



**KWAME NKRUMAH UNIVERSITY OF SCIENCE AND TECHNOLOGY, KUMASI,
GHANA**

**THE MANAGEMENT OF URBAN LAND IN GHANA:
THE CASE OF ACCRA AND KUMASI METROPOLITAN AREAS.**

by

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requirements for the degree of Master of Science
in Development Policy and Planning**

**Department of Planning
College of Architecture and Planning**

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DECLARATION

I hereby declare that this submission is my own work towards the MSc. in Development Policy and Planning and that, to the best of my knowledge, it contains no material previously published by another person nor material which has been accepted for the award of any other degree of the University, except where due acknowledgement has been made in the text.

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ABSTRACT

Population trends currently indicate that more than half of Ghana's population currently lives in urban areas. The pressures of urbanization and fast growing population of the cities have therefore impacted on land management. This study analyzed land management practices in Accra and Kumasi in view of rapid urbanization. The study analyzed issues such as the operation of the land markets in the cities – trend of land use, ownership and land values, sources and process of land acquisition.

Customary land ownership in the two cities constitutes about 90%. The value of land in Accra is relatively higher than in Kumasi. Accra has only one recognized customary land secretariat (CLS) whose power is limited to only Gbawe. It was also found that many individuals, families and stools own land in Accra as compared to Kumasi where all the lands belong to Asantehene under the caretaker chiefs. This makes resolution of conflicts on land in Kumasi easier as compared to Accra. Problems associated with land management include inadequate logistics, poor documentation of transactions, fragmented institutions, inadequate cooperation and coordination among the Land Sector Agencies (LSAs), perceived corruption of some officers of the LSAs and general indiscipline in the land market.

This research was conducted between 2000 and 2011. It was conducted in the LSAs as well as some selected communities in the two cities – Achimota and Gbawe in Accra and Bremang UGC and Atafoa Aboahia in Kumasi. Questionnaires were distributed to 600 land acquirers / users. The land users included house/plot owners, shop owners and institutions (schools). Stratified random sampling method was employed in the selection of land users. Simple random sampling method was then applied to select from each category of the land users. Key informants of the LSAs including the Lands Commission (LC), Town and Country Planning Department (TCPD), Office of Administrator of Stool Lands (OASL) and the CLSs in the cities were also interviewed.

Efficient land administration in urban areas could promote development of communities and enhance socioeconomic growth. Information on land documents should be computerized and accessible to all the LSAs including the CLSs. Lastly, human resource and logistics should be adequate to make land service delivery efficient and make clients comfortable in their transactions with the LSAs.

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DEDICATION

To my mother, Caroline Osei Boamah

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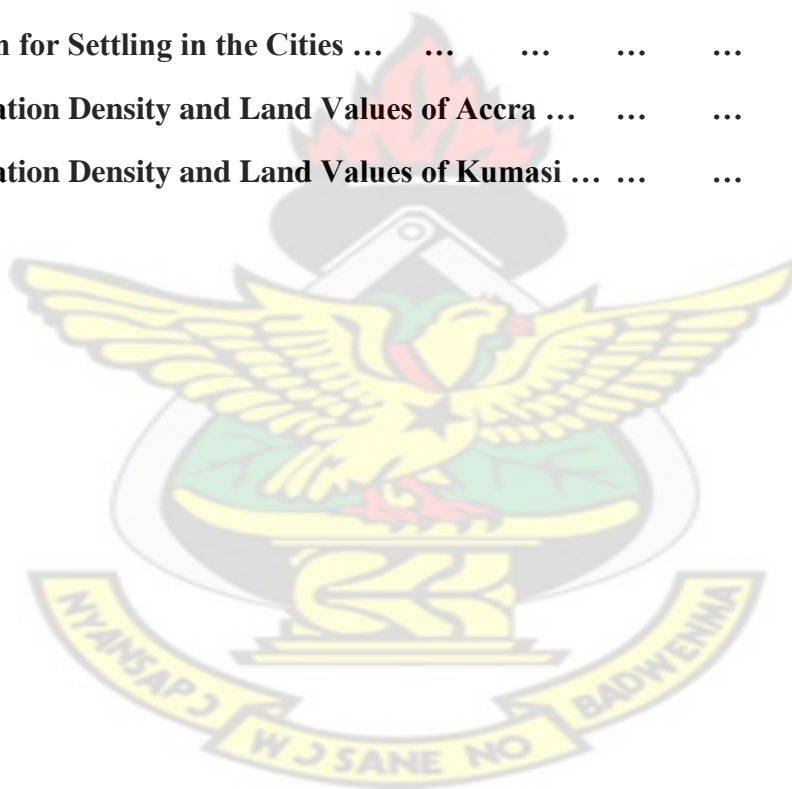
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ACRONYMS

ALS	Asantehene's Land Secretariat
AMA	Accra Metropolitan Assembly
ARA	Airport Residential Area
CBD	Central Business District
CIDA	Canadian International Development Agency
CLSs	Customary Land Secretariats
DFID	Department for International Development
GKFL	Gbawe Kwatei Family Lands
GoG	Government of Ghana
GSS	Ghana Statistical Service
GTZ	German Agency for International Development
IDA	International Development Association
KfW	German Bank for Reconstruction
KMA	Kumasi Metropolitan Assembly
LAP	Land Administration Project
LRD	Land Registration Division
LSAs	Land Sector Agencies
LTR	Land Title Registry
LVD	Land Valuation Division
MLF&M	Ministry of Lands, Forestry and Mines
MMDAs	Metropolitan, Municipal and District Assemblies
NDF	Nordic Development Fund
NDPC	National Development Planning Commission
NGOs	Non Governmental Organizations
OASL	Office of the Administrator of Stool Lands
OKESS	Osei Kyeretwie Senior High School
PVLMD	Public and Vested Land Management Division
SMD	Survey and Mapping Division
TCPD	Town and Country Planning Department

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CHAPTER ONE

GENERAL INTRODUCTION

1.1 Background to the Study

Rapid urbanization in Least Developed Countries (LDCs) has brought many challenges (UN Habitat, 2009), despite the numerous advantages of urbanization such as industrialization which leads to creation of employment and availability of social amenities. As a result of urbanization, agricultural land is being replaced with residential housing and commercialization. According to Deininger (2003) high levels of population growth with limited opportunities for non- agricultural employment and the resulting competition for land and threat of landlessness can give rise to serious land conflicts. Nsiah-Gyabaah (2010) also indicates that conversion of farm lands and watersheds for residential purposes have negative consequences on food security, water supply as well as the health of the people, both in the cities and in the peri-urban areas.

Currently, it is estimated that more than 50% of Ghana's population of over 24 million now live in urban areas. According to UN Habitat (2008), this is up from 8% in 1921; 12.8% in 1948; 23.1% in 1960 and 43.8% in 2000. The four (4) most urbanized cities alone in Ghana, out of a total of 364 urban centres in 2000 account for over 50% of the total national urban population (NDPC, 2005).

As a result of rapid urbanization there is increase in demand for land by land acquirers for developments. The value of land therefore continues to rise and it becomes expensive to finance acquisition of urban land. There is an urgent need for efficient management of land in the face of an ever-increasing population and the growing demands in all activities based on land (Gyasi et al., 2006). There is weak land administration system in urban areas of Ghana. There are inadequate staff and logistics in the land sector agencies (LSAs) to manage urban land, general indiscipline in the land market, and lack of consultation and cooperation among the LSAs and fragmented land agencies. Again, there is lack of reliable information on land use and ownership because of non-existing or uncoordinated record keeping systems and a lack of institutional co-ordination and— as a consequence — a lack of land information systems (Karikari, 2006). Improper record keeping sometimes leads to a situation where one person has title to land while another person has a registered deed to the same land. Thus, instead of minimizing land conflicts, litigation still continues (Sittie, 2006). The

study is therefore looking at land management practices within rapidly growing cities-Accra and Kumasi.

1.2 Problem Statement

Rapid urbanization has brought about difficulty in accessing land for agricultural, commercial, and residential development purposes. Land administration in Ghana is bedeviled with multiple sales of parcels of land by different parties claiming ownership of the same parcel of land. According to Kasanga and Kotey (2001), about 40% of land in Accra Metropolitan Area for instance has been compulsorily acquired ostensibly for “public purposes” or in the “public interest”. The poor use of compulsory acquisition powers by the Lands Commission (the power of eminent domain) to acquire various tracts of land is a challenge. The government has not been able to pay compensation to most custodians of land for acquiring land for public use. The power of eminent domain has been misapplied and has brought friction between the state and customary land owners.

Inadequate staff and logistics of the LSAs have also contributed to haphazard developments that occur on the land. Another problem is inadequate cooperation and coordination among the LSAs which makes some of the agencies play double roles. There are poor documentation of transactions on land by LSAs and owners of urban land. The existing land administration system also comprises poor maps and poor records which make identification of owners of land become very cumbersome. Information about owners of land is not readily available and the legal and administrative systems for transferring title are very cumbersome (UN Habitat, 2009). Urban land management is therefore faced with several problems including encroachments of public lands and floodable areas and development of unapproved portions on the land. Users of land are less controlled. Laxity of existing laws makes people build unauthorized structures which block water ways and sometimes cause flooding in urban centres. Cumbersome processes involved in land titling and registration contributes to haphazard development on the urban land. It also takes long time for building permits to be issued for newly acquired land. Appointed approving planning committees do not meet regularly. Lengthy processing durations and high cost in the LSAs deter developers from looking for the right ownership of land and to apply for permits.

Several efforts to reduce the challenges in the land sector have been pursued. Land Administration Project (LAP) was introduced in 1999 to lay foundation for land administration in Ghana. Specific objective of LAP – 1 was to develop a sustainable and well functioning land administration system that is fair, efficient, cost effective, decentralized and that enhances land tenure security. A website to publicize the activities of LAP and the LSAs has also been launched to enhance information sharing. Again, an approval was given by the Attorney General for laying New Land Commission Bill before parliament (Ghana LAP, 2007).

1.3 Research Questions

The following research questions will be considered for the study:

1. How has Accra and Kumasi been urbanized?
2. How has the demand of urban land affected land values and pricing systems in the cities?
3. How has the current land management practices impacted on physical developments in the cities?
4. What are some of the challenges the LSAs face in Accra and Kumasi?

1.4 Objectives

The objectives of the study are to:

1. Examine urbanization and urban expansion of Accra and Kumasi.
2. Assess the demand of urban land and its impact on land values and pricing systems.
3. Assess the impact of land management practices on physical development on urban land.
4. Recommend ways of improving on the current land management practices.

1.5 Significance of the Study

Effective land management is key to urban development due to the influence land has on the socio-economic development and urban environment. This study will help individuals, land acquirers / users, institutions and the government to get information on the current state of land administration of urban areas in Ghana.

The study would also inform policy and lead to improvement of service delivery in the LSAs. Improvement in service delivery ensures harmonious physical developments on

urban land. For instance the use of computer in LSAs as recommended will enhance service delivery and reduce turnaround time clients spend in the LSAs. This will enhance data sharing and make information sharing among the Customary Land Secretariats (CLSs) and government LSAs easier and minimize the rate at which clients move from one agency to the other.

Finally, the study aims at generating interest among researchers and engenders further studies into land issues, such as land use planning and management using similar or other research designs in the study area and eventually contribute to body of knowledge.

1.6 Scope

The study aims at looking at rapid urbanization and its impact on urban land management within the last ten years from 2000/2001 to 2011. The study would strengthen the LSAs when recommendations made are implemented, and eventually reduce land litigation.

Geographically, this research was conducted in Accra and Kumasi. The two cities were selected due to the fact that they are the two most urbanized cities in Ghana and there are numerous challenges the LSAs encounter while discharging their mandated duties. Some communities were studied to get data to crosscheck data gathered from the LSAs. The Metropolitan Assemblies, as well as the LSAs in the two largest cities were consulted to give areas that are seriously encroached. Achimota in Accra and Breman in Kumasi were given by the agencies for the study. Achimota and Breman were chosen because of high incidence of encroachments on government lands, especially Achimota School land and Osei Kyeretwie Secondary School (OKESS) in Accra and Kumasi respectively. Several unauthorized structures have sprung up in Atafoa Aboahia in Kumasi and most of the developers have encroached on the major road linking Barekese to Ofinso (Ghanadistricts.com, 2011). Gbawe which has the only land secretariat in Accra was selected for the study. Gbawe Kwatei Family Lands (GKFL) in Accra and Asantehene's Land Secretariat (ALS) in Kumasi were studied to discover the relationship between these institutions and the government LSAs.

1.7 Limitations of the Study

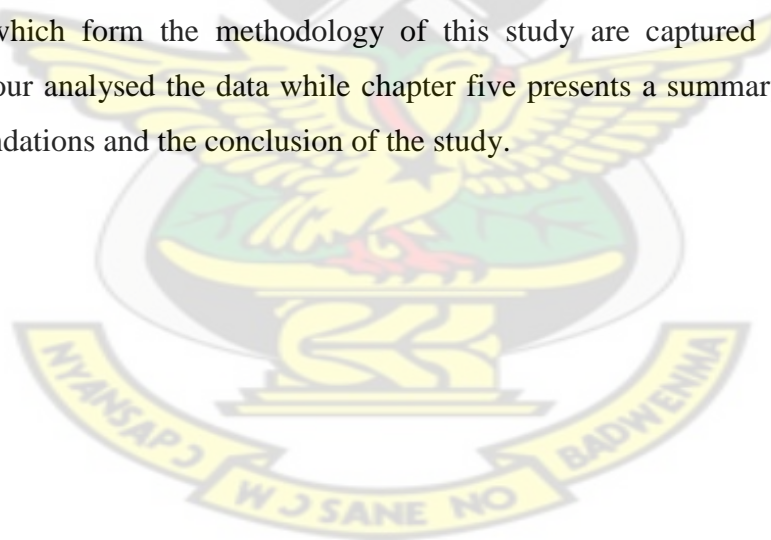
It was difficult to get all respondents sampled for the study at a particular time during the distribution and collection of questionnaire from the land acquirers / users.

However, the selected communities in the two cities were visited several times in order to get the required sample.

The unwillingness of major stakeholders to divulge information imposed a limitation on the study. The required information was however obtained especially from the LSAs through assurance that the data was for research purposes only. Secondary data and informal responses from other major staff of the LSAs were also used in the study. Even though maps that show land values of the two cities were obtained, maps to show floodable areas and encroached portions of public lands were not obtained for the study.

1.8 Organisation of the Study

The research has been grouped into five chapters. The first chapter provides background information of the study which includes introduction, problem statement, research questions and objectives, justification and scope of the study. The literature on urban land management was reviewed in chapter two. Research design, population, sample and sampling procedure, sources of data, data collection instruments and data analysis which form the methodology of this study are captured in chapter three. Chapter four analysed the data while chapter five presents a summary of the findings, recommendations and the conclusion of the study.



CHAPTER TWO

A REVIEW OF URBAN LAND VALUE AND MANAGEMENT STRUCTURE

2.1 Introduction

Previous works on urbanization and land management are discussed in this chapter. It presents an overview of institutional and legal arrangements on land management, ownership and tenure structure and urban land market. Lastly, the major challenges and efforts made by stakeholders are also reviewed.

2.2 Definition and Explanation of Relevant Terms

Relevant terms to discuss under this subsection are urbanization and urban growth as well as urban land management in Ghana.

2.2.1 Urbanization and Urban Growth

Urbanization is defined by Nsiah-Gyabaah (2010) as the outcome of social, economic, and political developments that lead to urban concentration and growth of large cities, changes in land use and transformation from rural to metropolitan pattern of organization and governance. This means that there is an attraction of many people to cities and towns where there is socioeconomic development. The attraction of many people to urban areas too affect land use pattern. Urbanization could therefore be defined as the increase in the number of people in a town or city brought about by factors such as migration or natural population increase. People usually move from countryside to the urban areas to search for better jobs and living conditions.

In Australia for instance, urban areas are referred to as "urban centres" and are defined as population clusters of 1000 or more people, with a density of 200 or more persons per square kilometre. In China too, an urban area is an urban district, city and town with a population density higher than 1,500 people per square kilometre. In Ghana too, an urban area constitutes a town or city with a population of 5,000 people or more (NDPC, 2005).

As compared to the rural areas in Ghana, urban areas are equipped with modern technologies that contribute to socio-economic development. Cities also serve as the commercial, industrial, administrative and institutional centres. The most visible characteristic of Accra and Kumasi as cities for instance is the form of their built

environment – new tall buildings located at the cities centre. According to Zelai and Nong (2008), smaller cities grow faster than bigger cities. Towns closer to each other soon join together to form big towns and cities, especially places with major transport routes and market centres. According to Nabila (1988) the fastest-growing towns tend to be market and transport centers or suburbs of big cities. The centrality of a town also determines the growth of an urban area.

Urban growth is also defined as the rate of increase in population of people living in big towns and cities. Empirical results show that initial size of a town or a city, neighbour effect (the closeness of two or more towns), and economic performance are the main factors affecting urban growth (Zelai and Nong, 2008). Urban growth could therefore be defined as the increase in the number of people living in urban areas. The natural increase is fuelled by improved medical care, better sanitation and improved food supplies, which reduce death rates and cause populations to grow (Nsiah-Gyabaah, 2010). Growth in urban areas therefore raises the price of urban land, especially areas along major transport routes. Thus, the demand and supply of land for economic activities in such areas also go high.

2.2.2 Urban Land Management in Ghana

Land is defined by Redmond (2009) as the solid part of the earth's surface not covered by a body of water. It comprises the physical crust and other natural resources found on it (Yankson et al., 2009). Della (1995) also defines land as the ground used for farming or building. Land could therefore be defined as the dry portion of the earth's surface that could be used for domestic or commercial activities. Land is essential for employment creation and is needed in all human activities. All socio-economic activities therefore occur in space and for that matter on the land. Management is also the act or skill of directing and organizing the work of a company or organization (Della, 1995). Land management is defined as the process of controlling the use and development of land resources in a sustainable way (Karikari, 2006). Urban land management is therefore the act of controlling and organizing land usage in urban areas to bring about socio-economic development.

