening up of roads.

## Recommendations

- The municipalities should embrace participatory planning which involves land owners in the planning processes. This will reduce the cases and costs of compensation before roads are opened.
- The municipalities should engage other stakeholders such as the Uganda Road Fund to mobilize resources for road opening activities since road opening is one of the key stages in achieving well planned neighbourhoods.
- The Ministry of Local Government should continue with its efforts of supporting some of the urban authorities in the opening of the roads.

## 4.3 EVALUATION OF DEVELOPMENT REQUESTS

The Public Health Act statutory instrument 28 – 1, states that if within 30 days of the receipt of any plans and notice or further particulars delivered in accordance with these rules, the Local Authority fails to intimate to the person submitting the plans its disapproval of the building or work which the person intends to erect, the person submitting the plans may proceed with the building or work in accordance with the plans, but not so far as to contravene any of the provisions of these rules or any other law in force.

From an analysis of a sample of development requests to ascertain the duration taken for the evaluation process, it was noted that the municipalities took on average more than 30 days to evaluate development application requests. **Table 3** below shows an average of days taken by the different municipalities to evaluate development requests.

**Table 3: Showing average evaluation time for development requests**

Municipality	Sampled applications	Average duration of approval days	Number of applications approved after 30 days	% of application approved after 30 days
Fort Portal Municipality	40	75	20	50
Gulu Municipality	50	93	40	80
Jinja Municipality	30	100	22	73
Mbale Municipality	27	139	17	63
Mbarara Municipality	21	78	20	95

**Source: OAG analysis of approval time for development requests**

The delays are to a large extent caused by the absence of a mechanism to track the progress of development applications from the time of receipt to the point of approval which makes it difficult for the municipal councils to identify the causal factors and the interventions needed to address them. In other cases, the delays were attributed to limited capacity of the PPCs which could not match the large volume of development applications that require evaluation.

Delays in approval of development applications hamper efforts to control illegal developments since it gives developers justification for unapproved developments.

### **Recommendations**

The municipalities should put in place a mechanism of tracking the movement of development applications to avoid unnecessary delays, and also endeavour to evaluate development applications within 30 days to reduce cases of developers undertaking developments without authority.

To minimize the time taken to resolve the queries raised during the approval process, Municipalities should consider establishing verifiable minimum criteria for acceptance of development applications at the time of submission.

## **4.4 DEVELOPMENT CONTROL AND ENFORCEMENT**

According to the circular issued to all urban authorities on the implementation of the Physical Planning Act (circular ref ADM/45/02), one of the cardinal functions of the Physical Planning Committees is control of developments which includes:

- Dealing with development applications for grant, refusal or deferment of development permission,
- Subdivision or consolidation of land,
- Enforcement.

### **4.4.1 Post Approval Inspections**

As part of enforcement, after approval of development requests, the Municipal Physical Planning Committee is mandated to carry out regular post approval inspections to confirm that the developments are being undertaken in line with approved plans.

Inspection records reviewed indicated that the majority of the developments were completed without any inspections during the construction phase. Analysis of development records further showed that 98.4% of all developments in the 5 municipalities were not inspected; a reflection of major development control weaknesses. **Table 4** below shows the number of documented evidence of post approval inspections conducted by the Physical Planning Committees after approval of development requests.

**Table 4: Analysis of post approval inspections conducted by PPCs**

Urban Authority	Approved developments for FY 2011/12, 2012/13 and 2013/14	Expected minimum number of inspections**	Documented inspections	Uninspected development	% of uninspected developments
Fort Portal municipality	325	975	0	325	100
Gulu Municipality	271	813	0	271	100
Jinja municipality	381	1,143	50*	356	93
Mbale municipality	256	768	0	256	100
Mbarara municipality	259	777	3	256	99
AVERAGE					98.4

**Source: OAG analysis of approved development requests and enforcement records**

\*The 50 inspections cases noted were conducted on only 25 developments.  
 \*\* The assumption- is that any development should be inspected at least three times during development.