Urban land comprises public lands and customary lands. Public lands comprise the state lands and vested lands. The LC administers public lands as provided in the Lands Commission Act, 1994, (Act 483). According to WaterAid Ghana (2009), customary lands support the livelihoods of the majority of the population in the country and

therefore sustainable management of such lands in urban areas is critical to the overall socio-economic development of the country. Contrary to the above, rapid urbanization has contributed to high demand of land and some chiefs and leading members of families have taken over the land they have inherited to be their own property instead of managing it to benefit all their family members and the entire community. After reviewing urban land management in Ghana, there is the need to also look at the global view of urbanization and land management practices in other places.

2.3 A Global View of Urbanization and Urban Land Management Trends

According to UN Habitat (2008) half of the world's population already lives in urban areas and by the middle of this century, most regions of the developing world will be predominantly urban. The global proportion of urban population rose from 13% (220 million) in 1900, to 29% (732 million) in 1950, and to 49% (3.2 billion) in 2005 (UN, 2008). From the above it could be estimated that the current world urban population is more than half the world population. The increase in the world's urban population has necessitated infrastructure development, especially housing to accommodate many people living in the urban areas. For instance it is estimated that 35 million new housing units are needed annually or 95,000 units daily to meet the world's urban housing need (UN, 2008). There is the need therefore to manage urban land properly for future generations to also benefit.

Urban growth rates are highest in the developing world, which absorbs an average of five million new urban residents every month and is responsible for 95% of the world's urban population growth (UN Habitat, 2008). White et al. (2008) also has a view that for the foreseeable future, urbanization will increase and urban growth in developing countries will outpace that in industrialized countries. This means that there is a need to plan land usage properly to allow future generations to benefit. This situation if not properly checked will make land become a scarce commodity. The factors that have influenced the increase of land values also include population growth, inefficient town planning, and activities of the central government and monopoly of land-holdings (Farvacque-Vitkovic et al, 2008).

When land becomes scarce, the poor in society will not be able to afford and slum formation will continuously be on a rise as well. The absolute number of slum dwellers in the developing world for instance has grown from 766.7 million in the year 2000 to

an estimated 827.6 million in 2010. This means that 55 million new slum dwellers have been added to the global urban population since the year 2000 (UN Habitat, 2009) and this has affected land usage.

2.4 Trends of Urbanization in Ghana

2.4.1 Rates and Changes in urban Population and Expansion of Urban Areas

What is evident in the Ghanaian context is that urbanization has led to rapid increase in consumption of land in the past two decades. High demand and supply of urban land has contributed to land litigation, high values of land and improper use of land. Urban population in Ghana is growing at a rate of nearly 3.48% per year (UN Habitat, 2008) while the national population growth rate as at 2000 was 2.7% (GSS, 2005). Table 2.1 shows urban population of Ghana as well as urban localities from 1948 to 2000.

Table 2.1: Urban Population and Urban Localities of Ghana from 1948 – 2000.

Year	Urban Population (Thousands)	%Urbanization	Urban Localities
1948	538	13	39
1960	1,551	23	98
1970	2,472	29	135
1984	3,825	31	188
2000	8,274	44	364

Source: Republic of Ghana (2001). National Urban Development and Growth Policy-Ghana. Prepared by Urban Development Policy Unit, Ministry of Local Government, Rural Development and Environment.

From the above, it could be predicted that the current urban population of Ghana is more than half of the national population. In 2000 for instance, the number of people who lived in Accra and Kumasi alone was 4,400,749 representing 34.2% of the total urban population of Ghana. This process of urbanization may be due to a combination of natural population increase and rural-urban migration (NDPC, 2005). There is the need therefore for government to come out with a policy that will enable the district assemblies to buy some parcels of land from the traditional owners and manage it to benefit the entire society.

According to Farvacque – Vitkovic et al. (2008), the urbanization pattern reveals strong physical growth, which is typified by moderate and patchy densification within the

inner city core, involving the replacement of residential land users by commercial users, and uncontrolled and low density peripheral growth. This therefore raises concern for the need for proper planning of urban land to accommodate the increasing urban population.

2.4.2 Causes of Urban Growth in Ghana

The spatial pattern of population distribution in Ghana has been influenced by a number of factors. These include historical, cultural, political, natural resource endowments, infrastructural development as well as socio-economic activities and availability of social amenities (NDPC, 2005). Accra is the most populous city in Ghana partly because it is the capital city and has the only international airport and many industries. Kumasi for instance has attracted a large population partly because it is the regional capital, and also the most commercialized town in Ashanti region. Other reasons include the centrality of Kumasi as a nodal town with major road arteries to other parts of the country and the increasing number of educational institutions; a polytechnic, nursing and teacher training colleges and universities. Kumasi is also the traditional seat of the Ashanti Kingdom. This, coupled with the many historic and other attractions such as the cultural centre, the military museum, the legendary Okomfo Anokye Sword and the Manhyia Palace, among others, may account for this trend (GSS, 2005).

2.4.3 Manifestation of Urban Growth and Expansion

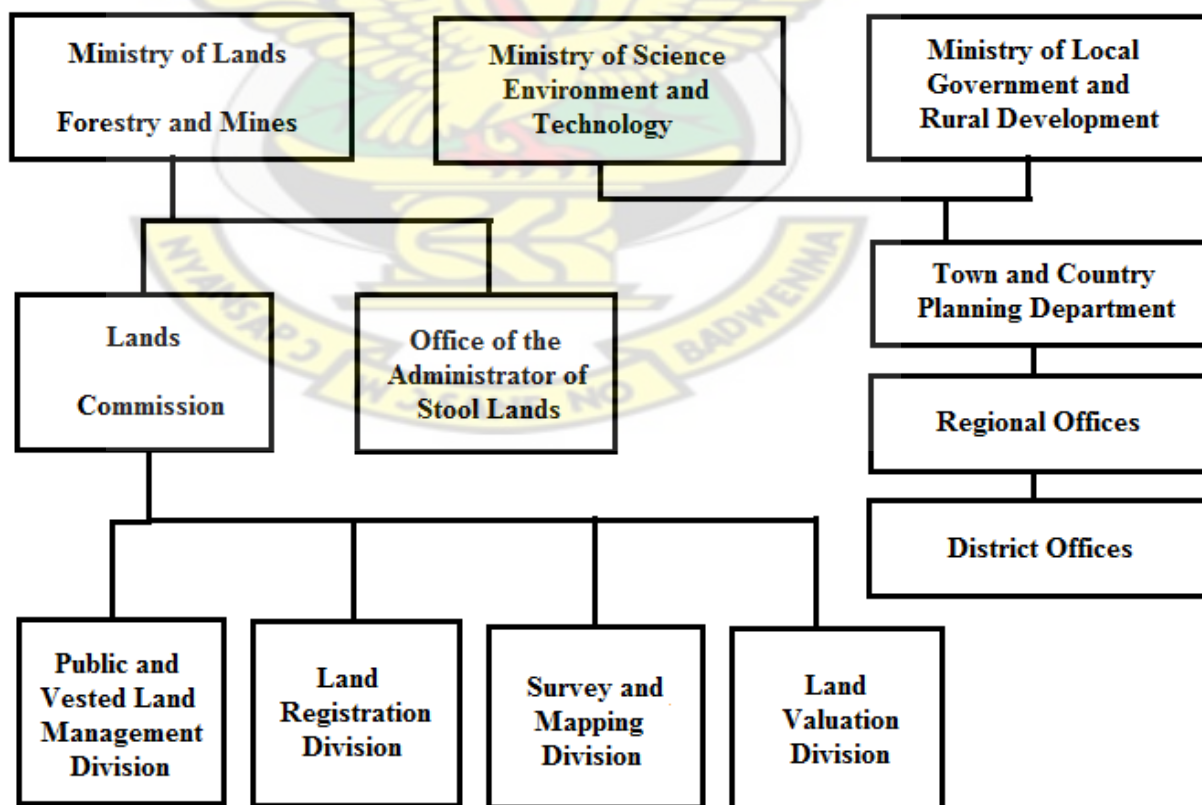
Spatial distribution of population also has a direct link with the generations of development and infrastructural facility. Urban areas in Ghana have customarily been supplied with more amenities than rural locations. Unequal pace of development in social services and other infrastructural facilities make most people especially the youth migrate from the rural to urban areas to enjoy urban life. As a result, villages that were separate from the two cities previously have now become integral parts of the cities. For instance in Accra Gbawe and Achimota were separate from Accra not long ago. In Kumasi too Atimatim and Abuakwa for instance were not part of the city. Consequently, Kumasi, Accra, and many towns within the southern belt especially, continue to attract more people and investments. All investments too occur on the land, hence there is the need to manage land properly to foster development and poverty reduction. In order to reduce influx of migrants to the two cities, secondary cities such as Obuasi, Sunyani, Bolgatanga and Wa be developed consciously to attract people to stay there. This will reduce pressure on land and contribute to efficient land

management in urban areas. The following is a review of the institutions mandated to manage land.

2.5 Institutional Arrangements of Land Administration in Ghana

Land development agencies mandated by the state to ensure efficient land administration in Ghana are the Lands Commission (LC), the Office of the Administrator of Stool Lands (OASL), and the Town and Country Planning Department (TCPD). A review of these institutions reveals serious shortcomings related to design of the state regulatory framework, and in particular inadequate institutional capacity for the implementation of state management policies to protect the wide range of interests in land (Sittie, 2006). The Ministry of Environment, Science and Technology supervises TCPD at the national level and Ministry of Local Government and Rural Development (MLGRD) supervises it at the local level. Apart from the TCPD, all the other LSAs are under Ministry of Lands, Forestry and Mines (MLF&M). Fig. 2.1 shows the overview of institutional arrangements of land administration in Ghana.

Fig. 2.1: Overview of Institutional Arrangements of Land Administration in Ghana



Source: Karikari, 2006 (Ghana's Land Administration Project and Land Information Systems

Implementation: The Issues)

2.5.1 The Lands Commission (LC)

Article 258 (1) of the Constitution of the Republic of Ghana provides for the establishment of LC. This was given statutory backing with the passage of the Lands Commission Act of 1994 (Act 483). This act has been repealed and replaced by a new law, the Lands Commission Act, 2008 Act 767. The lands under the management of the Commission are public lands, vested (stool) lands and leased lands. Leased lands are also lands granted by the traditional land owners through private treaties to the government or any government agency for a term of years with the payment of annual rent (Owusu-Poku, 2008). According to the LC's new Act 767, Public and Vested Land Management Division (PVLMD), Land Registration Division (LRD), Land Valuation Division (LVD) and the Survey and Mapping Division (SMD) constitute the LC. Even though the merging of the four agencies under the LC is good and will reduce duplication of roles, infrastructure to enable the agencies work is inadequate.

2.5.1.1 Public and Vested Land Management Division (PVLMD)

PVLMD of the LC manages public and vested lands. This involves protecting government lands from encroachment under the Public Lands Protection Decree, 1974 (NRCD 240) or with the assistance of District Assemblies under the Local Government Act 1993 (Act 462). This is done through ejection of trespassers, confiscation or removal of trespassers, abatement of any nuisance or termination of any interference and demolition (Owusu-Poku, 2008). Other responsibilities of the division is to allocate land in accordance with laid down policy and legal requirements, ensure proper demarcation, survey and planning, granting of right of entry to the lands for development, ensure provision of services like roads, electricity, water, ensure that developments are in conformity with approved land use or development plans and environmental protection standards, assess premiums and fixing and collection of ground rent, granting of consent to land transactions such as assignment, sub-leases and mortgages, regularize encroachments which are in conformity with approved planning schemes upon the imposition of penalty, and ensure re-development of blighted areas. PVLMD performs many responsibilities and therefore need support in terms of human resource and logistics.

2.5.1.1 Land Registration Division (LRD)

LRD advises and assists in the registration of land titles. It also ensures that publications made in the daily newspapers are accurate, assist in the conversion of deeds to land title certificates, serve on the adjudication Committee and assist in resolution of conflicts on land. It keeps and maintains records of land transactions such as leasehold, assignment, records of land title and other documents and instruments including leases, will/probate, letters of administration, town sheets, topographic sheets, planning schemes and maps. Again, it provides search reports and registers. LRD is divided functionally into the Recording and Receiving Section, Technical Section, Records Management Section, and General Administration Section.

2.5.1.2 Land Valuation Division (LVD)

According to Asiama (2002), the Division was established in 1986 under section 43 of the Provisional National Defence Council (Establishment) Proclamation (Supplementary and Consequential Provisions) Law, 1982 (PNDC L 42) with the task of determining all matters of compensation for land acquired by the government, any organ of government or public corporation.

The functions of the division are as follows: prepares the valuation list for property rating purposes; assists the judicial administration by valuing interests in land of deceased persons for the administration of death duties; undertake valuations of immovable property for the administration of capital gains tax and stamp duty as well as any other duties that the State shall levy; determine the values of government rented premises; advise the LC and the Forestry Commission on royalty payments on forestry holdings and products; train middle-level personnel required for valuations by the government; advise all organs of government on all matters of valuation of interests in immovable property; advise the government on the streamlining of valuation departments in public establishments; monitor private valuations with a view to protecting the national interest; collect information relating to land values throughout the country; publish in periodic official bulletins information regarding land values throughout the country and any such information regarding its valuations as it deems fit in the national interest; develop a recommended code of valuation to regulate the procedures and practices for the rating of immovable properties. LVD is functionally divided into General Valuation, Rating Valuation, Finance, Training and Research, and Personnel and General Administration units. The regional offices are maintained in all

regions and in a number of districts in each region. Due to staff constraints district officers serve several districts. The Board runs a Valuation Training School to provide on-the-job training for technical officers.

2.5.1.3 Survey and Mapping Division (SMD)

SMD is responsible for surveying and mapping in the country. These include cadastral, geodetic, topographic and hydrographic surveying, and the production of base maps and cadastral plans. The Division derives its authority from the Survey Act, 1962 (Act 127) which governs the demarcation and survey of lands for cadastral purposes in the country. SMD also has the responsibility, under Section 34, of the Land Title Registration Law, 1986 (PNDCL 152) for the preparation of relevant maps and plans for the implementation of title registration in each registration district. It has six sections: the Head Office Section, Examination and Computing Section, Cartographic Section, Lithographic Section, Photogrammetric Section, and Digital Mapping Section. In addition, the Division also runs a School of Surveying and Mapping to train technicians and technical officers.

2.5.2 The Office of the Administrator of the Stool Lands (OASL)

OASL is mandated by Article 267 (2) of the 1992 Constitution and Section 2 of Act 481 to establish a Stool Land account for each stool into which shall be paid all rents, dues, royalties, revenues or other payments whether in the nature of income or capital from stool lands. Section 73 of the Chieftaincy Act 2008, Act 759 makes this provision more explicit. It states that there shall be established by the Administrator of Stool Lands a Stool Lands Account for each region known as a Regional Stool Lands Account which shall represent the total of the stools in the region. It is also responsible to disburse such revenues as may be determined in accordance with clause (6) of this article. According to Asiamah (2002), all revenue accruing from lands vested in the president are to be collected by the State and paid into a Stool Land Account to be apportioned between the local authority and the Stool in whose area of jurisdiction the land is situated. Article 267 (6) of the 1992 Constitution prescribes the manner of apportionment and disbursement of stool land revenue. It states that 10% of the revenue accruing from stool lands shall be paid to OASL to cover administrative expenses; 25% to the stool through the traditional authority for the maintenance of the stool in keeping with its status; 20% to the traditional authority; and 55% to the District / Municipal /

Metropolitan Assembly, within the area of authority of which the stool lands are situated. The constitution however, did not spell out the specific projects the Assemblies should embark upon in the communities. Thus the money generated is normally used for other purposes which may not be the priority of the communities.

The administrator of stool lands and the regional LC also consult with the stools and other traditional authorities in all matters relating to the administration and development of stool land and feed them with all relevant information. Again, OASL and the LC shall co-ordinate with all relevant public agencies and traditional authorities and stools in preparing a policy framework for the rational and productive development and management of stool lands (Ghana Government, 1992).

2.5.3 The Town and Country Planning Department (TCPD)

TCPD was established in the mid 1940's with the promulgation of the Town and Country Planning Ordinance, Cap 84, 1945. It is mainly concerned with the preparation of planning schemes (layouts) for public and stool lands and the formulation of policies to direct and guide the spatial growth and physical development and the management of development to achieve orderly and sustainable physical and socio-economic development of the District Assemblies. The mandate of the Unit is derived from the Town and Country Planning Ordinance Cap. 84 and the Local Government Act 462 1993 (ghanadistricts.gov, 2010) as part of government decentralization policy. TCPD is therefore responsible for formulation of policies and monitoring of plans relating to the use and development of land.

At the level of the District, Municipal and Metropolitan Assemblies, the department has responsibility for spatial planning and development control and works in collaboration with the Assemblies. The functions of the department at that level include preparation of land use plans (structure plans) to direct and guide the growth and sustainable development of human settlements in the district, assessment of zoning status of lands and proposal of re-zoning where necessary, and co-ordination of the diverse physical developments promoted by departments, agencies of government and private developers (Asiama, 2004).

2.5.4 The Building Inspectorate Unit of the Metropolitan Assemblies

The Building Inspectorate Unit ensures that developments on the land are rightly located in the area in accordance with the zoning regulations with respect to the type of

development earmarked in the various zones. This is to control incompatible use of land. However, there is inadequate staff strength and political will to ensure compliance of regulations.

2.6 Legal Frameworks for Land Management

2.6.1 Deeds / Title Registration

Land administration since the colonial days was characterized with centralized system of registration of deeds on land transactions. The Land Registration Ordinance of 1883 which was repealed by the Land Registry Ordinance of 1895 governed deeds registration until the enactment of the Land Registry Act 1962, (Act 122) after independence. Deeds registration was characterized by certain weaknesses. Most plans attached to the deeds were more descriptive in nature because lands were not properly surveyed and demarcated. These inaccurate plans or maps often created conflicts among land owners. Multiple registrations for the same piece of land were envisaged. These necessitated the introduction of Title Registration in 1986 to help resolve the problems and improve security of tenure. The land title registration was introduced in Ghana by the promulgation of the Land Title Registration Law 1986 (PNDCL. 152) and the Land Title Regulation, 1986 L.I. 1241.

2.6.2 The 1925 Town Planning Ordinance

The aim of the ordinance was to control the erection of building and the layout of streets with a view to securing the proper development of certain specified area. A central town planning board was set up and it required every Municipal Council to establish a Building and Town Planning Commission. The central board prepared schemes in consultations with the commission and empowered the latter to exercise control over all building operations and to execute scheme within the municipalities. In spite of these enactments, town planning was done on an ad-hoc basis by health boards relying on the towns.

The purpose for the 1925 ordinance was to try and deal with the problems of development, especially settlements in towns in Ghana. However, due to inadequate staff and the orientation of officials who prepared the layout, the emphasis was misdirected towards the improvement of conditions for public health and plot layout instead of a comprehensive development of settlements.

2.6.3 The Town and Country Ordinance of 1945

The purpose of the Town and Country Ordinance of 1945 was to solve the problems of the 1925 ordinance. The preamble to this ordinance states: “an ordinance to make provision for the orderly and progressive development of land, towns and other areas, whether urban or rural. To preserve and improve the amenities thereof and for other matters connected therewith.” Section 4(1) of the Ordinance then gives a sanction that where an area has been so declared no person should carry out any development of land or any construction, demolition, alteration, extension or repair of any building until final scheme is approved under section 13 of the same ordinance. However, there exist encroachment on government lands, floodable areas and water bodies and the people involved are not punished. By sections 16(1)(a) the Minister is given the power to remove, or pull down any building / structure or other work which does not conform to those provisions. Even though section 16(1) authorizes the government to intervene and pull down irregular structures, there is lack of political will in demolishing structures on unapproved zones.

2.6.4 The State Lands Act 1962 (Act 125)

This succeeded the Public Lands Ordinance, 1874 and provided for compulsory acquisition of land in the national interest. The State Lands Regulation 1962 LI 230 outlines the mechanism and procedure for compulsory acquisition of lands. The Act emphasizes the payment of compensation to the land owner whose land has been taken over. Compensation that is to be paid for the land should be either the market value or replacement value. Cost of damage on properties on the said land is also factored to be paid in the compensation. However, there are delays in the payment of compensation and this has brought confrontation between land owners and the government.

2.6.5 The Administration of Lands Act, 1962 (Act 123)

Section 1 of the Act provided for the management of all stool lands in the country by the State. Thus, stools could manage their lands as they wished, however a grant of stool land was invalid unless it received the concurrence of the Minister responsible for lands. Section 7 provided for the vesting of stool lands in the President in trust for the local community. Section 10 empowered the President to order the occupation and use of any stool land by any person if he deemed this to be in the interest of the nation. Section 18 provided that revenues received from stool land should be shared among the State, the local authority and the stools concerned (Asiama, 2002).

2.6.6 The Acquisition and Management of Stool Lands

The government by Article 20 of the 1992 constitution can also acquire land compulsorily and use it to benefit the entire society. An individual or group of people can also acquire private land, stool/skin land that is either vested in the state or not. Stool/skin land vested in the state can be acquired by application to the LC through its regional sub-committees. State or government land can also be acquired by direct application to the LC through its regional sub-committees. Government grants are by way of leases usually not exceeding 50 years for commercial, industrial and agricultural and 99 years in respect of residential plots for Ghanaians and 50 years for non-Ghanaians. Article 267 (2) sets up OASL and charges the office with the collection and disbursements of all stool land revenues, defined to include all rents, dues, royalties, revenues or other payments whether in the nature of income or capital from stool lands.

Part VI of the Local Government Act 1993 Act 462 has also given the District Assemblies the power to acquire land. For instance section 84(2) of the act states that, a District Assembly may for the purpose of promoting development, purchase land, service it, and re-allocate it to prospective public or private developers for development. However, financial constraints do not permit the assemblies to be able to acquire large tracts of land for this purpose of promoting development.

2.6.7 Lands Commission Act, 2008 (Act 767)

As indicated earlier, the LSAs operated either as departments under the Civil Service or as semi-autonomous agencies. The SMD, LRD, LVD and the PVLMD were merged to form the LC under Act 767. The other major LSAs namely OASL and the TCPD continue to exist as they are and perform their normal functions, while working closely with the LC. The aim of the passage of Act 767 was to promote judicious use of land by the society and ensure that land use is in accordance with sustainable management principles and the maintenance of a sound eco-system. The LC is also mandated to ensure that land development is effected in conformity with the nation's development goals.

2.7 Land Ownership and Tenure Structure in Urban Areas

Ownership means the rights to possess, use, prevent others from using, and dispose of property, and it implies the protection of such rights by the government while tenure refers to the right of a tenant to hold property, or the holding of property as a tenant

(Redmond, 2009). Land tenure therefore is a term that is used to describe ownership and the use of land. In simple terms, land tenure systems determine who can use what resources for how long, and under what conditions.

As already indicated at page 8, in Ghana land ownership can be categorized into two broad classes; public lands and customary lands (Sittie, 2006). The public lands are vested in the President, on behalf of, and in trust for the people of Ghana based on the relevant provisions of the Administration of Lands Act, 1962, (Act 123). Public lands also include any other land acquired through the State Lands Act, 1962, (Act 125) or through any other statutes, in the public interest. State lands refers to land that the Government has compulsorily acquired for a specific public purpose to benefit the general public through exercise of its statutory power of eminent domain. The idea to use land to benefit the entire community is laudable; however, most land owners in urban areas are not adequately compensated. Vested land on the other hand is where the state manages land in trust for the owners, but the landowner retains the customary land ownership (Farvacque – Vitkovic, 2008). The management responsibilities of the state cover legal, financial and estate management. Vested lands are administered under the Administration of Stool Lands Act, 1962 (Act 123) and the Lands Commission Act, 2008 (Act 767).

Customary lands are owned by stools, skins and families usually held in trust by the chief, head of family, or fetish priests for the benefit of members of that group. Section 36 (8) of the 1992 Republican Constitution of Ghana recognizes customary ownership of land. Private ownership of customary land can be acquired by way of a grant, sale, lease, gift or marriage. Individuals, a group of individuals, a corporation, or some other form of organization can acquire land from the customary sector or state which is administered by the LC.

2.8 Urban Land Markets in Ghana

Under this section, issues on urban land such as sources and supply of land, land acquisition, title registration and development permits, land usage, land speculation, services on the land, land values and pricing systems, and financial arrangements will be reviewed.

2.8.1 Sources and Supply of Urban Land

Land is supplied to interested individuals or organizations either by the state through the LC or the customary sector – stools, skins and families. The traditional landholding institutions control over 90% of the total land area in Ghana (Kasanga, 2008), and this makes that sector dominant in the land market. Urban land market in Ghana can generally be categorized into four depending on the source of supply. These are state primary, state secondary, customary primary and customary secondary (Larbi et al., 1998). The primary land market refers to the acquisition of land directly from the state or customary sector – stools and families. The secondary land market refers to transactions subsequent to the primary transactions either through sale or assignments. According to Larbi et al. (1998) there are sub-markets within each sector depending on the land usage. Thus, there is the state residential primary land market, customary residential primary land market, state industrial primary land market, state commercial primary land market, customary primary commercial land market, etc. Similarly there are secondary land markets for the different land uses. A matrix of the dominant sources of supply of developable land for the various uses in urban areas is shown in Table 2.2.

Table 2.2: A Matrix of Dominant Sources of Supply of Land for Different Land Uses

Land Use	State		Customary	
	Primary	Secondary	Primary	Secondary
Residential	X	X	X	X
Industrial	X	X	X	X
Commercial	X	X	X	X
Recreation	X			
Institutional	X			
Defense	X			

Source: Larbi et al. (Developing a Geographic Information System for Land Management in Ghana).
Ghana Lands Commission, Accra-Ghana, 1998.

From table 2.2, the state primary offers land for all land uses. These include residential, industrial, commercial, recreational, institutional and defense. Customary primary,

customary secondary, and state secondary offer land for residential, industrial and commercial land use.

2.8.2 Land Acquisition, Title Registration and Development Permits in Urban Areas

Acquisition of land in ancient times was by conquest, original occupation or discovery, purchase or gift. According to Bentsi-Enchill (1964) title is based principally on immemorial or long-continued enjoyment under claim of right originating from first settlement, cession, or conquest. Apart from land owners who have inherent right to occupy any portion of the land which is not used by anybody, a stranger can acquire stool or family land only through grant or contract. After land acquisition, land acquirers have to register the land and acquire development/building permit.

The processes involved in registration and acquisition of development permits are very cumbersome. Instead of only one agency to register a land, it has to pass through LRD, the SMD and the PVLMD. Again, instead of only one agency to facilitate acquisition of development permits before developing urban land clients have to consult agencies such as the PVLMD, the District Assemblies, and the TCPD. The uncooperative attitude of multiple agencies involved in land administration, poor public education, lack of professional and technical skills and the sporadic way of implementation created more problems (Sittie, 2006). There is the need therefore to improve the LSAs and also educate the public to know the procedure to follow to access title, register land and acquire development permits.

According to Sittie (2006) an applicant registers land with copies of all relevant documents and registration fees with the LRD. A letter is then addressed to the SMD for preparation of parcel plans. An applicant then pays for the parcel plans at the SMD whenever it is ready and submits them to the LRD. From the LRD, an applicant is given a photocopy of the parcel plan and a Request Form to be sent to the PVLMD. PVLMD does a search and writes a search report to be sent to the LRD. When LRD is satisfied with the report, it publishes the application in newspapers to notify the general public of such application. After 14 days if no objection is received from interested parties who may wish to challenge the application the Registry prints and sign certificates, records and notifies applicants for the completion of the exercise. From the above, land acquirers are supposed to make double payment at the LRD and the SMD to acquire their parcel plans. Also, they have to move from one land agency to the

other, and all the LSAs are not located in the same area. This makes the procedure for registering land titles for instance cumbersome. Table 2.3 shows three agencies of the LC and the process involved in registering land.

Table 2.3: Processes involved in Registering Land

Activity	Agency involved
Purchase of Application Forms	Land Title Registry
Submission of Parcel Plans	Survey Department
Request for Searches	Lands Commission (PVLMD)
Publication in Newspapers	Land Title Registry
Adjudication and Resolution of Conflicts or Objection of Application	Land Title Registry
Typing and signing of Land Certificates	Land Title Registry
Collection of Certificates	Land Title Registry

Source: Sittie, 2006, Land Title Registration, The Ghanaian context, October 8 – 13, 2006

2.8.2.1 Buyers of Urban Land

Individuals and organizations buy urban land purposely for residential, commercial and industrial use. Land is usually purchased from chiefs, head of families or individual owners. Majority of the people who buy urban land use it for residential purpose due to inadequate housing which has made renting very expensive. However, the market in industrial land is poor. There are still vacant plots in the government industrial estates in Accra and Kumasi (Asiama, 2002). Individuals and organizations may buy and use urban land for commercial purposes such as transport yards, banks and hospitals.

2.8.3 Land Usage in Urban Areas

Land is used for several purposes including housing, social services provisions such as schools, hospitals, industries and forest. It is however clear that majority of the population acquires land for the purpose of building houses. Within an urban area a rational pattern of land uses evolve and this same basic tendency is exhibited in all cities irrespective of their size, origin, or geographical location.

Rapid urbanization being experienced in the country has generated increasing pressure for landowners to sell rural and peri-urban farmlands for conversion into residential buildings, usually to the highest bidder and to the detriment of people who have previously farmed these lands (Yankson et al., 2009). Basically the pattern of land use in an urban area is a reflection of competition for sites between various uses. The person who is willing to pay the largest capital sum for a site is likely to be the person who will eventually occupy and use it. In other words there is a strong tendency for each parcel of land in an urban area to be used for its highest and best use. Sites adjacent to a main transport route will have a relative advantage over sites located some way from such a route. According to Lean and Gooddall (1977), other sites located at route intersections will possess an even greater relative advantage, whilst the greatest relative advantage belongs to those sites located at the focus of the urban transport system, i.e., the city centre. The accessibility advantage possessed by the city centre is thus a key factor in urban land use patterns. Also, complementarity of persons and activities is seen to be one of the advantages of locating in urban areas. If a particular site is surrounded by offices, or houses, or any other particular use, this will determine what will be the highest and best use of that site. Individuals find advantages from living near others with similar interests. People normally consider nearness to schools for their children, place of worship or homes of relatives. Even residential use is complementary to business use in that it provides living space for the workers (Lean and Gooddall, 1977). People may consider residing near schools and business centres, but currently people do not usually consider residing near homes of their relatives due to scarcity of land. Although accessibility and complementarity are also considered when looking for a site, industries for instance find peripheral sites attractive because large areas of lower cost land is available and future expansion can be catered for.

2.8.4 Land Speculation in Urban Areas

Speculation, according to Della (1995) is to buy goods, property, shares, in a company hoping that large profit will be made when it is sold. Land speculation could therefore be defined as the process of acquiring land in order to profit from an anticipated price movement. Land speculation as said earlier on, affects indigenous people, especially women living in urban and peri urban areas. Farmland can lie idle if there is the prospect of immediate sale and will be held by speculators until it is ripe for development. There is now a problem of shortage of building plots in the cities and gradually the outlying farmlands are under threat of urbanization. Some land speculators buy land and just let it sit until they think the time is ripe for development (Foldvary, 1998). Speculators use such lands for backyard farming while others give it to low income earners to build temporal structures. Land speculation raises land price too high for those wanting land for actual use.

The government, some custodians of land in a community, organizations such as churches and banks and other individuals all contribute to land speculation. Also, it is the desire of most residents in urban areas to put up a building for accommodation due to increase in rent and harassment of tenants by some landlords. They have a view that the price of land goes up continuously, so most of these people buy land to escape future price hikes. When many speculators are doing this in some area at the fringe of a city, often developers skip around them to areas further away from the city. This according to Foldvary (1998) creates land-wasting urban sprawl, which then requires more roads and longer water pipes and makes it uneconomical to have public transportation.

2.8.5 Services on Urban Land

Land users usually acquire undeveloped land in urban areas before provision of infrastructure such as access roads, electricity and water. The price of land close to an area that has the infrastructure is very high in the urban areas. Few areas the government has provided social amenities attract high price since the demand of land in such areas is very high. Low income earners who are the majority are therefore not able to afford land that has such a high value.

Even though the LSAs are there to assist in land transactions, a significant proportion of land transactions in Accra and Kumasi are not documented by the customary land owners or by the state land agencies. Information about owners of land is always difficult to get from the LSAs and this contributes to many land cases in the courts that are not resolved. As of 2003, it was estimated that there were about 60,000 land cases in Ghana (Kasanga, 2003). In High Courts in Kumasi for instance, land cases accounted for about 45% of all cases filed over the period 1997 to 2002 (WaterAid, 2009). Many land cases filed and pending at the law courts accounted for the establishment of special land courts at Accra High Court. If in future human requirements are to be met in a sustainable manner, it is essential to resolve these conflicts and move towards more effective and efficient use of land and its resources (Damsgaard and Niels, 1998). When services are provided and records of ownership of land are well kept before the sale of urban land conflicts will minimize and development on urban land will be harmonious.

2.8.6 Land Values and Pricing Systems in Urban Areas

Land in the urban fringes commands high price because of the competition for space for agricultural, industrial, commercial and residential purposes (Ofosu – Kusi, 2009). Many land acquirers demand of land makes land owners determine the price of land. Provision of infrastructure such as access roads, electricity, water, schools and hospitals by the government and philanthropists also raises the price of land in urban areas. The price of land in a commercial area for instance is high as compared to a developing site.

The rapid demand for land in key cities like Accra and Kumasi has significantly increased land values in the Central Business Districts (CBDs), so that they now are comparable to some European cities (Farvacque-Vitkovic et al, 2008). Because of its high value, land in urban areas particularly those located in the CBDs is usually used for purposes such as construction of super markets and banks. The high price of urban land coupled with congestion and pollution makes residents of urban areas move to the peri-urban areas to settle there, thus increasing the value of peri-urban land too. When customary and state segments of land are compared, it is observed that land values are generally higher in the former than in the latter, except in the secondary informal state market. The irony is that the state land areas are those with very high property values (Larbi et al., 1998). This is due to the fact that government subsidizes land in urban fringes. Even though money accrued from the sales of customary land is expected to be

used for development in a community, most leaders including chiefs and family heads do not do so to benefit the entire community.

Accessibility and complementarity also determine the value of land in urban areas. Lean and Gooddall (1977) hold a view that firms for whom accessibility is critical are willing to pay high prices for sites with the necessary characteristics. Within an urban area the demand for land is greatest for the position offering the greatest accessibility. Firms congregating in such a position give one another the advantages of complementarity so giving firms an additional reason for wanting to be in that position and thereby increasing the demand for land. According to Lean and Gooddall (1977), as one moves away from the position of greatest accessibility and complementarity it is to be expected that land values would fall increasingly, reflecting the disadvantages of these positions with regard to accessibility and complementarity. This means that the value of land declines with distance from the CBD to an outskirt of the cities.

2.8.7 Financial Arrangements of Urban Land

Accessibility to land in the customary sector is dependent on the person's ability to pay high sums of money required in the sector. Thus, a person's wealth is a pre-selective agent for participation in the land market (Asiama, 2002). However, the release of government lands to the public depends on the LC, which most of the time favours influential people in society, especially politicians.

Asiama (2002) again indicates that credit facilities for the land market are virtually non-existent. The financial institutions in Ghana do not usually give loans to prospective developers to acquire and develop land since the payback period of loans of such projects is long. As a result, majority of developers acquire land through their own savings or remittances from friends and families outside the country. As a result, many individuals are not able to develop and use land they have acquired. This situation contributes to land speculation in the cities.

2.8.8 Programmes of NGOs in Managing Urban Land in Ghana

Many aid packages have been used to improve the performance of the LSAs. According to Asiama (2002), some projects that have been undertaken in the past to regularize land include:

- a. Ghana Environmental Resource Management Project (1993-1998)) – This included digitization of the 1:50,000 topographic map series to create a database of topographic data in 9 layers. This was for some selected regions of Ghana.
- b. Urban II Project (1992-1997) - a local government development project that included support to the Survey Department for the production of base photo-maps at 1:2,500 scale over Kumasi and Accra-Tema together with cadastral survey. The purpose for this project was to support the Land Title Registry in the adjudicating, registration and issuance of titles. The Land Valuation Board also received support in the revaluation of properties in Accra.
- c. Urban III Project (1998) - a local government development project that included a component of base photo-mapping over 10 district towns at a scale of 1:2,500.
- d. Topographic Mapping Revision (1998) – a project to revise 40 topographic map sheets covering 25,000 km² over south western Ghana
- e. Land Records and Management Study - The purpose of this project was to carry out a review of the storage and retrieval of land information and records.