This was attributed to the limited number of building inspectors and enforcement staff. A review of the approved budgets and work plans also revealed that inspections had not been budgeted for by the municipalities.

This has resulted in cases of alteration of approved plans by developers and in some cases illegal developments that pose risks to urban residents. In addition, failure to document the issues noted during inspections curtails follow-up of corrective measures suggested by the building inspectors.

**4.4.2 Identification of illegal developments**

The Physical Planning Committees are mandated to conduct regular inspections across the municipalities to identify any illegal developments so that corrective measures can be undertaken.

However, with the exception of Fort Portal and Jinja municipality where the team noted only one documented inspection to identify illegal developments, there was no evidence that any such inspection was carried out in Gulu, Mbale, and Mbarara during the period under review.

Interviews with physical planners indicated that there is no system in place to identify illegal developments. The urban authorities rely on volunteers, whistle blowers,

coincidence and sometimes complaints from affected residents as a means of identifying illegal developments.

This is partly attributed to weaknesses in enforcement characterized by lack of enforcement staff, enforcement being managed by junior staff in some cases, and the failure by the municipal enforcement officers to report suspected illegal developments. This is compounded by absence of Division Physical Planning Committees yet identification of illegal developments is one of their critical functions.

As a result, illegal developments continue to go undetected which hampers the attainment of well-planned neighbourhoods.

#### **4.4.3 Inspection before issuance of occupational permits**

According to Rule 20 of the Public Health Rules, (Statutory instrument 281-1), every owner who intends to occupy a new building shall furnish to the local authority a certificate signed by him or her, or by his or her architect, to the effect that the building has been constructed in every respect in conformity with the approved plans of the building and Public Health Rules, and shall apply for a permit of occupation. On receipt of the certificate and application, the local authority or any officer duly authorised for that purpose shall examine the building and, if satisfied that it has been built in conformity with such plans and with the Public Health Rules, and that it is fit for occupation, shall issue a written permit of occupation.

It was observed that two (2) municipalities (that is Mbarara and Jinja) out of the five municipalities under review had undertaken some inspections before issuance of occupational permits. It was noted that it is a common practice for developers to occupy buildings without obtaining an occupational permit. There was no evidence to show that the municipalities had undertaken steps to ensure that developers obtain occupational permits. There was no sensitization of developers about the need to obtain occupational permits.

#### **Management response**

While MLHUD agrees with this observation, we also note that sometimes urban authorities are constrained by the very thin and poorly resourced structure of the physical planning and enforcement functions at the urban authorities.

#### **Audit Comment**

Without effective development control activities it is very difficult to realize the provisions of the approved PDPs. This is because development control activities are supposed to ensure that whatever is done in the planning area conforms to the PDP.

## Recommendations

Management of Municipalities should strengthen development control by, for example, constituting operational divisional physical planning committees, putting in place a system to regularly identify illegal developments, undertaking post approval inspections and enforcing penalties for occupation of buildings without occupational permits.

Municipalities should also consider strengthening the enforcement function by upgrading the current positions and undertaking training /re-training of staff.

### 4.5 COORDINATION BETWEEN DISTRICT LAND BOARDS, UGANDA LAND COMMISSION AND PHYSICAL PLANNING COMMITTEES

Section 51 of the Physical Planning Act prohibits subdivision and consolidation of land, renewal or extension of leases without approval of the Physical Planning Committees (PPCs). In a circular (ADM/45/2) issued to all Town Clerks on the implementation of the Physical Planning Act, the Permanent Secretary (MLHUD) called for coordination mechanisms among the District Land Boards (DLBs) and Area Land Committees (ALCs) on one hand and the Physical Planning Committees on the other hand to ensure that land administration decisions are informed by physical planning.

Land administration matters in municipalities are handled by ALCs at the division level. They advise the DLBs on subdivision, consolidation and allocation of public land within the municipalities.

From interviews with the members of the municipal PPCs, members of the DLBs, and review of correspondences between the DLBs and PPCs, it was established that there was no coordination mechanism to harmonize land administration decisions and physical planning activities amongst the PPCs and DLBs.