NGOs that have also supported the implementation of the government's land policy (LAP - 1) from 2003 to 2010 also include the International Development Association (IDA), Nordic Development Fund (NDF), and Canadian International Development Agency (CIDA). The rest are the UK Department for International Development (DFID), German Agency for International Development (GTZ) and German Bank for Reconstruction (KfW). According to Larbi et al., (1998), inadequate and regulatory framework, weak land administrative regime both public and customary, indeterminate boundaries of customary lands, multiplicity of land dispute which has clogged the court system, and general indiscipline in land use development and disposition are the key issues and programmes they seek to address. The NGOs therefore support the government to solve problems on land issues in order to reduce poverty and enhance socio-economic growth. Table 2.4 below shows the financial arrangements of LAP – 1.

Table 2.4: Financial Arrangements of LAP – 1

Fund Source	Amount (US\$)
IDA (WB)	20,509,409
DFID	9,020,000
CIDA	1,029,793
GTZ	3,975,927
KfW	8,137,800
NDF	9,100,000
GoG	7,562,043

Source: Overview of the Ghana Land Administration Project – LAP by Quaye (2007)

The NGO's supported LAP in consultative processes towards the drafting of a new Land Act including a national land forum, ten (10) regional land forums and two (2) district ones in 2007. This followed the passage of the Lands Commission Act (Act 767, 2008) by parliament at its sitting on November 29th 2008, which subsequently received Presidential Assent on December 4th 2008, and was gazetted on December 12, 2008. The Act makes this “new” LC the constitutional body and focal agency charged with the management of lands. It has four functional Divisions namely: SMD, LRD, LVD and PVLMD (Ghana LAP, 2010).

Again, three (3) new Land registries in Bolga, Wa and Ho were inaugurated to decentralize land administration in the country resulting in a reduction in time for processing of land documents to less than two months in 2007. Pilot demarcation of allodial boundary commenced at Ejisu and website to publicize the activities of LAP and the LSAs was also launched in the same year (Ghana LAP, 2007).

2.9 The Challenges and the Prospects of Land Management in Ghana

2.9.1 Threats and Challenges in Managing Urban Land

Many issues affecting the development of the country is that of poor land management and land delivery system to support all the myriad of activities at different geographical scales (Yankson et al., 2009). There is inadequate professional staff to manage land in urban areas. Inadequate administrative capacity is a recurring problem for land reforms, not only because accurate records are needed, but also because informing people of their entitlements and facilitating legal processes of land acquisition and distribution require a large field staff (Meinzen-Dick et al., 2008). Competition for space on urban land has brought congestion and environmental degradation. According to Michael et

al. (2005) beside the impact of increased impervious surface due to urban growth, poor land tenure and land delivery system, poor garbage collection and disposal, as well as poor implementation of economic development programs, have been identified as contributors to flooding in Accra.

Compulsory acquisition of land by the state without adequate and promptness in paying compensation also affects the indigenous people in a community. According to Kasanga (2007) the displacement of indigenous folks without compensation has resulted in some disquiet, misunderstanding and sometimes open hostilities between the displaced families on one hand and traditional land custodians and the new developers on the other hand. This situation sometimes leads to encroachment of public lands and floodable areas by these people who feel they are cheated.

Also, customary land ownership presents considerable problems in the creation of a geographic information system for land ownership. Sittie (2006) holds the view that there are poor records on titles and maps. The boundaries of land are not generally surveyed and in some cases undefined. In other words it is extremely difficult to identify where somebody owns. It is therefore difficult to resolve numerous cases on land ownership (Larbi et al., 1998). Some land owners fail to keep proper records of transactions of their lands. The result is double/multiple sales of land i.e. the sale of a parcel of land to more than one person by a chief or subsequent chiefs, heads of families or individuals in the same lineage. According to Larbi et al. (1998), record keeping is not only essential, but the method of information storage and the ease and speed with which information is retrieved are also important. Information stored in electronic media is more easily retrieved than information stored manually in files and cabinets. According to the latter method, which is a practice of land management in Ghana is slow and cumbersome. These are translated into reality in the form of a haphazard built environment, uncoordinated and poorly planned land uses with serious environmental consequences.

Again, the variety of customary arrangements, combined with some inconsistencies in the procedures for deed and title registration, make it difficult, though not impossible, for potential investors to acquire large parcels of land for large-scale economic activities (Asumadu, 2003). Chieftaincy disputes too contribute to the challenges on land. Apart from improper records keeping which contributes to dual sales of land,

some newly installed chiefs intentionally demand fresh payments on lands that have been acquired.

2.9.2 The Prospects of Land Management in Ghana

Although there are several challenges, there are many prospects of the use and management of urban land in Ghana. The long term goal of the Government's land policy is to stimulate economic development, reduce poverty and promote social stability by improving the security of land tenure, simplifying the process for accessing land and making land administration fair, transparent and efficient.

Ghana launched its Land Policy in 1999 to commence and pursue comprehensive land administrative reforms. The policy is a clear demonstration of the Government of Ghana's commitment to address the fundamental problems associated with land administration and management in the country. This programme is a 15-20 year programme to be implemented in 5 year phases. The first phase known as the Land Administration Project (LAP-1) was started in 2003. Some of the reforms in this project include the reform of the legal framework for land administration, and institutional reforms for land sector institutions to remove duplication of roles. The reforms would make LSAs more functional under one umbrella.

As part of the reforms traditional land owning groups were assisted in capacity building and technical support. Boundaries of land were demarcated, deeds and title registration were improved. The project provided training, resource allocation and automation of some of the work processes within the land agencies to reduce time spent on accessing records. Between 2003 and 2008, several concerned land secretariats had been established in different regions in the country. In collaboration with various Houses of Chiefs, key stakeholders and civil society, systematic land titling was envisaged (UN Habitat, 2009).

A land information system has been developed to improve land administration, valuation and land management. This has also improved security of tenure, land service delivery, and create an investor friendly environment to propel Ghana's economic development forward. The document attempted to capture the problems associated with land ownership, tenure and development (Sittie, 2006). The development of land information system among the transformed land related agencies will make information

sharing, and information retrieval faster. These interventions would greatly improve service delivery and boost public confidence in land administration in the country.

Major accomplishments under LAP I include:

- (a) streamlining land administration institutions by the passage of the Lands Commission Act 2008 (act 767) which merged four land sector agencies into a single entity – the Lands Commission (LC) – and brought the title and deeds registries under one organizational unit, the land registration division;
- (b) decentralization of the deeds registry to all the nine regional capitals, effectively bringing the registration of deeds closer to the clients with a reduction in time for delivery from more than 36 months to about 3 months;
- (c) the establishment/strengthening of 37 customary land secretariats to facilitate the management and record keeping by traditional authorities of land allocations and transactions within their traditional areas;
- (d) the modeling of land use planning at three levels including preparation of spatial development frameworks;
- (e) reduction in the backlog of land-related court cases;
- (f) the testing of title registration and demarcation of boundaries of customary land through private surveyors (Ghana LAP, 2011).

LAP – 2 too aims to consolidate the achievements of LAP-1 by enabling the LSAs to be more responsive to clients, cut down the cost and time of doing business and provide an enabling environment to reflect the objective of an efficient and transparent service delivery (Ghana LAP, 2011). The LSAs is to be streamlined and computerized for business process to be faster in delivery of services. A summary of support from the various development partners in financing LAP – 2 is presented in table 2.5.

Table 2.5: Financing Plan of LAP – 2

Development Partner	Approximate Contributions in Millions US\$
IDA	50
CIDA	15CAD
GoG	5
Beneficiaries	2
Total	72

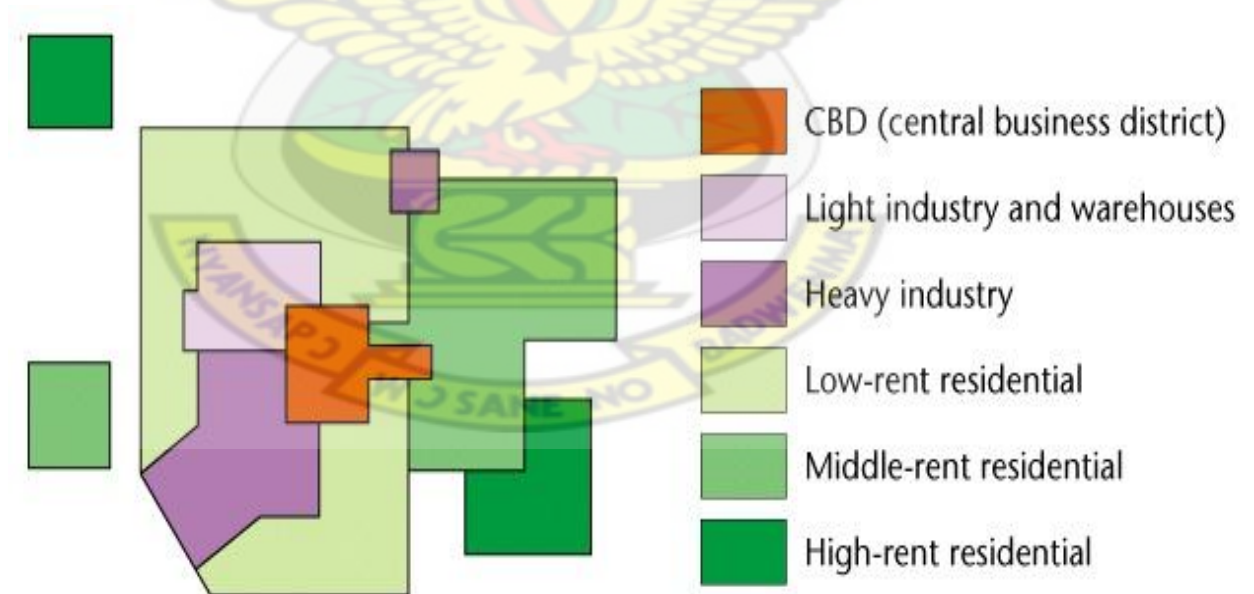
Source: LAP – 2 Manual, 2011

The next subsection is the analytical framework and summary of the literature review. The concentric and the sector models could be applied but the one that best fits for the study is the multiple nuclei model.

2.10 Analytical Framework and Summary

Continuous expansion of urban areas leads to different uses of land of suburbs and suburban areas. These suburban areas and suburbs function like smaller business districts where land use pattern forms. According to Harris and Ullman (1945) CBD is a major centre of commerce, specialized cells of activity develop according to specific requirements of certain activities, different rent paying abilities, and the tendency for some kinds of economic activity to cluster together. People who can afford including the high income class leave the centre of the city to settle far where pollution, congestion, crime and noise will be minimal and the environment is conducive to live. As people move out from the centre to settle at places outside the CBD, demand for land goes up and the value of land increases accordingly. Fig. 2.2 shows multiple nuclei model.

Fig. 2.2: Multiple Nuclei Model

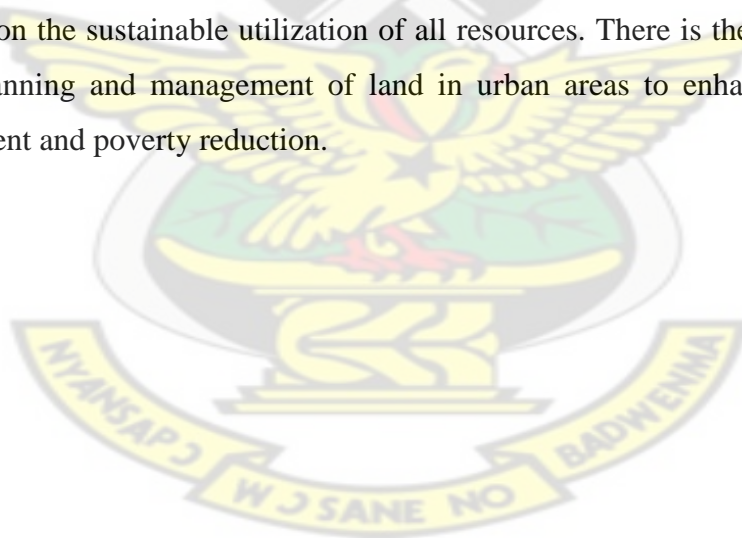


Source: Chauncey Harris and Edward Ullman, 1945

According to fig. 2.2, the centre of the model is the CBD, with light manufacturing and wholesaling located along transport routes. Heavy industry was thought to locate near the outer edge of city, perhaps surrounded by lower-income households, and suburbs of commuters and smaller service centres would occupy the urban periphery. Although the

situation in Accra and Kumasi do not exactly depict fig. 2.2, the concept is applicable. Land prices decline with distance from the CBD. This makes many people, move far to look for land, especially along major transport routes. New centres are created as people move from the CBD to settle outside the centre.

This chapter has reviewed literature on urbanization of Ghana, LSAs and land acquirers. Areas highlighted include trends of urbanization in Ghana, manifestation of urban growth and expansion, sources and supply of urban land, land usage and speculation, land values and pricing systems, financial arrangements on urban land, programmes of NGOs in the land sector, the prospects as well as threats and challenges in managing land. Additionally, multiple nuclei model relating to land usage in urban areas has been reviewed. In summary, the demand for land in Accra and Kumasi continue to increase and this has therefore increased the value of land and pricing systems in the cities. The increasing demand for land in urban and peri-urban areas for commercialization and residential housing has impacted on land usage. Current development trends, international protocols and best practices the world over puts emphasis on the sustainable utilization of all resources. There is the need therefore for proper planning and management of land in urban areas to enhance socioeconomic development and poverty reduction.



CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

The approach and methodology adopted and used for the study is discussed under this chapter. The research design adopted and the processes used in undertaking the research are also presented and discussed. It also presents categories of data collected and their sources, tools and instruments used as well as method of presentation and reporting of findings.

3.2 Research Design

In order to attain improved socio-economic development of urban areas, there should be sustainable development of land resources and the environment. The study is therefore aimed at obtaining an understanding of how land is managed and used in urban areas. In order to achieve this, a case study of the two biggest cities in Ghana – Accra and Kumasi is adopted. Case study research was adopted because it relies on multiple sources of evidence.

In order to get the general overview of issues on the land in the two cities, the government LSAs and the CLSs were interviewed. Land users were sampled from the two communities each in the two cities for the study. The two cities were chosen because they are the two biggest cities in Ghana and issues on land management are comparatively predominant.

3.3 Population

The population under study includes the government LSAs and CLSs of the two cities, as well as land acquirers / users in the two cities. Land acquirers / users include house/plot owners, shop owners and institutions such as schools and hospitals.

3.4 Sampling and Sampling Procedure

According to Polit et al., (2001) sample size in qualitative studies tends to be small because the strategies as well as methods for data collection and analysis are time consuming, and the amount of data collection can be considerable. According to Gordon (2004), when the population is greater than 50,000 the following formula could be applied to get the sample size.

$$SS = \frac{Z^2 \times (P) \times (1 - P)}{C^2}$$

SS = Sample Size

Z = Z – value^A (e.g., 1.96 for a 95% confidence level)

P = % of population picking a choice, expressed as a decimal^B

C = Confidence interval, expressed as decimal (e.g., 0.04 = +/-4 percentage points)

$$SS = \frac{3.8416 \times 0.5 \times 0.5}{0.0016}$$

$$SS = 600$$

Apart from the key staff of the LSAs that were interviewed, a total of six hundred (600) land acquirers / users in the four communities of the two cities were sampled for the study. One hundred and fifty (150) questionnaires each were therefore distributed to land acquirers / users in the four communities. As already stated, the land acquirers include house/plot owners, shop owners, and institutions. Thus in each of the selected community, hundred (100) questionnaires were distributed to house/plot owners, and twenty five (25) each were also given to shop owners, and school teachers of the communities. Stratified random sampling technique was adopted to select the categories of land acquirers / users. Simple random sampling technique was then applied to select respondents of each category. This was done to ensure true representations from the communities.

To ensure correct representation of the respondents of the cities of land acquirers/users, both old and new/developing parts of the suburbs of the selected communities were sampled for the study. Table 3.1 shows the number sampled under each community.

Table 3.1: Sample number of Respondents from the Selected Communities

Cities	Accra		Kumasi	
Suburbs	Achimota	Gbawe	Breman UGC	Atafoa Aboahia
Sample size	150	150	150	150
Total	300		300	
Over all Total	600			

Source: Author's Construct, 2011

3.5 Categories of Data Collected and their Sources

Data for the study was obtained from both primary and secondary sources. Under primary source, emphasis was on the collection of data directly from field surveys via the administration of questionnaire, interviews and observation. The primary data provided reliable and accurate first hand information relevant to the study from the government LSAs, CLSs, as well as land acquirers / users.

Two key informants each of the LSAs in the cities which comprise PVLMD, LVD, LRD, SMD, OASL, and the TCPD were interviewed. The two recognized CLSs which consist of ALS in Kumasi and GKFL in Accra were also interviewed. Data obtained from the LSAs included land management practices, land values of some suburbs of the cities, as well as services for the land market. Prospects of the LSAs after implementation of Ghana LAP, as well as the challenges and the way forward were other information obtained from the LSAs. Data gathered from the land acquirers / users included source of acquisition of the land they occupy, mode of financing the land acquisition, the reason for staying in the cities and the period they have spent in the communities they live. The LSAs and the land acquirers / users were in the best position to respond to the research questions and contributed to the success of the study. Table 3.2 shows the LSAs that were interviewed.

Table 3.2: LSAs and CLSs that were Interviewed

LSAs / CLSs	
Accra	Kumasi
PVLMD	PVLMD
SMD	SMD
LRD	LRD
LVD	LVD
OASL	OASL
TCPD	TCPD
GKFL	ALS

Source: Author's Construct, 2011

AMA and KMA as well as LC of Accra and Kumasi were contacted for data on encroached public lands, especially schools, which informed the choice of Achimota School in Accra and OKESS located between Old Tafo and Breman in Kumasi. The

schools were therefore observed to discover the extent of encroachment and the environmental conditions. According to KMA large acreage of land in Atafoa Aboahia near Kronom has been encroached. Atafoa Aboahia was therefore selected for the study. Gbawe was also chosen for the study because according to the LC, has the only recognized CLS in Accra.

In the secondary source, data collection came from documents including research works, textbooks, magazines, journals, periodicals, news papers, office records/statistics and the internet. The aim of the collection of secondary data was to gather information to guide the conduct of the study in order to confirm or reject the primary data.

3.6 Research Instruments adopted

Questionnaire was distributed to land acquirers in the two communities each of Accra and Kumasi. Key informants of the government LSAs and CLSs in the two cities were interviewed. In addition, land use pattern was observed in the selected communities. The mode of operations of the LSAs, especially record keeping as well as the relationship between them and clients was also observed.

3.6.1 Questionnaire Design.

Questionnaire for land acquirers (Appendix 'A') comprised mainly of a set of questions with a domain of answers from which respondents were to choose an answer. Closed ended responses of the questionnaire ensured that consistent responses are obtained. Another advantage of the use of questionnaire is its amenability to making statistical inferences and generalizations from data collected. It is easy to apply formal statistical techniques in the analysis since responses have to lie in given domains. The questionnaire sought to generate data on issues such as land ownership and tenure structure, land management practices, land values and pricing systems as well as institutional challenges and prospects.

3.6.2 Pre-Test

To ensure reliability and validity of the research instrument and methods employed for the work, a pre-test study was carried out. This preliminary study enabled corrections to

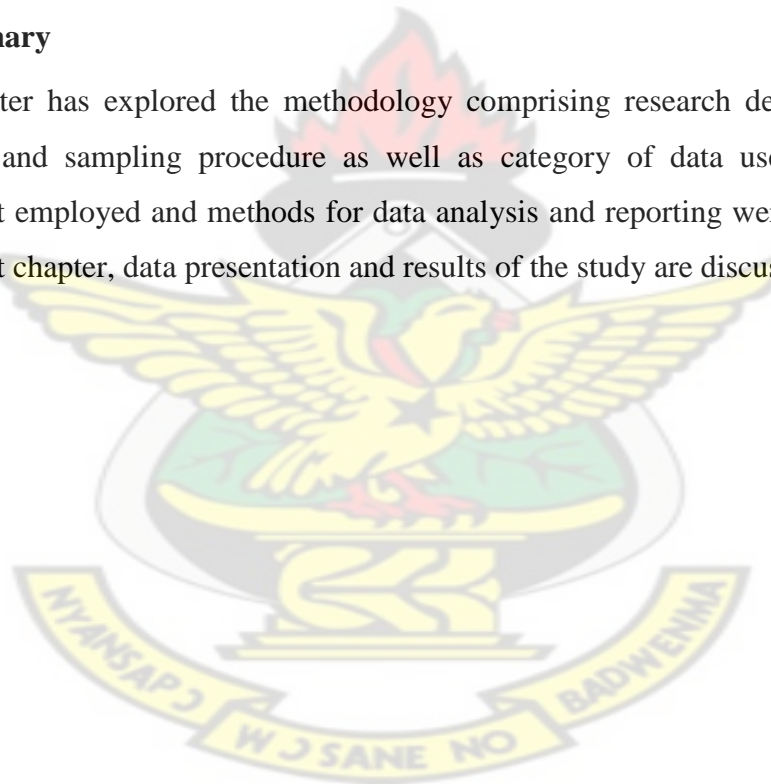
the errors and distortions identified in the questionnaire to be done. Thus, the suitability of the questionnaire and methods adopted for the study was revealed at this stage.

3.7 Data Analysis and Reporting

Findings of the research were reported using a combination of varied approaches and techniques. Results from the respondents were discussed in line with the objectives of the study. Analysis of the results of the study was supported with statistical presentation of actual results of responses in frequency tables, graphs and maps. The major findings were summarized in line with objectives of the study and recommendations were given for efficient land management in urban areas of Ghana.

3.8 Summary

This chapter has explored the methodology comprising research design, population, sampling and sampling procedure as well as category of data used. The research instrument employed and methods for data analysis and reporting were also discussed. In the next chapter, data presentation and results of the study are discussed.



CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND DISCUSSIONS

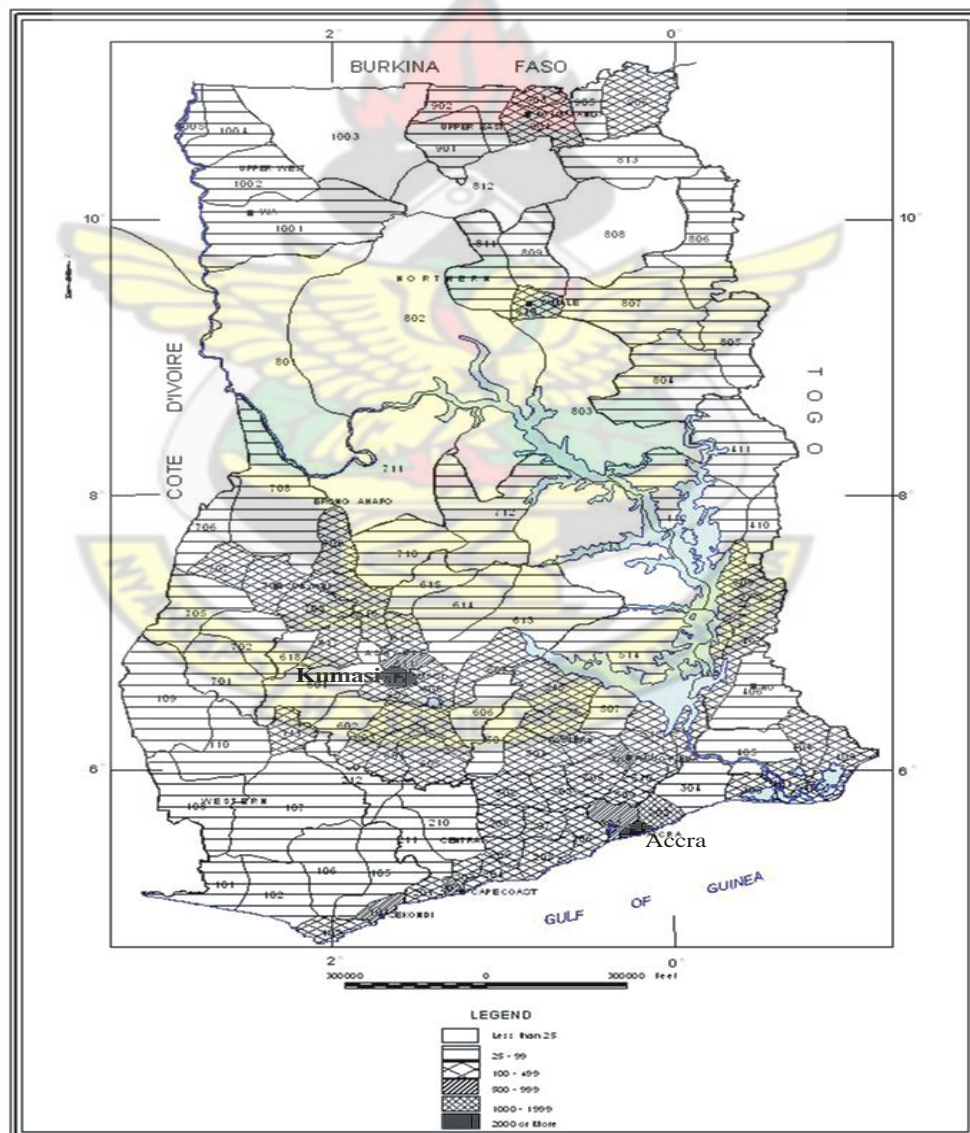
4.1 Introduction

In this chapter data obtained in the study are presented and analyzed. Presentation is in line with key study issues of the research such as the rate of urbanization, operation of the land market, management practices, challenges and prospects as well as policy, programmes and responses to the challenges on land management.

4.2 Contextual Profile of Accra and Kumasi

Figure 4.1 shows Ghana population density by district.

Fig. 4.1: Ghana Population Density by District



Source: NDPC, 2005

From figure 4.1 it is obvious that Accra and Kumasi are the two most urbanized cities in Ghana and have the highest population densities. Over the years, the cities continue to attract migrants from within and outside the country.

4.2.1 Accra Metropolitan Area in Context

Accra is located at south eastern part of Ghana and has a land area of 201square kilometers. Six sub metros of the city are Okaikoi, Ashiedu Keteke, Ayawaso, Kpeshie, Osu Klotey and Ablekuma. The southern boundary of the Metropolis is the Gulf of Guinea from Gbegbeise to the Mukwe Lagoon near Regional Maritime Academy. The boundary continues along the Maritime Road to join the Accra-Tema road to Nungua Police Station Barrier. It turns right to the Ashaiman Municipal road till the railway overhead bridge on the motorway. From here the boundary continues to the road between the Institute of Professional Studies (IPS) and the Accra College of Education, westwards crossing the Accra-Aburi Road to the University of Ghana behind the great Hall to Kisiseman and Christian Village to join the Accra Nsawam Road at the Achimota Brewery Road Junction. Accra overlaps into Nsawam in the Eastern Region and Kasoa in the central region.

Accra Metropolis has a population density of 5,530 persons per sq. km (Ghanadistrict.com, 2010). The city has the only international airport in Ghana. Figure 4.5 represents the map of Accra showing population densities and land values of its suburbs. Suburbs that have the highest population densities include Nima, Chorkor, Nungua, La, Lapaz and Mamobi. Suburbs with low population densities also include Airport Residential Area (ARA), Burma Camp, Cantonments, Dzorwulu and East Legon.

The population of the city as at 2000 was 1,658,937 representing 57.1% of Greater Accra region's population (GSS, 2005). Accra's population like that of other urban centres is a very youthful one with 56% of the population under the age of 24 years (Ghanadistricts.com, 2010). Ghana's national capital since 1877, is today one of the most populated and fast growing Metropolis in Africa with an annual growth rate of 4.3%. At the community level, densities exceeding 250 persons/ha occurred mostly in the dominant immigrant and depressed areas and the oldest parts of Accra such as Accra New Town, Nima, James Town and Ussher Town while densities ranged between 17.5 – 40 persons/ha in the high-income areas. The AMA estimates that total

economic activity in the city accounts for at least 10% of Ghana's GDP, with manufacturing activities contributing to over 50% of value added. It is also estimated that Accra alone accommodates between 2.5 million to 3 million people in terms of socio-economic activities aside the residential dimension. Most employment, however, is found in the tertiary sector. Wholesale and retail services, for example, account for 46.9% of tertiary services. Manufacturing, not surprisingly, makes up 67% total value added for industry, followed by construction at 22%. It is estimated that fishing alone accounts for nearly 78% employment in urban agriculture with the remaining portion being vegetable farming. Family owned fishing activities are prevalent in the coastal areas of the city and about 10% of fish catch is exported but inadequate storage facilities keep prices low which contributes to poverty in areas like Jamestown, Chorkor, Teshie and Nungua.

4.2.2 Kumasi Metropolitan Area in Context

Kumasi is located in the transitional forest zone and is about 270km north of the national capital, Accra. It has an area of about 254 square kilometers. Its strategic location and major transport routes makes distribution of goods in the country and beyond easier.

The city has a population density of 5,419 per sq. km (Ghanadistricts.com, 2010). Figure 4.6 represents the map of Kumasi Metropolis showing the population densities and land values of the various suburbs. Suburbs with the highest population densities include Breman, Old Tafo, Atonsu, Tarkwah Maakro and Moshie Zongo. Suburbs with low population densities also include Oduom, Duasi, Anwomaso, and Nhyiaeso.

Economic potentials of Kumasi and its centrality as a nodal region have also attracted migrants to settle there. The population of the city as at 2000 was 1,170,270 which accounts for 32.4% of Ashanti region's population (GSS, 2005). Four sub – metros are Subin, Bantama, Asokwa and Manhyia. The metropolitan area shares boundaries with Kwabre East District to the north, Atwima District to the west, Ejisu-Juaben Municipal to the east and Bosomtwe to the south (Ghanadistricts.com, 2010). The city is a rapidly growing one with an annual growth rate of 5.47%. It encompasses about 90 suburbs, many of which were absorbed into it as a result of the process of growth and physical expansion. It is estimated that 60% of the local economy comes from the services sector, 30% from industry and the remaining 10% from agricultural activities.

Agricultural activities occur mostly on the periphery of the city, involving maize, cassava, plantain, cocoyam, and vegetables, along with industrial crops like palm nuts and sugar cane. However, the volume of production of these foodstuffs has declined with increasing land values as one principal cause. Retail and wholesale trading is prevalent which is facilitated by the central location and major transport routes of the city. The city's industrial activities include small scale manufacturers of footwear, plastics and cosmetics. The medium to large scale firms also include textiles, pharmaceuticals, sawmilling at Sokoban Woodcraft village, the Suame Magazine which employs many youth as well as Guinness Ghana Ltd and Coca-Cola Bottling Company. The land use pattern in the two cities shows that due to low level of transactions in land, the land values tend to be very high especially in the CBD in the cities (Ghanadistricts.com, 2010).

4.3 Rate of Urbanization in Accra and Kumasi

As discussed in chapter two, the proportion of urban population in Ghana has increased tremendously. The increase in urban population is partly as a result of increase in urban centres from 135 in 1970 to 188 in 1984 and 364 in 2000. Table 4.1 shows the total population of Ghana, total urban population and population of Accra and Kumasi from 1970 to 2000.

Table 4.1: Total Population of Accra and Kumasi from 1970 – 2010

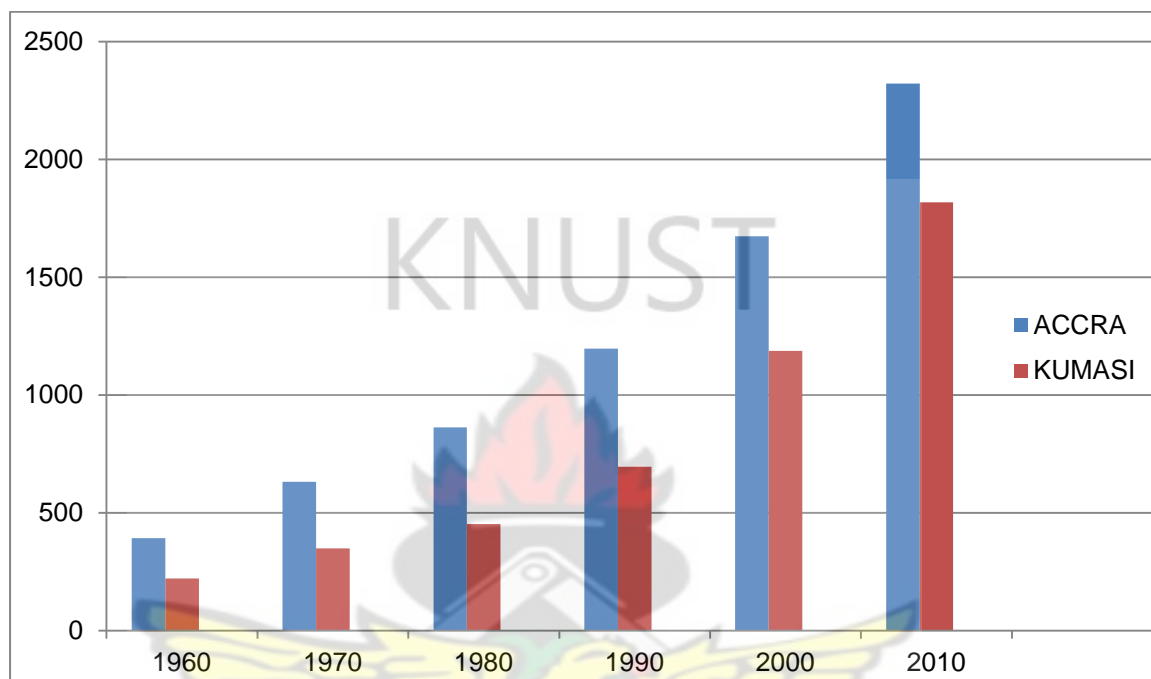
Metropolis	Population			
	1970	1984	2000	2010
Accra Metropolis	624,091	969,195	1,658,937	3,162,814
Kumasi Metropolis	346,336	496,628	1,170,270	2,035,064

Source: GSS, 2005 (Population Data Analysis Reports Vol. 1) Socio-Economic and Demographic Trends Analysis Page 126

From the table, the total urban population of Accra and Kumasi in 2000 for instance was 2,829,207 and represented 34.2% of the total urban population. This process of urbanization may be due to a combination of natural population increase and rural-urban migration. Although there was a decline in population growth rates in the two cities between the inter censal period 1970 – 1984, the growth rates between 1984 and 2000 increased. What is interesting to note is the rapid spatial expansion of activities on

the same land size without proper planning and management. Figure 4.2 compares the population of the two cities from 1960 – 2010.

Figure 4.2: Population of Accra and Kumasi compared from 1960 – 2010 (in thousands)



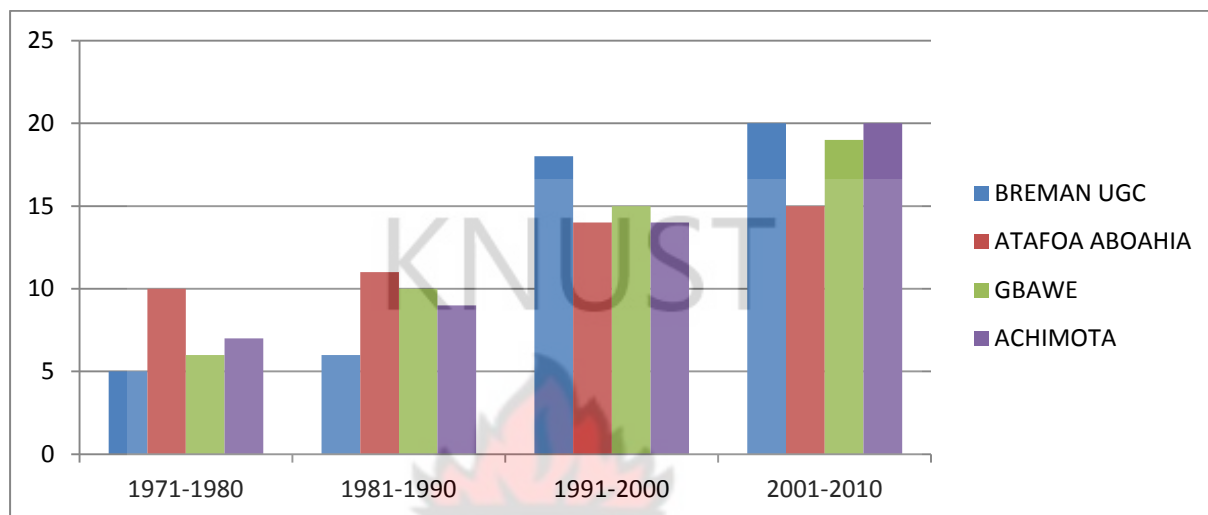
Source: UN, 2005 (World Urbanization Prospects)

From the figure the population of Accra has always been higher than in Kumasi. Again, the population of the two cities has never declined but continue to increase from 1960-2000. It also suggests that the value of land in the cities will continue to increase with increase in urbanization and Accra will comparatively have the highest land values. Urbanization has therefore contributed to rapid increase in consumption of land in the past years in the two cities. The factors that have influenced the increase of land values in the two cities could be attributed to population growth and inefficient town planning.