This has resulted in subdivisions and allocation of public land without approval by the PPC. **Table 5** lists some cases of land allocated by DLBs without the authority of the PPCs.

**Table 5: Detailing cases of irregular allocation of public land by DLBs and ULC**

Urban Authority	Allocation authority	Public land subdivided and allocated to private developers without PPC approval.
Fort Portal		<ul style="list-style-type: none"> <li>• Plots below Bishop Magambo Street adjacent to the sewerage lagoon</li> <li>• Plots 59-65 on Lugard Road planned for recreation according to the PDP but allocated to an individual.</li> <li>• Plots 21-31 Queen's Road (Kagote Housing Estate)</li> </ul>
Jinja municipality	Jinja District land Board	<ul style="list-style-type: none"> <li>• Plot M23 (JMC Dumping site.)</li> <li>• 58 plots along railway line which is part of Railway land.</li> <li>• 27 plots on land belonging to Spire Road Primary School</li> <li>• Plot M155 and M156 Masese</li> <li>• Plot M25 Masese</li> <li>• Plot 16-28 and 30-34 Mpumudde Division</li> </ul>
Mbale municipality	Mbale district land board	<ul style="list-style-type: none"> <li>• Open spaces along Nkambo and Busoga lane</li> <li>• Sub-division of Mbale Golf Course</li> <li>• Indian Gymkana plot 46A, 46B and 42B,</li> <li>• Plots 12-30, Pallisa road,</li> <li>• Subdivision of Lorry Park</li> <li>• 8 plots along Bishop Masaba lane</li> </ul>

**Source: OAG analysis of correspondences between urban councils and DLBs**

This was partly caused by existing gaps within the operational/working framework between the ALCs, DLBs and PPCs. For example, the Assistant Town Clerks who are the secretaries to the ALCs do not report to the Town Clerk or the PPCs but to the DLB and the current law does not provide for the Town Clerk and Physical Planner to sit or be represented on the DLBs.

As a result, DLBs have, in some cases, taken decisions regarding municipal council land without the consulting municipal council authorities (Town Clerk or Planner).

**Management Response**

This problem arose from the dysfunctional ALCs to which Municipal Division Assistant Town Clerks are supposed to be Secretaries. MLHUD will take up this matter and ensure that ALCs function as expected and will also consider other measures to guarantee the participation of urban authorities in land allocation decisions within their jurisdiction.

**Audit Comment**

The current coordination mechanism through the ALCs has not achieved the desired coordination levels to ensure that land administration and physical planning activities are harmonized. There is, therefore, need to address the identified weaknesses to ensure effective coordination.

## Recommendation

MLHUD should expedite measures to ensure that ALCs function as expected and fast-track efforts to guarantee effective participation of the municipalities in land allocation decisions

## 4.6 SUPPORT FROM LINE MINISTRIES

### 4.6.1 Support by the Ministry of Local Government (MoLG)

Section 97 of the Local Government Act mandates the Ministry of Local Government to provide technical and other forms of support to urban authorities during the implementation of the Physical Development Plans by the different Urban Authorities.

The technical support provided by the Ministry includes: technical guidance, training, and technical support in the implementation of the Physical Development Plans.

It was noted that the Ministry of Local Government had undertaken a number of activities, for example, offering financial support towards the preparation of Physical Development Plans, regularly issuing guidance, and training. The team, however, noted some aspects that can still be improved, upon in order to improve the effectiveness of the support given by the Ministry of Local Government towards the implementation of the Physical Development Plans.

- The performance of the physical planning units of the Urban Authorities is not among the parameters that are used in assessing the performance of any Urban Authority, indicating that physical planning is not considered as a key performance indicator. This may result in the underperformance of the physical planning units.
- Although the Ministry has undertaken the training of members of the PPCs, training of physical planners is yet to be done by the Ministry. This is important, especially considering that the Physical Planning Act was adopted in 2010 and there is still need for sensitization.
- The physical planning function of the municipalities operates under an organization structure that cannot allow it to effectively play its important role. It is just a section under the Department of Works and Technical Services.