4.3.1 Trend of Migration of the Respondents in the selected Communities

Proportions of migration and natural increase in population contribute to high population growth in the cities. Figure 4.3 below shows the year the respondents settled in the two cities. Figure 4.3 below shows the year the respondents settled in the two cities from 1971 to 2010.

Figure 4.3: Rate of increase in Population of the selected Communities from 1971 – 2010



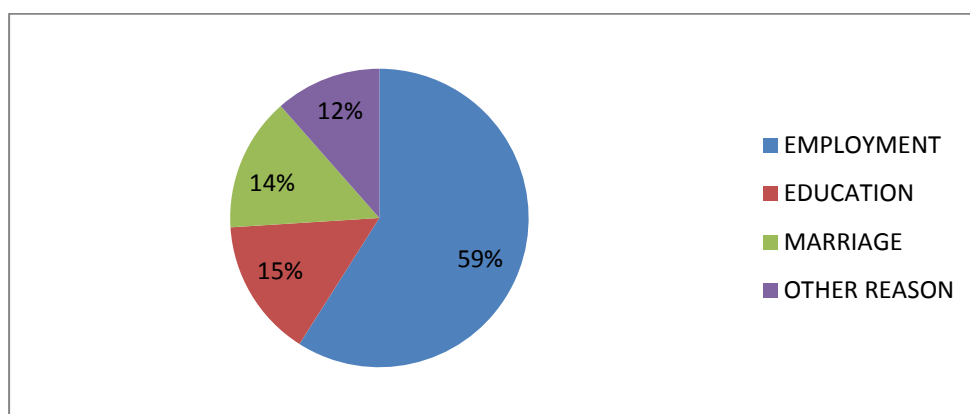
Sources: Authors field work, 2011

From Figure 4.3, the number of respondents living in each study area continuously increased from 1971 up to 2010. This means that apart from natural increase in population, all suburbs of the cities continue to attract migrants from other parts of the country and beyond.

4.3.1.1 Reasons for Settling in the Cities

The primacy of the AMA for instance as an administrative, educational, industrial and commercial centre in attracting people from all over Ghana, continues to be the major force for rapid population growth. Figure 4.4 also shows the reasons why respondents migrated and settled in the cities. From the figure, out of 600 respondents from the two cities 59% settled in the cities due to employment whiles 15% and 14% settled in the cities for education and marriage respectively. Those who had other reasons apart from employment, education and marriage represented 12%.

Figure 4.4: Reason for Settling in the Cities



Source: Author's field work, 2011

This means that most of the respondents settled in the cities to look for employment. Next to employment is education. All the tertiary educational institutions are located in urban areas in Ghana. This makes many youth migrate and school in urban areas. Most women in the cities would stay in their home towns but due to marriage, they have settled in urban areas. Table 4.2 also displays the gender of respondents from the selected communities.

Table 4.2: Gender of Respondents from the Selected Communities

City	Community	Gender / Percentage				Total Gender
		Male	Female	% Male	% Female	
Accra	Achimota	119	31	79.33	20.67	150
	Gbawe	108	42	72.00	28.00	150
Kumasi	Breman	125	25	83.33	16.67	150
	Atafoa A.	115	35	76.67	23.33	150
Total		467	133	77.83	22.17	600

Source: Author's field work, 2012

From table 4.2, it is obvious that males in both Accra and Kumasi dominate in the land market. Even Gbawe which had the highest percentage of females had 28% as against 72% of the males in the community. This could even be attributed to the fact that the community has GKFL that takes care of gender issues in land management.

4.4 The Operation of the Land Market of Accra and Kumasi

Under this section, issues such as trend of land use, ownership and values, sources of land acquisition, process of land acquisition and pricing systems, purchasers, services, as well as payment arrangements will be discussed.

4.4.1 Trend of Land Use, Ownership and Values

According to LC, the major land use in the cities includes residential which takes larger proportion of land, the next is land allocated for educational institutions, followed by area of land for public which includes health delivery, centres for religious and social functions as well as land for security establishments. Commercial activities take small proportion of the total land area in the CBD of the cities.

Customary land ownership is predominant in the two cities. Traditionally, Accra comprises six states which together constitute the Ga Traditional Council. These are Osu, La, Ga Mashie, Teshie, Nungua, and Tema, but politically, each state is independent unlike Kumasi where all the lands belong to the Asantehene. Some lineages who own large land areas in Accra include the Niikoitsewe family of La, the Onamrokor Adain, the Odai Nteo family of Haatso, and Reindorf family. Majority of customary lands in Accra had been leased to private individuals. Some groups who claim to be land owners are most likely to have occupied the land for a considerable length of time and have extended long usage into ownership. Thus access to customary lands depended largely on the individual land owners. Land ownership in the cities is characterized by religious beliefs and practices. Among Ga Mashie, land is owned by the lagoon gods and in Kumasi, customarily land is considered to be a feminine spirit with Thursday as its natal day (Asiama, 2002).

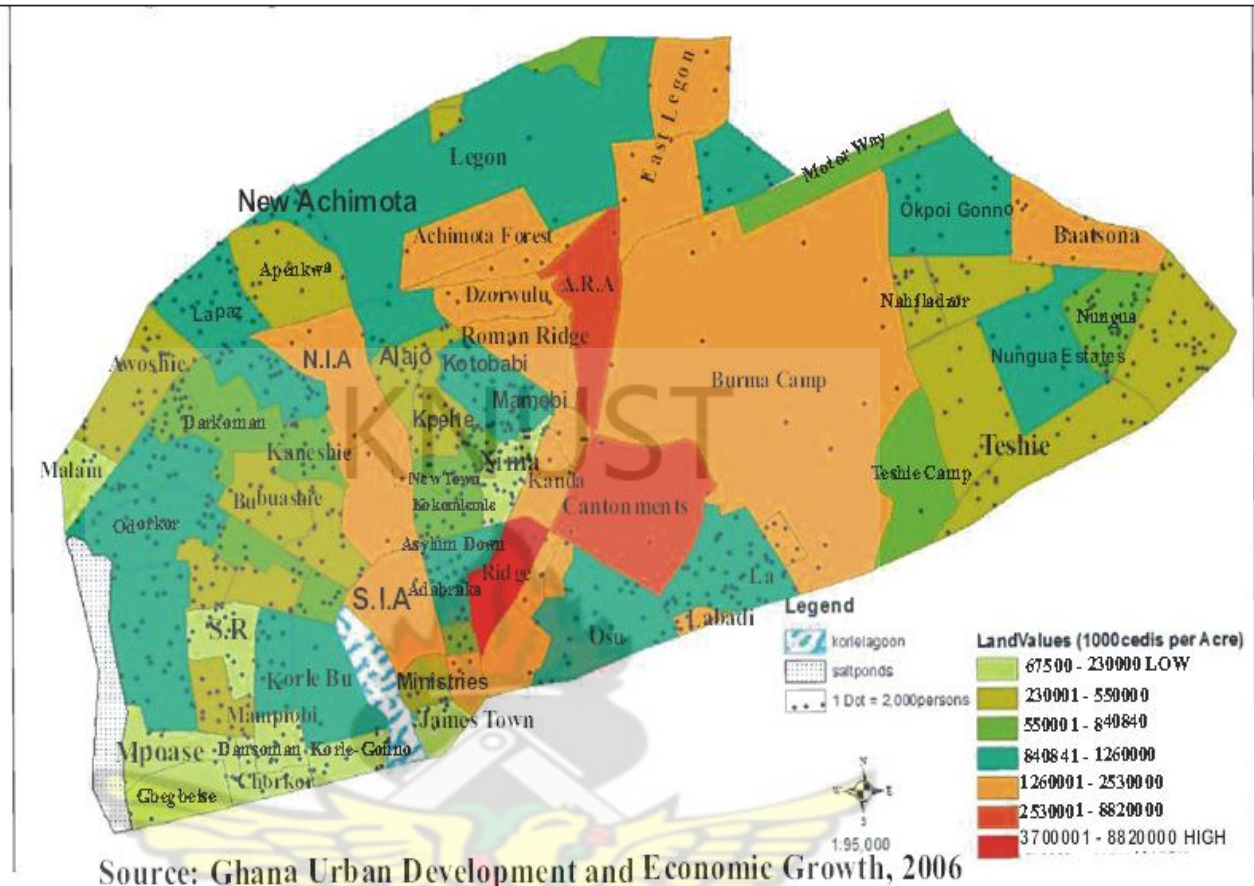
Ownership of land can be categorized into government and customary lands. As explained in chapter two, the government lands is categorized into two; vested lands, and public lands. The vested lands are managed by the LC on behalf of the President of the Republic of Ghana in trust for the Stools. In Kumasi the entire CBD falls under this category, as well as portions of Amakom, Asokwa, Asafo, Bantama, Manhyia and Dicheaso. In Accra areas such as Dzorwulu and Ridge are under this category. As already explained in chapter two, public lands are acquired by the government by a constitutional provision for the community or public interest through the powers of eminent domain.

Prominent government lands include 300 feet both directions from the center line of Kumasi – Offinso, Kumasi – Mampong and Kumasi – Sunyani trunk roads. The Ridge Residential Area in Kumasi is a state land. Government lands in Accra also include Cantonments, Airport Residential Area (ARA), Ofankor Residential Area, Labone, and Roman Ridge. Another category of lands under public ownership includes sanitary sites, railway reservations, open spaces and public school lands.

Stool lands are held in trust by caretaker chiefs for the Golden Stool in Kumasi. In Accra too most families are vested with the absolute interest in land with few as stool lands. Examples of the family lands in Accra are GKFL and Anyaa Family Lands. When the two cities are compared, land management in Kumasi makes identification of owners of land simpler and therefore makes resolution of disputes easier and faster. In Accra, sometimes large families who own land become indistinguishable and this leads to multiple sales of land by the individuals in the family.

The pattern of urbanization of the two cities reveals densification within the CBD which involves replacement of residential users of land by commercial users. The value of land has therefore become very expensive, especially around the CBD of the cities. The population of the CBD comprising Adum, Asafo and Ashtown in Kumasi for example continues to reduce over the years. According to the previous censuses, Adum recorded 12,991 in 1970, 9,693 in 1984 and 8,016 in 2000. Areas comprising the CBD therefore continue to reduce in terms of human numbers whereas the population in the new developing areas increases. This is due to the fact that residential accommodations around the CBD are being converted into commercial use and new developing areas such as Breman UGC continue to attract migrants. As a result, the value of land in the cities has gone up and large size of agricultural land from the urban and peri-urban areas is converted for residential use. Fig. 4.5 is the map of Accra indicating population density and land values.

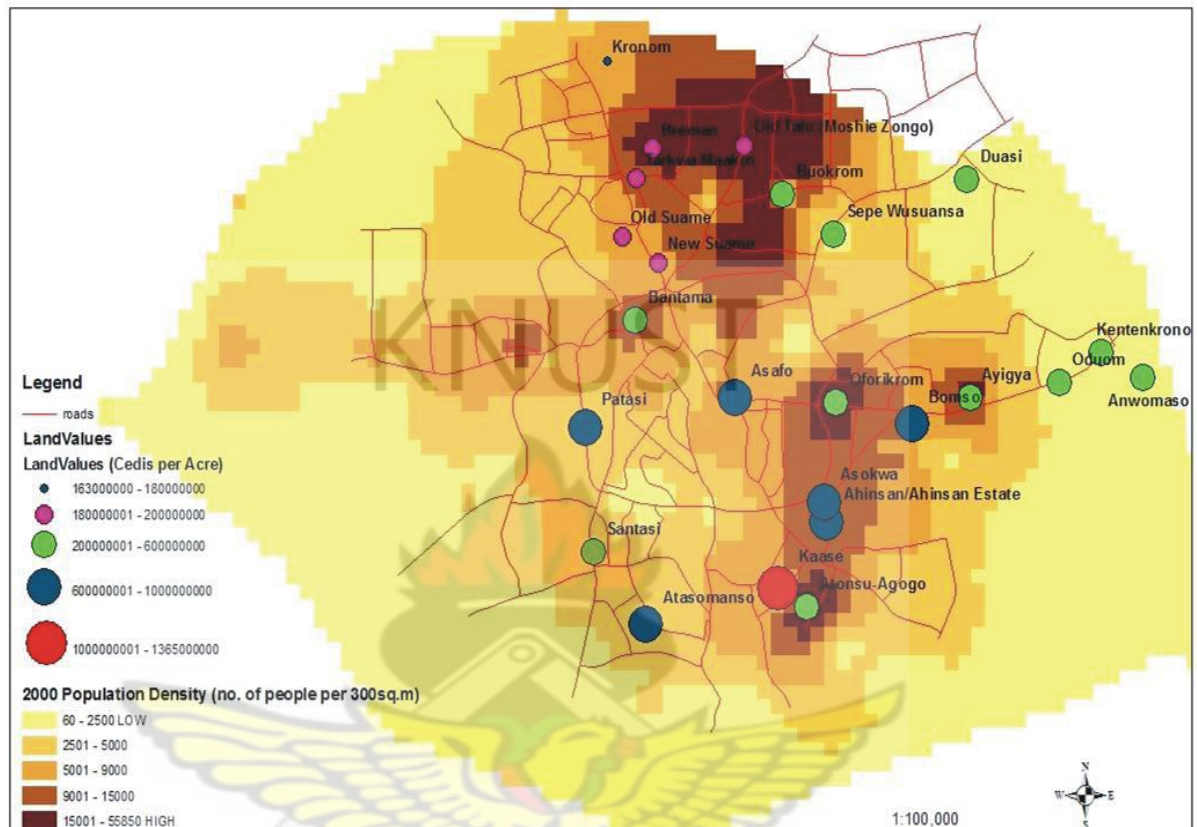
Fig. 4.5: Population Density and Land Values of Accra



From figure 4.5 the value of land at Ridge is the highest followed by Cantonments and A.R.A. According to the respondents from LVD in Accra, the value of land at Ridge, a first class residential area costs about \$600,000 and above. In peri-urban areas 30 km from central Accra, unserviced plots can be purchased for \$2000-3500. Land values in the fourth class residential areas such as Chorkor and Jamestown on the other hand are comparatively low. According to the map, areas with the lowest land values are Nima, Malam, Mpoase, Gbegbeise, Chorkor, Korle Gonno, James Town and Sukura Russia close to Laterbiakorshie. Such areas too have more population settling there as compared to first class residential areas such as Cantonments, ARA, Dzorwulu and East Legon. Densities exceeding 250 persons / ha were recorded mostly in the dominant immigrant and deprived areas and the oldest parts of Accra such as Accra New Town, Nima, James Town and Ussher Town while densities ranged between 17.5 – 40 persons/ha in the high-income areas such as ARA, North Ridge and East Legon in

2000 census (WaterAid, 2009). Fig. 4.6 too shows population density and pattern of land values in Kumasi.

Fig. 4.6: Population Density and Land Values of Kumasi



Source: Ghana Urban Development and Economic Growth, 2006

From figure 4.6 the most densely populated areas in Kumasi include Breman, Old Tafo, and Takwa Maakro. The value of land at such places is low as compared to Adum, Roman Hill Asafo and Asokwa. On the other hand, LVD in Kumasi responded that the value of land at Nhyiaeso, a first class residential area is the highest in Kumasi. After Nhyiaeso, the next places with high land values include Patasi, Asafo, Asokwa and Ahinsan Estate. Vacant plots within the city sell for \$60,000 to \$250,000 per acre. These are mainly leasehold interests. According to them urban land prices of second class residential area range from \$15,000 to \$20,000 for unserviced land close to major roads. The value of land in peri urban areas too ranges from \$2,500 – \$3,000 depending on the location.

4.4.2 Sources of Land Acquisition in the Cities

Land in the two cities is acquired mainly from chiefs and families. Apart from the LC that manages government lands, in Kumasi land users acquire customary land mainly

from chiefs and in Accra land is acquired mostly from families and individuals even though some chiefs too own land. Table 4.3 shows sources land acquirers/users acquired their land.

Table 4.3: Sources of Acquisition of Land by Land Users

Source of Acquisition	Land Acquirers/Users		Land Owners/Users	
	Accra	Percentage	Kumasi	Percentage
Chief	53	17.67	180	60.00
Family Head	45	15.00	68	22.67
Family Member(s)	112	37.33	37	12.33
Other Individuals	90	30.00	15	5.00
Total	300	100.00	300	100.00

Source: Author's field work, 2011

From table 4.3, 17.67% and 60.00% from Accra and Kumasi respectively acquired their land from chiefs. Again, 37.33% and 12.33% of land users from Accra and Kumasi acquired their lands from their lands from families. This clearly shows that most lands in Kumasi are entrusted in chiefs as compared to Accra where land predominantly belongs to families. However, other family members who feel they do not benefit from the sales of the land by the chiefs and family heads also sell some portions of the land which sometimes lead to multiple sale of the same piece of land. Also, 30% of the respondents from Accra acquired their land from individuals such as estate developers as compared to only 5% in Kumasi. This demonstrates that many land acquirers have acquired large tracts of land from individuals for development in Accra as compared to Kumasi.