## Management Response

In the new assessment tool that the Ministry has developed, performance of physical planning has been adopted as one of the key measures of performance for the urban municipalities.

The Ministry of Local Government is working with Makerere University to come up with a training tool for the physical planners. The Ministry is also undertaking a restructuring exercise in the Municipal Councils to elevate the physical planning section to a department.

## Recommendation

The Ministry of Local Government should liaise with other stakeholders to expedite efforts to address the physical planning capacity gaps and raise the significance of physical planning in the municipalities.

### 4.6.2 Support by the Ministry of Lands, Housing and Urban Development

The Ministry of Lands, Housing and Urban Development (MHLUD) is responsible for national and regional planning, developing policy, laws, guidelines and standards in relation to physical planning; and providing technical support in physical planning to Local Governments.

It was observed that during the period under review the MHLUD offered technical support in the form of issuing planning laws, guidelines and standards, and conducting monitoring and supervision of the implementation of the approved development plans. It was, however, noted that:

- The Ministry does not have an approved national urban policy to provide a framework for organised urban development in the country, including the creation of new urban areas.
- The Ministry has not developed national and regional physical development plans to guide physical planning at municipalities and other administrative units in the country.
- The Ministry has not undertaken an evaluation (periodic evaluation) of the extent to which the approved PDPs have been implemented by the various local authorities. This would enable the Ministry to identify which urban authorities have not achieved the planned targets so as to make timely interventions.
- Despite the supervision and monitoring visits carried out in the municipalities, some issues were noted to persist over the 3 years under review, for example, weaknesses in development control, inadequate coordination between the Land Boards and the Municipalities. It was noted that municipalities made no action plans regarding the implementation of the Ministry recommendations. Interviews with the Ministry staff revealed that there was no regular follow up by the Ministry to ensure the implementation of its recommendations.

## Management response

- A final draft Urban Development Policy is in place and is expected to be submitted to Cabinet for approval within the FY 2014/15.
- The Physical Planning Act, which requires the MLHUD to prepare a National Physical Development Plan (NPDP) and Regional PDPs came into effect in 2010. MLHUD immediately started lobbying for funds to commence the preparation of the plans and has finally identified some funds. Procurement of a consultant to spearhead preparation of the first National PDP is in advanced stages. Preparation of wall-to-wall Regional PDPs will be informed by the National PDPs. Two special Regional PDPs have been prepared and approved, that is: The Greater Kampala Metropolitan Area Physical Development Framework. The Albertine Graben Region PDP.
- The Ministry requires more resources to be able to complete the National PDP and commence the preparation of Regional PDPs.
- The Ministry undertakes quarterly inspections of compliance with the Land Use Regulatory Framework. This activity, however, is grossly underfunded as a result of the Ministry's meagre budget. With the meagre resources, MLHUD has developed a quantitative tool for assessment of Urban Authorities' compliance with the Land Use Regulatory Framework which will be used on 62 Urban Authorities by March 2015. A State of Compliance with the Land Use Regulatory Framework Report will subsequently be produced annually. The parameters of assessment include those relevant to the implementation of PDPs and other land use regulatory frameworks

## Audit Comment

Without an approved Urban Policy, it is difficult to realize well planned urban centres. The urban policy, for example, provides the framework for growth and development of the different urban areas in the country.

Lack of Regional and National Plans implies that the physical planning at the lower level is done in isolation of the regional and national physical planning objectives/ targets.

## Recommendations

The Ministry should expedite the approval of the draft Urban policy to streamline urbanization in the country.

The Ministry should develop national and regional development plans to guide physical planning at the lower levels.

The Ministry of Lands, Housing and Urban Development is advised to undertake periodic assessments of the extent to which urban authorities have implemented the approved physical development plans and put in place mechanisms to ensure that the recommendations from monitoring and supervision visits are implemented by the urban authorities in a timely manner.

## OVERALL AUDIT CONCLUSION

Although a number of activities have been undertaken by the various key players towards ensuring coordinated, efficient and proper land use and spatial planning, there are some aspects that can still be improved upon in order to enhance the performance of the physical planning units so as to contribute to proper land use in the country.