4.4.3 Process of Acquisition of Land in the two Cities

A prospective developer has to consider the purpose for land acquisition and identify an area where land is available. Information about where land is available could be obtained from friends, the LC, TCPD, or the CLSs such as GKFL in Accra or ALS in

Kumasi. The owner of the land, for example, the chief has to provide an *allocation note* to the prospective developer after he pays *drinks money (nsa)* in Kumasi and (*shikpondaa*) in Accra to acquire land. The *drinks money* is equivalent to the market value of the land that is to be acquired. The allocation note signifies a stools or family's grant of land. In Kumasi for instance land acquired from the stools which is not endorsed by the Asantehene is not valid unless a third of the *drinks money* a developer paid to acquire the land is paid to ALS. After endorsement of the allocation note by the ALS, it is forwarded to the Regional Secretariat of the LC and a leasehold document is prepared between the grantor as lessor, and the prospective developer, as the lessee with ALS as a confirming party. Customarily all lands in Kumasi belong to Asantehene and land conflicts are resolved by him. Land in Accra too belongs to many families, chiefs and several individuals. As a result resolution of conflicts on land is not an easy task in many suburbs of Accra as compared to Kumasi.

4.4.3.1 Reasons for Land acquisition in the Cities

Land acquirers / users in the two cities were asked to assign the purpose for the land acquisition. Table 4.4 shows the reason for acquisition of land in the cities.

Table 4.4: Reasons for Land Acquisition

Reasons for land acquisition	Respondents			
	Accra		Kumasi	
	Frequency	Percentage (%)	Frequency	Percentage (%)
Owner Occupier Housing Unit	210	70.00	225	75.00
Rental Housing Unit	60	20.00	52	17.33
Commercial Property	30	10.00	23	7.67
Total	300	100.00	300	100.00

Source: Author's field work, 2010

From the table, majority of land users in the two cities acquired land for the purpose of constructing residential housing units. Table 4.4 indicates that 70% and 75% of respondents in Accra and Kumasi respectively acquired their land for the purpose of developing residential housing. Whiles 20% and 17.33% of the respondents from Accra and Kumasi respectively also acquired the land for rental housing units, only 10.00%

and 7.67% from Accra and Kumasi respectively acquired their lands for commercial property.

4.4.4 Product/ services for the Land Market

Land developments often precede infrastructure provision in the two cities. Thus, lands that are purchased are not usually developed. Most at times there are no access roads, electricity, and pipe borne water. Due to poor land management practices and poor coordination among LSAs, customary land owners and the institutions responsible for providing infrastructure, developments on land often precede provision of infrastructure.

4.4.6 Mode of Financing Land Acquisition in the Cities

Most land acquirers/users from the two cities financed acquisition of land from their own savings. Majority of them did not obtain financial assistance from the banks when acquiring the plots of land. Table 4.5 displays the mode the land acquirers / users financed the land they acquired.

Table 4.5: Mode of Financing Land Acquisition

Mode of Finance	Number of Respondents			
	Accra		Kumasi	
	Frequency	Percentage (%)	Frequency	Percentage (%)
Loans from financial institution	45	15.00	37	12.33
Household Sources	240	80.00	255	85.00
Free	15	5.00	8	2.67
Total	300	100	300	100.00

Source: Author's field work, 2011

Table 4.5 indicates that 15.00% and 12.33% of land acquirers/users from Accra and Kumasi respectively financed the land they acquired through loans from financial institutions as compared to 80.00% and 85.00% from Accra and Kumasi respectively, who financed it through their own savings (household sources). This means that the financial institutions in the country have provided little support in land acquisition and

estate developments in the two cities. It also means that most land users in the two cities acquire their land through their own savings or through support from friends and relatives in diaspora.

4.5 Customary Land Secretariats in Accra and Kumasi

4.5.1 Gbawe Kwatei Family Land Secretariat (GKFLS)

It is the only recognized CLS established in the Accra Metropolis. It has an area of 9836.56 acres and shares boundaries with Anyaa family lands in North West, Ablekuma lands in the northern part, Sakumo lands in the south east, Weija in the western part and Kwashieman lands in the east. Both men and women are involved in land management. The main purpose of the Secretariat is to protect the family lands against an intrusion into their boundaries by other customary land owners and to reduce land disputes among family members as well as other individuals who have legally acquired their land. It is also to keep and maintain accurate and up to date records of land dealings in their locality. The structure of the institution includes the administrator, head of operations, head of inspectorate, head of monitoring and evaluation, head of finance and accounts, record officer, secretary, public relations officer (PRO), cashier, receptionist and other supporting staff. It was instituted in 2003 but became operational and recognized by the LC in January 2004. It received 70% funding from the government of Ghana and 30% from donors as part of the first phase of the Land Administration Project. The layout of GKFL is well developed with the exception of some portions closer to Weija which is planned, but yet to be developed. Every resident family has been allocated a plot which cannot be sold to outsiders in the proposed new township.

The chief and elders as well as workers collaborate with all public LSAs. It employs its own lawyers and surveyors and therefore has few reported cases of land conflicts among families comparing it with neighbouring stool lands. The revenue they get from the sales of the land is used to finance most infrastructural development as well as support women groups for investment purposes such as poultry farming. Families and individuals are compensated in the event of land losses.

4.5.2 Asantehene's Land Secretariat (ALS)

ALS was established to manage land under all 55 caretaker chiefs in the traditional council in Kumasi. The caretaker chiefs also have sub-chiefs who help in management of land at the local level. The structure of the institution includes the Liaison Officer (Head of the Secretariat), Assistant Liaison Officer, Quantity Surveyor, Town Planning Officer, Clerks and Messengers. The purpose of its establishment was to process land title (register land) and to generate funds for Asantehene, the overlord of the land. It is also to keep and maintain accurate and up to date records of land dealings in the city and provide information of land owning communities in the city. Again, it promotes the use of Alternative Dispute Resolution (ADR) to resolve conflicts between land owners and land users. The Secretariat serves as a link between land owning communities and the public LSAs. Applications of land title from ALS are forwarded to PVLMD of LC to generate a search report. This enables lease to be prepared for individuals, institutions and other stakeholders that have acquired stool lands. The major challenge of the secretariat is multiple allocation of land by different land owning groups and boundary disputes. Record keeping is also a major challenge. High volumes of current and old files make it difficult to track a file for reference. The use of computer to easily track files as it is currently done in PVLMD is not done in this secretariat.

4.6 Management practices, Challenges and Prospects of the LSAs

4.6.1 Management practices

4.6.1.1 Land Registration

According to the LRD land acquired for development projects but without appropriate ownership or title document from the PVLMD of the LC is not likely to be registered. Proposed development on any land which is in dispute with a case in a court of law is hardly considered for registration unless such legal matters are amicably resolved in the court and with the lands departments. After an applicant applies for registration, the LRD verifies if the area applied for is within its area of jurisdiction. Prescribed form is then given for the applicant to fill after which the applicant swears an oath. A receipt of acknowledgement 'Yellow card' and letter is issued for the applicant to send to the SMD for parcel plan preparation. The parcel plan shows the site plan, access roads and the poles of a plot. After the preparation of the parcel plan, the applicant pays for it and takes it to LRD again to assist the registry in processing. The applicant is issued with a

photocopy of the parcel plan together with a Request Form to be sent to the PVLMD for a search report. Upon receipt of the search report by the LRD, and satisfying itself that there are no objections or adverse findings in the report, the Registry then proceeds to publish the application in the dailies to notify the general public of such application. If no one raises objection to the ownership to the title after 14 days the LRD prints and signs certificates, records particulars on sectional plans and notifies the applicant of the completion of registration exercise. The Land Title Certificate is finally issued to the applicant upon submission of the “yellow card”.

4.6.1.2 Searches of Titles at PVLMD of the LC

According to the respondents of PVLMD, searches are of three kinds. These are official searches, traditional searches and individual searches. The official searches are requested by institutions such as schools and hospitals or police to do investigations about the ownership of a parcel of land for land dispute resolution. Traditional searches are requests from customary owners of land and CLS to search for titles of parcels of land for lease preparation. When individuals request for searches to be conducted to discover the right ownership of a parcel of land, it is also referred to as individual searches. Inadequate personnel contributed to delays in the searches. Another factor that contributes to delays in searches is plotting. After the officers make a search, they plot the area that has already been searched and computerize it for future use.

4.6.1.3 Acquisition of Building Permit

Building permits give developers the permission to put up a certain category of structure at a particular site. However lengthy processing durations and high cost deter developers from applying for permits. As a result, many land acquirers do not apply for development permit and land is not put to good use.

An applicant will have to buy building permit forms from the Metropolitan, Municipal and District Assemblies (MMDAs). After filling the application form it is submitted to the TCPD. TCPD then refers the application to the LC (PVLMD) for verification of the title to the land in question. After the LC has certified that the title to the land is not questionable, the application is then sent back to the TCPD for further action and approval. TCPD then send the application to, the City Engineers Department of the MMDAs where it is directed to the senior Building Inspector, and to the health and sanitary department. The application goes back to the Senior Building Inspector and to

the City Engineer who vets the structural aspects of the building. It finally goes back to the Senior Building Inspector who forwards it to the Treasury for assessment and tax clearance. From the above, it is found that the procedure for permit acquisition is cumbersome and takes some time before a site is approved for development. This also contributes to encroachments and improper use of land in the cities.

4.6.2 Challenges of the Land Sector Agencies (LSAs)

In general, the LSAs encounter numerous problems when discharging their mandated duties. Among them are numerous court cases, lack of adequate security of tenure (encroachment), indeterminate boundaries, inadequate consultation with land owners, difficulty in protecting large tracts of undeveloped public lands, inadequate payment of compensation for lands acquired by the government, inadequate professional / technical staff and logistics, delays in issuance of building permits, lack of planning schemes for certain areas leading to haphazard development, legal confusion and disharmony (Cap 84 vs Act 462), corruption and fraud (eg. multiple allocation, activities of quack surveyors etc), worn-out record sheets, tedious manual recording and retrieval of information, poor records keeping by traditional land owners, and poor remuneration and service conditions of staff.

According to PVLMD, compensation is normally paid for land acquisition especially by the central government and MMDAs when customary lands were acquired for development projects. However there were delays in the payment of compensation which has resulted in confrontation between traditional authorities and the government.

Although the PVLMD of the LC is mandated to protect government lands from encroachment under the Public Lands Protection Decree, 1974 (NRCD 240) or with the assistance of MMDAs under the Local Government Act 1993 (Act 462) it has not discharged its duty satisfactorily. OKESS in Kumasi and Achimota School in Accra were observed in the study areas. The study revealed that unlike Gbawe where land management is comparatively efficient, there were a lot of land litigations in Achimota. Land left for expansion of Achimota School has been seriously encroached. In Achimota School, encroachers have built several unauthorized structures on the school's land and consequently disrupted the school's sewerage system. Encroachers have built on the main channels that carried human excreta to its central point of lodging, forcing the lines to crack. Consequently, there is always spillage of liquid

waste and human excreta, gushing out from the main lines on the campus and on the main street which could result to cholera outbreak. In spite of that, developers are busily constructing more houses on the giant pipes through which the waste flows from the various points to the central lodging point, with some of the houses already completed and being occupied. Other encroachers too have engaged in winning sand and moulding blocks causing land degradation. About two – thirds of land that belongs to OKESS has also been encroached by private developers. Close to one hundred and sixty (160) unauthorized structures are built on the school's land. One of these unauthorized structures is a hotel (Promising Star Hotel) situated about 10 metres from the schools administration block.

SMD in the two cities indicated that, although there is an improvement of coordination among the LSAs, there is a problem on job description. Some TCPD workers for instance do the work of the SMD. Instead of the planners to plan sites for SMD to apply their technical knowhow to survey and draw maps, some of the workers of the TCPD do the surveying and mapping. Inappropriate surveying and mapping too contribute to upspring of unapproved structures on waterways that lead to flooding. There is inadequate Global Position System (GPS) and other logistics to help them in surveying and this contributes to delays in preparation of base maps. There is also duplication of roles of PVLMD and LVD on rent determination on land.

According to the LVD, the government has to provide them with security when they go to site to value land in dispute. A group that feels it has been cheated after valuation often attacks the officers. An example occurred in 2009 when a staff member of LVD was attacked in Kumasi when he was on duty and a disputing faction regarded him as an enemy and destroyed one of his eyes. Another problem to LVD is the involvement of land guards in many communities.

In the LRD, the system of computerization is poor. LRD in Accra has few computers but are hardly used for the storage of data of applicants. The situation is currently the same in Kumasi. Only three computers for instance are in the Kumasi office and are used for word processing documents. Records of the division are not computerized and are kept in old files. As a result, it has always been tedious to look for land documents from old fashioned files in the registries. According to LRD, land disputes make land registration take long time.

According to the TCPD in Kumasi, technical officers were twelve (12) in 1995, but reduced to only five (5) in 2010. Also, base maps are not adequate to make planning of layout easy. There is only one pickup for the institution in Kumasi, which is 20 years old, making their work very cumbersome. Modern equipment for the production of layouts are not available, so workers still use pens / pencils to draw manually which takes a lot of time. Another challenge according to the TCPD is laxity to enforce laws by the Building Inspectorate Division of the Metro Works Department. After the institution develops layouts, it is the responsibility of the building inspectorate to use the layout to enforce laws that prohibit developers from building on the unapproved places.

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

All the LSAs in Accra are in the same area except the LRD which is located in the ministries. This makes land registration cumbersome. Some computers are available in the LSAs in the two cities but are not put to good use. Files are piled up and some old ones are stored in open cabinets on verandas outside the room of PVLMD in Accra.

4.6.3 Prospects of Land Management in Accra and Kumasi

According to the Metropolitan Assemblies, they have been able to make efficient use of land through helping developers and individuals in planning suitable projects at the building sites. By monitoring what is done on building site resources are put to good use and this controls waste use of materials and haphazard development. According to a key informant of the TCPD more than 90% of Kumasi for instance is covered by layouts. The TCPD has been advising the KMA/AMA, government and quasi government agencies on land acquisition. It is not only relying on the government for logistical support but other sister cities in other nations such as Amere in Holland.

TCPD in Amere has supported its counterparts in Kumasi with logistics such as plot maker, computers and software which is to equip the staff to effectively plan a layout.

Although it is still cumbersome for clients to do business with the LSAs as a result of fragments and inadequate logistics in the new LC, time it takes to register land for instance from the LRD in the country is reducing. Table 4.6 represents the time it took the respondents to register the land they acquired.

Table 4.6: Time taken to Register Land (Months)

Time taken to register land	Number of Respondents			
	Accra		Kumasi	
	Frequency	Percentage (%)	Frequency	Percentage (%)
Between 7 – 12 months	20	6.67	18	6.00
Between 3 – 6 months	40	13.33	35	11.67
Less than 3 months	185	61.67	189	63.00
Land not registered	55	18.33	58	19.33
Total	300	100.00	300	100.00

Source: Author's field work, 2011

From table 4.6, 6.67% and 6.00% respondents from Accra and Kumasi respectively had their land registered between seven (7) and twelve (12) months. It took 13.33% and 11.67% respondents from Accra and Kumasi respectively to register their lands between three (3) and six (6) months. Again, 61.67% and 63.00% respondents from Accra and Kumasi respectively had their land registered less than three months. This shows that the time taken to register land continues to decline.

According to the land agencies there has been improvement in all the agencies after the implementation of the national land policy (Ghana LAP). Software for tracking files has been introduced in PVLMD and this has facilitated easy identification of land documents. Time of reporting and closing and supervisory roles have also improved significantly in all the land agencies.

4.7 Policy, Programmes and Responses to the Challenges on Land Management

The national land policy (1999, revised in 2002) initiated and implemented by MLF&M, sought to deal with the challenges in land administration in Ghana. The Land

Administration Project (LAP-1) is the first phase of a commitment by the Government of Ghana to use the LAP to reduce poverty and enhance economic/social growth by improving security of tenure, simplifying the process of acquiring land by the populace, developing the land market and fostering prudent land management by establishing an efficient system of land administration, both state and customary based on clear, coherent policies and laws supported by appropriate institutional structures. Achievements of LAP-1 include the drafting of a new Land Act which led to the approval for laying of New Land Commission Bill by parliament in 2008, increase in revenues to local and central government from land transactions, launching of website to publicize the activities of LAP and the LSAs, completion of two satellite offices for land titling, launching of community based land use planning commenced and pilot areas identified and phase one of a national geodetic framework recomputed and adjusted to improve surveying. After the passage of the Lands Commission Act (Act 767) 2008 by parliament, workshop was organized for some selected chiefs (traditional leaders) on reforms and processes involved in ownership and allocation of lands which streamlines the land acquisition system in the country.

Land Administration Project (LAP-2) also seeks to construct LC office in Kumasi. It entails involuntary resettlement and environmental assessments. Other programmes under LAP-2 include street addressing and naming, improving maps and spatial data, decentralization of service delivery, partnering the judiciary to extend and improve the operation of land courts to reduce the backlog of land cases. Human resource development of the main LSAs is on agenda of LAP-2. This includes capacity building in support of the implementation of strategic plans of the LSAs. Capacity building include geodetic reference network, remote sensing techniques in mapping, land information system, land registration and land use planning.

As part of programmes to encourage many land owners / users to register their titles of ownership, the LAP of the MLF&M undertook systematic registration of titles to lands within Cantonments, Osu, Kaneshie and Dansoman residential areas in Accra and Nhyiaeso, Patase, North and South Suntreso residential areas in Kumasi in January, 2010. The aim of the exercise was to enable land owners register their lands in a simple, fast and cheap manner.

CHAPTER FIVE

SUMMARY OF FINDINGS, RECOMMENDATIONS AND CONCLUSION

5.1 Introduction

This chapter presents the summary of the study, recommendations and conclusions. Also presented in this chapter are areas for further research.

5.2 Summary of Findings and Recommendations

The pressures of urbanization and fast growing population of Accra and Kumasi have impacted on land management. The land in Kumasi belongs to Asantehene unlike Accra where the land belongs to different land owning groups. Stool lands are held in trust by caretaker chiefs for the Golden Stool in Kumasi. In Accra most families are vested with the absolute interest in land with few as stool lands. The involvement of Asantehene in the management of stool lands has reduced land disputes not only in the Kumasi Metropolis, but the entire Ashanti Region and beyond, unlike Accra where the rate of land disputes is comparatively high. When the two cities are compared, customary land management in Kumasi makes identification of owners of land simpler and therefore makes resolution of disputes easier and faster. In Accra, sometimes large families who own land become indistinguishable and this leads to multiple sales of land by the individuals in the family. There is only one recognized CLS in Accra – GKFL whose authority is limited to only 9836.56 acres of land.