The Ministry of Lands, Housing and Urban Development does not have an approved national urban policy to provide a framework for organised urban development in the country, including the creation of new urban areas.

Failure to detail the Physical Development Plans (PDPs) and implement detailed plans creates a disjoint between the approved plans, type and character of different neighborhoods in the urban authorities.

Notable delays in the approval of development applications may act as a catalyst for developers to resort to offering inducements to fasten the approval process which may also hamper efforts to control illegal developments. This, coupled with inadequate development control mechanisms may provide opportunities for developers to alter approved plans and construct illegal developments.

The current coordination mechanisms through the Area Land Committees has not achieved the desired coordination levels to ensure that land administration and physical planning activities are harmonized.

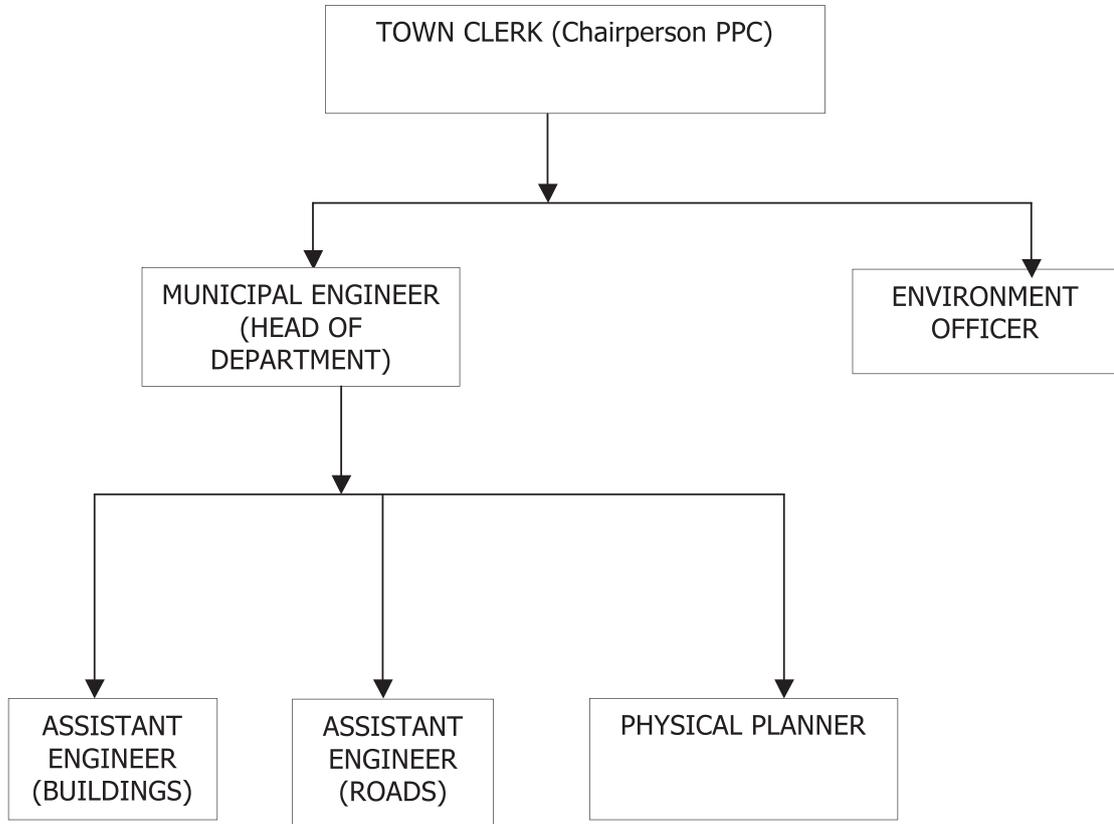
As a result of these challenges, illegal developments will continue to emerge, thus hampering the attainment of well-planned neighborhoods.

## GLOSSARY OF TERMS

TERM	DEFINITION
Detailed plan	A local physical development plan that operationalizes the provisions of a structure plan.
Development	The making of any material change in the use or density of any buildings or land or the subdivision of any land.
Development application	An application made under section 34 for permission to develop land
Development control	This refers to a series of activities that are aimed at ensuring that all developments within a planning area are undertaken according to the development approval granted and in line with the provisions of the approved PDP.
Enforcement notice	Notice served by a Local Government under Section 46 of the Physical Planning Act, on an owner, occupier or developer of land, requiring that owner, occupier or developer to comply with provisions of that section
Local physical development plan	A plan for an area or part of an area of a city, municipal, town or urban council and includes a plan with reference to any trading centre, marketing centre or rural area.
National Physical Development Plan	A land use plan, general or subject specific, developed to cover Uganda as a whole.
Physical Planning	Is the spatial expression of the desired form of social and economic development.
Regional Physical Development Plan	A physical development plan which covers more than one district.
Structure plan	A broad development framework of a given area showing the proposed use of the various parts of an area and translating national and regional planning principles and guidelines into land use proposals.
Urban authority	A city, municipal, division and town council, declared as such under the Local Government Act.

## **LIST OF APPENDICES**

### **APPENDIX I: ORGANISATIONAL STRUCTURE**



## APPENDIX II DOCUMENTS REVIEWED

S/N	Document	Purpose
1	Ministerial Policy statements (MOLHUD and MoLG) 2011/12, 2012/13 and 2013/14	To establish the physical planning targets of the ministries, resources available and the extent to which these targets have been achieved.
2.	Minutes of the physical Planning committees	To understand the activities of the physical planning committees. To evaluate the functionality of the physical planning committees.
3.	National building and standards act and regulations.	To understand the requirements of building regulations.
4.	Physical development plan reports	To understand the processes of developing the physical development plan To understand the various aspects of the physical development
5.	Physical planning Act and Land Act	To understand the provisions of the Physical Planning Act.
6.	Physical planning guidelines and Regulations	To understand the provisions of these guidelines and regulations.
7.	Sector work plans	To understand and the activities of the physical planning section. To evaluate the extent to which planned activities are implemented.
8	Road Inventory Reports	To ascertain the extent to which planned roads have been opened. To establish the reasons why some of the planned roads have not been opened.

### APPENDIX III: INTERVIEWS CONDUCTED

SN	Designation	No	Purpose of the Interviews
5	Developers	05	<ul style="list-style-type: none"> <li>To confirm if the developments were done after approval.</li> <li>To confirm the developers understand and appreciate the activities of the Physical planning Units</li> </ul>
1	Director	01	<ul style="list-style-type: none"> <li>To obtain a strategic understanding of physical planning and the specific roles of the physical planning department of MLHUD</li> </ul>
6	MLHUD officials	03	<ul style="list-style-type: none"> <li>To understand the processes and activities undertaken by MLHUD in monitoring and supervising the municipalities to ensure that the approved PDPs are realized.</li> <li>To assess the extent to which MLHUD and MoLG have supervised and monitored the implementation of PDPs.</li> </ul>
7	MoLG officials	02	<ul style="list-style-type: none"> <li>To understand the processes and activities undertaken by MoLG to ensure that the municipalities implement the Approved PDPs.</li> </ul>
2	Municipal Engineers	05	<ul style="list-style-type: none"> <li>To understand the role of the engineers in the implementation of the approved PDPs.</li> </ul>
3	Physical Planners	05	<ul style="list-style-type: none"> <li>To understand the process of physical planning at the municipality.</li> <li>To understand the challenges faced by physical planners in implementing the PDPs.</li> </ul>
4	Senior Enforcement officers	06	<ul style="list-style-type: none"> <li>To understand the process of enforcement of the PDPs</li> <li>To understand the challenges faced in enforcement.</li> </ul>
1	Town clerks	05	<ul style="list-style-type: none"> <li>To understand the functions of the town clerk in the process of implementing the PDPS.</li> <li>To understand the challenges faced by the municipality in implementing PDPs.</li> </ul>





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