Once land in Accra does not belong to one chief as it is in Kumasi and the population keeps on increasing with corresponding increase in land issues, CLSs should be established to reduce the workload of the LC and other LSAs. For instance, the Anyaa Family and other families who have large parcels of land could be encouraged and supported to establish CLS to operate locally just like GKFL. Thus land management should be decentralised to the local level to bring efficiency and accountability in the system. This will make procedures of land acquisition and registration easier and faster.

Also, periodic sensitisation of the public through fora and dialogue sessions should be carried out, thus enhancing public awareness on land acquisition, registration process and development permit acquisition.

The Metropolitan Assemblies should be resourced to acquire large parcels of land for the purpose of constructing high rise buildings and sold out to workers. The Metropolitan Assembly's portion of the amount of money generated from the stools land could be used as seed money to acquire land to benefit the people in the urban areas. This will reduce developments of unapproved portions on the land.

Urbanization has contributed to rapid increase in consumption of land in the past years in the two cities. Comparatively, Accra has the highest land values because of high demand. The factors that have influenced the increase of land values and pricing systems are population growth and inefficient town planning. Inefficient planning and high population growth have imposed a heavy burden on the land values and pricing systems, making the cost of land very high.

Logistics and trained staff in the LSAs are inadequate to make land delivery efficient to facilitate poverty reduction and wealth creation. For instance, delays in the preparation of base maps by the SMD due to logistical and personnel constraints prolong the period of plan preparation creating an avenue for unauthorized developments on the land. Some few LSAs had computers and other logistics but did not have the requisite knowledge to operate them. Even though LRD and TCPD in Kumasi for example had three and four computers respectively, they did not use to store data on registered titles or applicants of building permits.

The government and philanthropic organizations should continue to support the LSAs by providing logistics and training to improve their operations. There is the need to provide an integrated information system and a database (intranet) to facilitate online communication among all the LSAs in order to ensure a timely and an efficient delivery of services to the public by the various LSAs since the services they render are interdependent. For example, access to a database on an approved land title deed or a transferred lease and approved building permits of applicants must be online. The agencies must ensure data sharing to make information transfer and distribution easier. This will minimize the rate at which clients move from one agency to another for better services.

Logistics without capacity building and appropriate skills training of staff members of all the LSAs will not bring any achievement. Capacity building includes training, especially the use of computer to store data, study tours to acquire knowledge to provide efficient service to clients. Training of staff in key areas like records keeping, file tracing, surveying and mapping will also simplify some of the cumbersome procedures and also reduce duplication of roles.

All the LSAs are not located in the same area. In Accra for instance, the LRD is far away from all the other land agencies under the LC. The LRD is located at the ministries whereas PVLMD, OASL, LVD are located in the same area close to the 37 military hospital. The SMD is about a mile away from PVLMD, OASL, and LVD. Again, many different fragments of some of the LSAs and duplication of roles pose a challenge. For instance many managerial functions, such as personnel management, are duplicated across the LSAs. When all the LSAs are under one roof, duplications of roles will be minimized. This will also reduce time clients spend on land transactions.

5.3 Conclusions

If the problems in the land markets are to reduce, interventions that promote proper documentation of land transactions and easy access to such information by land acquirers are needed. The introduction of Information and Communications Technology (ICT) into the operations of the land agencies, addressing the backlog in the land title system, creating awareness among clients in the offices by allowing them to inspect documents by searching and viewing on computers will also motivate many more prospective developers to visit the LSAs for appropriate documents on land. This will reduce many land conflicts in urban and peri-urban areas of Ghana.

The proposed building to be constructed for the LC in Kumasi to house all the divisions under phase 2 of LAP will also reduce turnaround time clients spend on land transactions. Grouping the divisions together under one roof will not only help the coordination of activities between the land agencies, but will also improve management practices to satisfy clients. Although the implementation of the LAP has improved the LSAs, these interventions have to be complemented with adequate human resources and logistics by the government.

Areas of further research

1. The contribution of the traditional land agencies in land delivery in Ghana.
2. Evaluating the contributions of the Land Administration Project in land delivery in Ghana.
3. Land Rights and Vulnerabilities in Peri-Urban Areas of Ghana.



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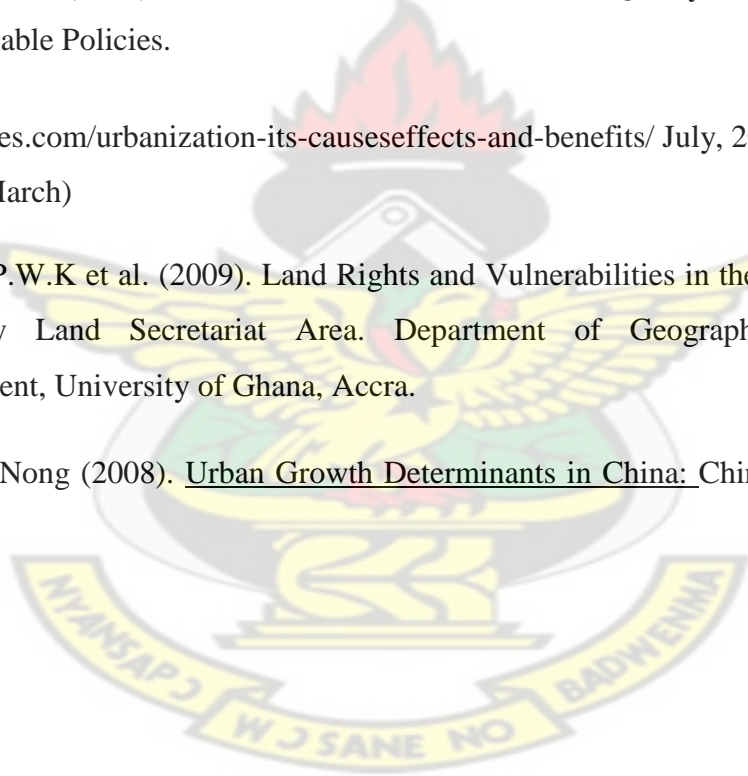
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APPENDIX A

Questionnaire for Land Acquirers / Users

DEPARTMENT OF PLANNING

FACULTY OF PLANNING AND LAND ECONOMY

KWAME NKRUMAH UNIVERSITY OF SCIENCE AND TECHNOLOGY, KUMASI

QUESTIONNAIRE FOR SPECIAL STUDY, DECEMBER 2010

Topic: Urbanization and the Management of Urban Land in Ghana

This research is part of a Master's Thesis being conducted in the Department of Planning, Kwame Nkrumah University of Science and Technology, KNUST, Kumasi. The study is based on a selected sample in Ashanti and Greater Accra Regions. Participation in this study is voluntary, and all who participate will remain anonymous. All information offered will be treated confidential, and the results will be presented in such a way that no individuals may be recognized.

Interviewer.....

Date.....

Name of Suburb.....House Number.....

1. Name.....

2. Sex [] Male [] Female

3. Level of Education

- [] Never
- [] Primary School
- [] Middle School/JSS
- [] Secondary School
- [] Technical/ Commercial / Vocational
- [] Training College
- [] Polytechnic
- [] University

4. Hometown.....

5. Place of birth.....

6. Where did you live before settling in Accra / Kumasi?.....

7. Whom did you acquire this land from?
- ☐ chief
 - ☐ family head
 - ☐ family member
 - ☐ other individuals
8. Year and month the plot was acquired in Accra/ Kumasi.....
9. Give the main reason for settling in Accra/Kumasi but not in any other city/town/village.
- ☐ Employment
 - ☐ Marriage
 - ☐ Education
 - ☐ Other
10. What was the main purpose for the acquisition of land in the city?
- ☐ Residential
 - ☐ Rental
 - ☐ Commercial
11. Have you encountered any challenge on the land you occupy?
- ☐ Yes
 - ☐ No
12. Who determines the price of land?
- ☐ land owners
 - ☐ land acquirers
 - ☐ government
13. How do land acquirers/users finance the land they acquire?
- ☐ Loans from financial institutions
 - ☐ Household sources
 - ☐ Free
14. Have you registered your land?
- ☐ Yes
 - ☐ No
15. How long did it take to register your land?
- ☐ Two weeks
 - ☐ One month
 - ☐ One month two weeks

- ☐ Two months
- ☐ Two months two weeks
- ☐ Three months
- ☐ Three months two weeks
- ☐ Four months
- ☐ Other.....
16. Did you encounter any challenge in the LSAs?
- ☐ Yes
- ☐ No
17. What challenges did you encounter when you visited the LSAs?
- ☐ delays and frustrations
- ☐ double/multiple payments in the LSAs
18. Did you obtain building permit before using the land?
- ☐ Yes
- ☐ No
19. How long did it take to obtain building permit before developing the land?
- ☐ Two weeks
- ☐ One month
- ☐ One month two weeks
- ☐ Two months
- ☐ Two months two weeks
- ☐ Three months
- ☐ Three months two weeks
- ☐ Four months
- ☐ Other.....
20. What do you think could be made to improve the current land management practices in the LSAs?
- ☐ Provision of logistics to all the LSAs
- ☐ Adequate staff strength and training
- ☐ Increase in remuneration of staff
- ☐ Locating all the LSAs in same area

APPENDIX B

Interview Guide for PVLMD

DEPARTMENT OF PLANNING

FACULTY OF PLANNING AND LAND ECONOMY

KWAME NKRUMAH UNIVERSITY OF SCIENCE AND TECHNOLOGY, KUMASI

INTERVIEW GUIDE FOR SPECIAL STUDY, DECEMBER 2010

Topic: Urbanization and the Management of Urban Land in Ghana

This research is part of a Master's Thesis being conducted in the Department of Planning, Kwame Nkrumah University of Science and Technology, KNUST, Kumasi. The study is based on a selected sample in Ashanti and Greater Accra Regions. Participation in this study is voluntary, and all who participate will remain anonymous. All information offered will be treated confidential, and the results will be presented in such a way that no individuals may be recognized.

1. Name.....
2. Sex [☐] Male [☐] Female
3. How has urbanization affected the demand for urban land in Accra/ Kumasi?
4. What system of land ownership exists in Ghana?
5. What ownership structure is dominant in the cities?
6. What factors determine land prices in Accra and Kumasi?
7. What do land acquirers mostly use land they have acquired for?
8. Why is it cumbersome to have access to records of land documents from your agency?
9. How is land dispute affecting the PVLMD?
10. What is being done by your outfit to reduce land disputes?
11. How long does it take for the government to pay compensation on land that has been compulsorily acquired by the state?
12. How long does it take to make searches of land documents in PVLMD?
13. What is the relationship between your outfit and the TCPD and the AMA/KMA?
14. What role(s) is/are played by your Division and is/are also played by the Land Valuation Division?
15. What challenges do you face as a division?
16. What is your institution's response to the challenges on urban land i

APPENDIX C

Interview Guide for LVD

DEPARTMENT OF PLANNING

FACULTY OF PLANNING AND LAND ECONOMY

KWAME NKRUMAH UNIVERSITY OF SCIENCE AND TECHNOLOGY, KUMASI

INTERVIEW GUIDE FOR SPECIAL STUDY, DECEMBER 2010

Topic: Urbanization and the Management of Urban Land in Ghana

This research is part of a Master's Thesis being conducted in the Department of Planning, Kwame Nkrumah University of Science and Technology, KNUST, Kumasi. The study is based on a selected sample in Ashanti and Greater Accra Regions. Participation in this study is voluntary, and all who participate will remain anonymous. All information offered will be treated confidential, and the results will be presented in such a way that no individuals may be recognized.

Interviewer.....

Date.....

1. Name.....
2. Sex ☐ Male ☐ Female
3. How has urbanization affected the demand for land in urban areas?
4. What determines the value of land in urban areas of Ghana?
5. Rank the following from the least important (1) to the most important factor (4) in determining land prices in Accra / Kumasi.
☐ Location of land
☐ Level of development of area
☐ Whether or not access roads are available
☐ Whether or not electricity and pipe water is nearby
6. What do stools/families take into consideration in determining prices in land transactions in the cities?
7. What is the range for the value of land in the first class residential area in the city?

8. What is the range for the value of land in the peri-urban areas close to Accra/Kumasi?
9. What same roles are played by the Land Valuation Division and are also played by the other LSAs?
10. How is land dispute affecting your outfit?
11. What is being done by the LVD to reduce land disputes?
12. What are the future prospects of the Lands Commission in Ghana?
13. What challenges do you face when undertaking your mandated responsibilities?
14. What is your institution's response to the challenges on urban land in Ghana?



APENDIX D

Interview Guide for LRD

DEPARTMENT OF PLANNING

FACULTY OF PLANNING AND LAND ECONOMY

KWAME NKRUMAH UNIVERSITY OF SCIENCE AND TECHNOLOGY, KUMASI

INTERVIEW GUIDE FOR SPECIAL STUDY, DECEMBER 2010

Topic: Urbanization and the Management of Urban Land in Ghana

This research is part of a Master's Thesis being conducted in the Department of Planning, Kwame Nkrumah University of Science and Technology, KNUST, Kumasi. The study is based on a selected sample in Ashanti and Greater Accra Regions. Participation in this study is voluntary, and all who participate will remain anonymous. All information offered will be treated confidential, and the results will be presented in such a way that no individuals may be recognized.

Interviewer.....

Date.....

Name of land development agency

1. Name.....

2. Sex [] Male [] Female

3. How has urbanization affected the demand for urban land in Accra/ Kumasi?

4. What processes are involved in land registration?

5. How often do you educate the public about the need to register land in the cities?

6. What causes delay when registering land?

7. Which factors do stools/families take into consideration in determining prices in land transactions in the cities?

8. How is land dispute affecting the LRD?

9. What is being done by your outfit to reduce land disputes?

10. What is the relationship between your outfit, the SMD and the PVLMD?
11. What challenges do you face when discharging your duties?
12. What is your institution's response to the challenges on urban land in Ghana?

KNUST



APPENDIX E

Interview Guide for SMD

DEPARTMENT OF PLANNING

FACULTY OF PLANNING AND LAND ECONOMY

KWAME NKRUMAH UNIVERSITY OF SCIENCE AND TECHNOLOGY, KUMASI

INTERVIEW GUIDE FOR SPECIAL STUDY, DECEMBER 2010

Topic: Urbanization and the Management of Urban Land in Ghana

This research is part of a Master's Thesis being conducted in the Department of Planning, Kwame Nkrumah University of Science and Technology, KNUST, Kumasi. The study is based on a selected sample in Ashanti and Greater Accra Regions. Participation in this study is voluntary, and all who participate will remain anonymous. All information offered will be treated confidential, and the results will be presented in such a way that no individuals may be recognized.

Interviewer.....

Date.....

Name of land development agency

1. Name.....
2. Sex [☐] Male [☐] Female
3. How has urbanization affected the demand for land?
4. How long does it take to prepare a parcel plan for landowners/users?
5. Which of the following do stools/families take into consideration in determining prices in land transactions in the cities?
6. What is the relationship between your outfit and the TCPD?
7. Do you have records of surveyed maps of suburbs of the metropolis?
8. Why is it cumbersome to have access to records of land documents at your outfit?
9. How is land dispute affecting the Lands Commission?
10. What is being done by the Commission to reduce land disputes?

11. What role is supposed to be played by the Survey Department but is also played by the TCPD and the Metropolitan Assembly?
12. What are the future prospects of Lands Commission in Ghana?
13. What challenges do you face when discharging your duties?
14. What is your institution's response to the challenges on urban land in Ghana?

KNUST



APPENDIX F

Interview guide for TCPD

DEPARTMENT OF PLANNING

FACULTY OF PLANNING AND LAND ECONOMY

KWAME NKRUMAH UNIVERSITY OF SCIENCE AND TECHNOLOGY, KUMASI

INTERVIEW GUIDE FOR SPECIAL STUDY, APRIL 2010

Topic: Urbanization and the Management of Urban Land in Ghana

This research is part of a Master's Thesis being conducted in the Department of Planning, Kwame Nkrumah University of Science and Technology, KNUST, Kumasi. The study is based on a selected sample in Ashanti and Greater Accra Regions. Participation in this study is voluntary, and all who participate will remain anonymous. All information offered will be treated confidential, and the results will be presented in such a way that no individuals may be recognized.

Interviewer.....

Date.....

Name of LSA.....

1. Name.....
2. Sex [] Male [] Female
3. How has rapid urbanization affected demand and supply of land?
4. What processes are involved in acquisition of building/development permit?
5. Why would granting of permit to land acquirers delay?
6. How does delay in issuing building permits contribute to unauthorized structures on urban land and increase in environmental degradation?
7. How does land dispute in urban areas affect the TCPD?
8. What are some of the challenges that affect TCPD?
9. What is your institution's response to the challenges on urban land?
10. What are some of the prospects of the TCPD?

APPENDIX G

Interview guide for CLSs in Accra and Kumasi

DEPARTMENT OF PLANNING

FACULTY OF PLANNING AND LAND ECONOMY

KWAME NKRUMAH UNIVERSITY OF SCIENCE AND TECHNOLOGY, KUMASI

INTERVIEW GUIDE FOR SPECIAL STUDY, APRIL 2010

Topic: Urbanization and the Management of Urban Land in Ghana

This research is part of a Master's Thesis being conducted in the Department of Planning, Kwame Nkrumah University of Science and Technology, KNUST, Kumasi. The study is based on a selected sample in Ashanti and Greater Accra Regions. Participation in this study is voluntary, and all who participate will remain anonymous. All information offered will be treated confidential, and the results will be presented in such a way that no individuals may be recognized.

Interviewer.....

Date.....

Name of CLS.....

1. Name.....
2. Sex ☐ Male ☐ Female
3. When was the Secretariat established?
4. What is the purpose for establishing the secretariat?
5. What is the structure of the secretariat?
6. What is the size of land under the secretariat?
7. How has urbanization affected demand and supply of land?
8. How does land dispute affect your institution?
9. Has there been coordination between your outfit and the government LSAs?
10. What are some of the challenges the secretariat encounter?
11. What measures have you adopted in dealing with the challenges?

KNUST

